



TOWN OF  
**VIENNA**  
since 1890

---

### Memorandum

To: Board of Zoning Appeals  
From: Jessica Plowgian, Chair of the Planning Commission *JSP*  
Meeting Date: June 12, 2024  
Re: Conditional Use Permit for a Family Day Home at 430 Old Court House Rd NE

---

#### Overview

The applicant is seeking a Conditional Use Permit (CUP) for a family day home for up to 12 children at 430 Old Courthouse Road NE in the RS-12.5, single family residential zoning district.

The Planning Commission (PC) received written correspondence from one neighbor (at 413 Old Courthouse Road) who opposed the family day home. The applicant submitted written correspondence from a neighbor (at 426 Old Courthouse Road) who supported approval of the family day home. In addition, one neighbor (at 8724 Old Courthouse Road) attended the meeting and voiced opposition to the size of the proposed family day home, expressing concerns about the volume and speed of traffic in this residential neighborhood.

The applicant indicated their intent to offer care to children of multiple ages, including possible before and after school care for children attending Westbriar Elementary School.

#### PC Discussion and Concerns

In response to questions from PC members, the applicant indicated that Fairfax County would not require her to install a fence in the backyard. The applicant did, however, indicate that she would be willing to install one if required by the Town. PC members discussed their strong interest in having a privacy fence as well as additional landscaping installed around the rear play area both for the safety of the children and for the benefit of neighboring properties.

PC members also discussed the availability and safety of parking on Old Courthouse Road, as well as the placement of existing speed tables and crosswalks. Given the volume and speed of traffic on this road, PC members believed it would be safer for both the children and drivers

---

Planning Commission Recommendation  
Conditional Use Permit for a Family Day Home at 430 Old Court House Rd NE

on this road to have children dropped off on the same side of the road as the house (the south side), to prevent children and parents from crossing Old Courthouse Road.

PC members also noted that the Comprehensive Plan is supportive of growth in the number of business licenses and there seems to be a considerable demand for childcare services in our community.

**PC Recommendation**

The PC made a motion to recommend that the Board of Zoning Appeals approve a Conditional Use Permit for a Family Day Home to accommodate up to a maximum of twelve children at 430 Old Courthouse Road NE, described as tax map parcel 0293 10 0015, with the condition that the owner install a privacy fence around the backyard play area.

While not recommended as a condition to the CUP, the PC requests that the applicant agree to (i) install additional vegetation screening of the neighboring yards, (ii) utilize a staggered drop-off and pick-up of the children, and (iii) require parents to drop off and pick up children on the southern side of the street.

Motion: Commissioner Stephen Kenney

2<sup>nd</sup>: Commissioner Douglas Noble

Roll Call Vote: 7-0

Jessica Plowgian, Chair	Aye
Matthew Glassman, Vice Chair	Aye
Keith Aimone	Aye
Deepa Chakrapani	Aye
Stephen Kenney	Aye
David Miller	Aye
Douglas Noble	Aye