



APPLICATION ACCEPTED: January 29, 2010  
BOARD OF ZONING APPEALS: April 14, 2010  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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April 7, 2010

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2010-SU-013

### SULLY DISTRICT

**APPLICANT:** Rezan A. Sofy

**OWNERS:** Rezan A. Sofy  
Farok H. Sofy

**SUBDIVISION:** Pleasant Valley

**STREET ADDRESS:** 4401 Pleasant Valley Road

**TAX MAP REFERENCE:** 33-4 ((2)) 49A

**LOT SIZE:** 10,500 square feet

**ZONING DISTRICT:** R-C and WS

**ZONING ORDINANCE PROVISIONS:** 8-305

**SPECIAL PERMIT PROPOSAL:** To permit a home child care facility.

**STAFF RECOMMENDATION:** Staff recommends denial of SP 2010-SU-013 for the home child care facility.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

*O:\dhedri\Special Permits\4-14 SP 2010-SU-013 Sofy\SP 2010-SU-013 Sofy staff report.doc*

*Deborah Hedrick*

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

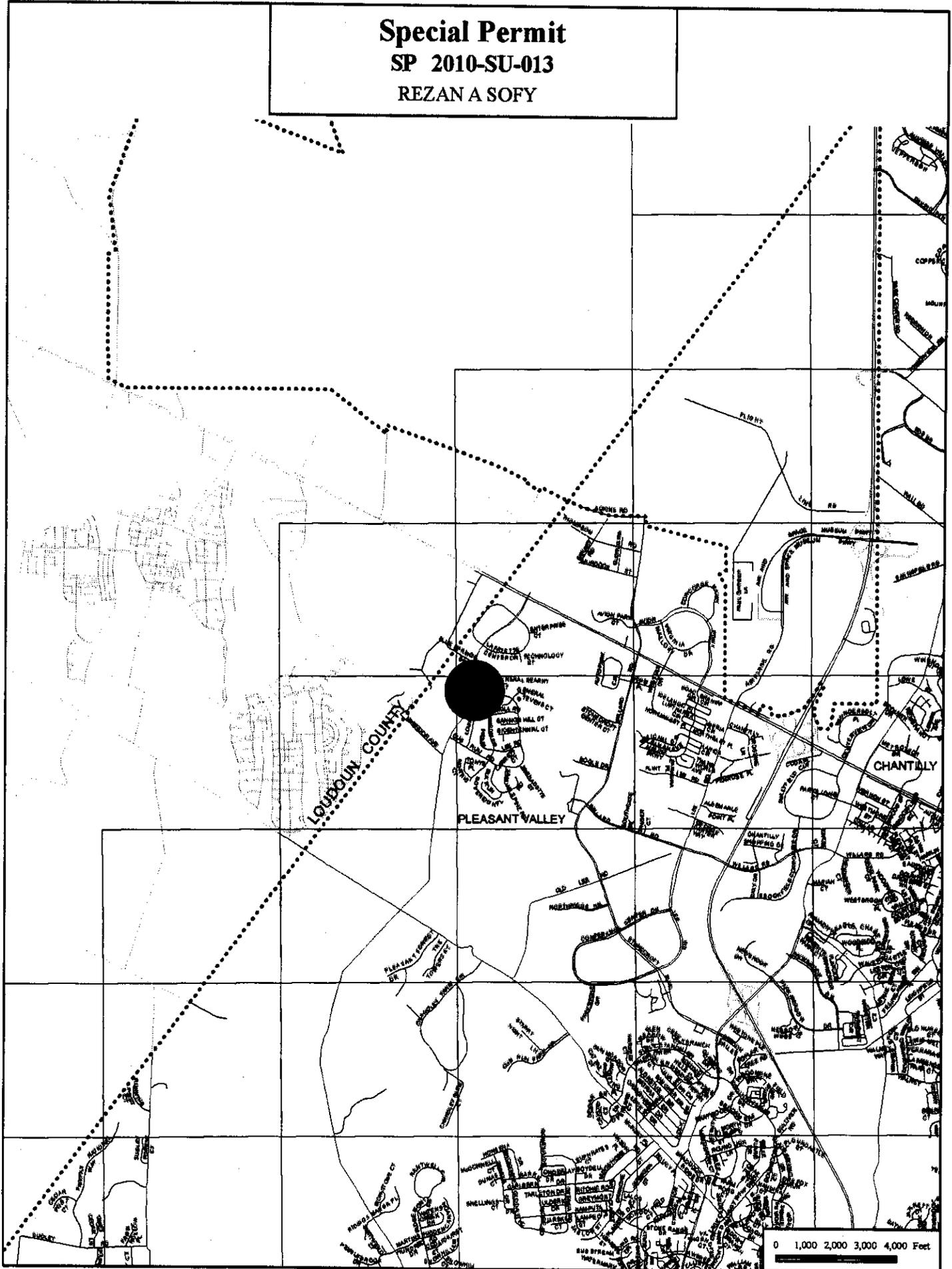
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505.**

