



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of September 13, 2008

**DATE:** August 26, 2008

**SUBJECT:** U-3139-05-1 USE PERMIT REVIEW for a child care center located at 825 S. 23<sup>rd</sup> St. (RPC #36-031-005)

**Applicant:**

Maria Teresa Desaba  
937 17<sup>th</sup> Street South  
Arlington, Virginia 22202

**C.M. RECOMMENDATION:**

Defer the use permit review to the December 13, 2008 County Board meeting.

**ISSUES:** This is a scheduled review of a child care center use. The child care center use has not commenced, therefore, staff is unable to complete this review.

**DISCUSSION:** The subject use permit to convert a single-family residence into a child care center was approved by the County Board on December 10, 2005. The applicant received a building permit in September 2006 to commence renovation to convert the space to a child care center. The County Board deferred consideration of the use permit review in December 2006 and in September 2007 pending completion of the building construction. As of the date of this report, the building is still under construction and has not been occupied, with an anticipated completion and occupancy date in November 2008. Because the child care center use has yet to occupy the space, staff has not been able to determine the use's compliance with the approved use permit conditions. The Zoning Ordinance states that construction or operation of a use permit must commence within one (1) year of the date of issuance, except that the County Board may extend the commencement period by up to three (3) years upon determination that additional time is needed to complete construction. The applicant has submitted revised building plans and anticipates that the center will be completed during the next review period. In December 2008, this use will have been approved for a total of three (3) years. Since the use has been deferred a number of times, staff recommends that the County Board discontinue the use if the building has not been granted a Certificate of Occupancy for a child care center use by December 1, 2008. Therefore, staff recommends that the County Board defer the review of the use permit to the December 13, 2008 County Board meeting.

County Manager: \_\_\_\_\_

Staff: Rasheda DuPree McKinney, Planning Division, DCPHD

PLA-5066

PREVIOUS COUNTY BOARD ACTIONS:

- |                   |   |
|-------------------|---|
| December 10, 2005 | Approve use permit (U-3139-05-1) subject to the conditions of the staff report, with a six (6) month administrative review (June 2006) and a County Board review in one (1) year (December 2006). |
| December 9, 2006  | Deferred use permit (U-3139-05-1) for a child care center to the September 2007 County Board meeting.   |
| September 8, 2007 | Deferred use permit (U-3139-05-1) for a child care center to the September 2008 County Board meeting.   |