

**PROPOSED DEVELOPMENT CONDITIONS**

SE 2014-BR-039

May 6, 2015

If it is the intent of the Board of Supervisors to approve SE 2014-BR-039 located at 10639 John Ayres Drive, Tax Map 77-1 ((12)) 182, for a home child care facility of up to twelve children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, and an increase in fence height in front yards, pursuant to Sect. 10-104 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the home child care use and fence indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. Any plan or permit submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat, dated October 24, 2007, consisting of the Plat entitled "Lot 182, Section 6, Fairfax Club Estates," prepared by Alexandria Surveys International, LLC, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the special exception conditions shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
6. The hours of operation for the home child care facility shall not exceed 7:00 a.m. to 6:00 p.m.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, with the hours of such attendance limited to 7:00 a.m. to 6:00 p.m.
8. The dwelling that contains the home child care facility shall be the primary residence of the provider.
9. The existing two-car garage shall not be converted to any use which would preclude the parking of vehicles, and shall be kept clear of debris at all times in order to accommodate parking for the dwelling and the home child care provider.

10. There shall be no signage associated with the home child care facility.
11. All outdoor play equipment shall conform to all applicable state regulations and standards.
12. Fencing shall be allowed within the front yards only as indicated on the plat and shall be restricted to six feet tall or less. All portions of the fence shall be located outside of the public right-of-way.
13. In accordance with the Uniform Statewide Building Code, clearances of 30 inches will be maintained to the front and sides of the service panels for the water heater and furnace.
14. Both parking spaces in the driveway shall be left open during the hours of operation of the home child care facility for the drop-off and pick-up of children. The arrival and departure of children shall be staggered to help ensure that the spaces will be available. Parking is also allowed on the adjacent public streets.
15. Approval of this use is contingent upon maintenance of a state license for a Home Child Care facility for the number of children on-site.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall take effect upon approval by the Board of Supervisors.