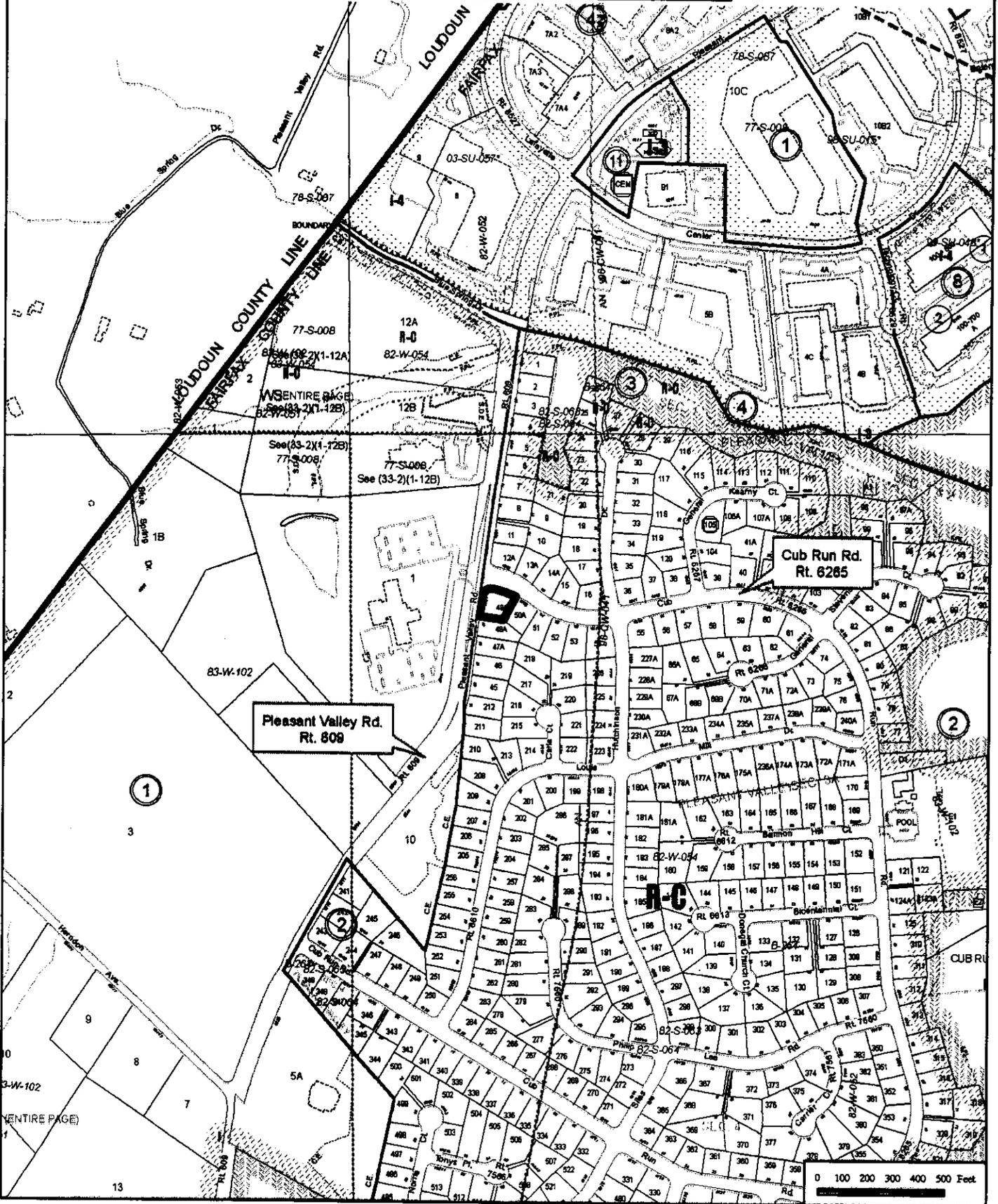


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

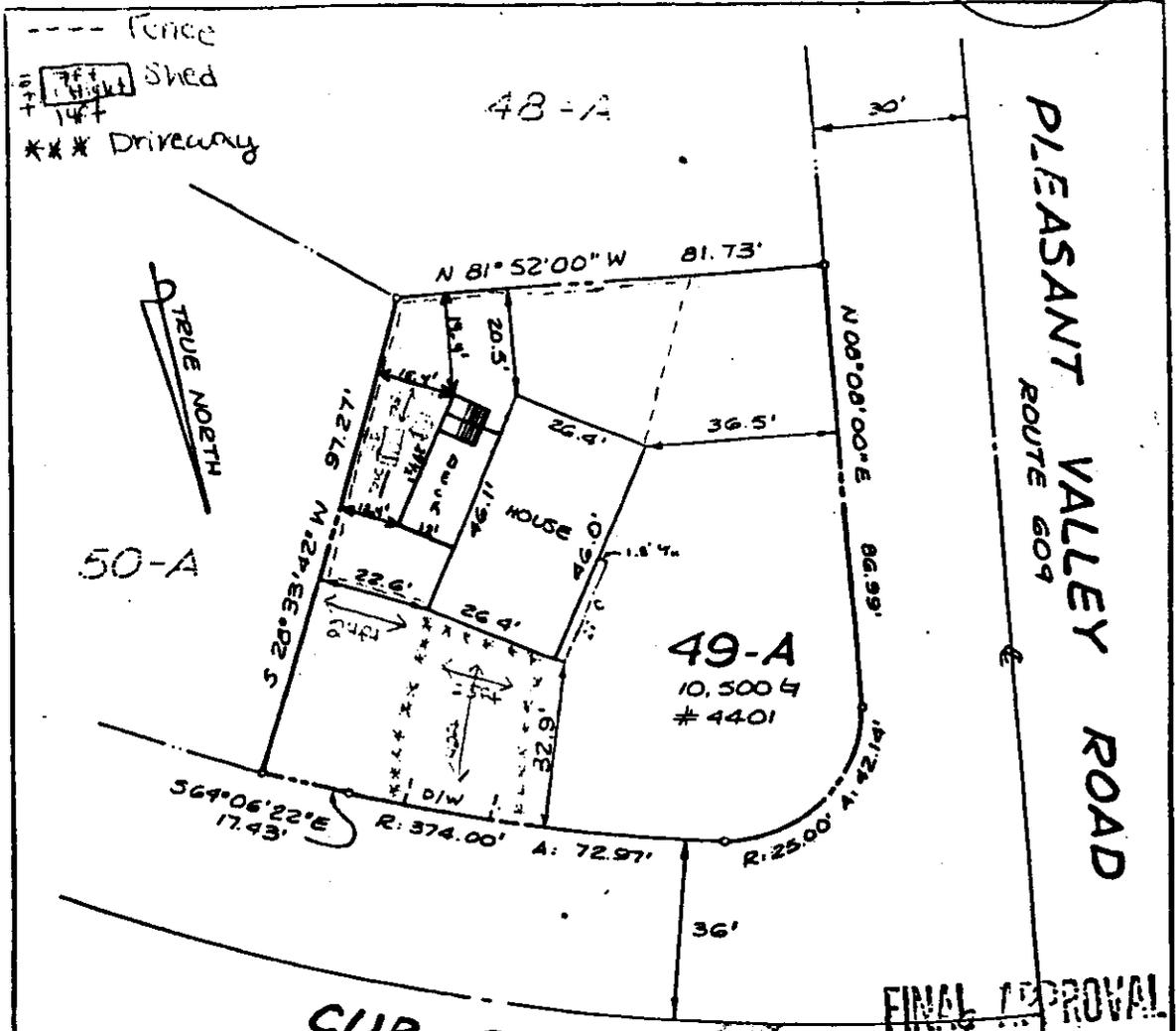
**Special Permit**  
**SP 2010-SU-013**  
REZAN A SOFY



**Special Permit**  
**SP 2010-SU-013**  
**REZAN A SOFY**



7645



*R. Jahn*  
 11/10/2009

HOUSE LOCATION SURVEY  
 LOT 49-A  
**PLEASANT VALLEY  
 SECTION ONE**  
 RECORDED @ D.B. 5091 PG. 712  
 CENTREVILLE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA  
 SCALE: 1" = 30'  
 DATE: 10/12/83  
 FINAL: 11/23/83

CERTIFIED CORRECT,  
 NO TITLE REPORT FURNISHED

PACIULLI, SIMMONS & ASSOCIATES, LTD.  
 307 Maple Avenue West, Vienna, Virginia 22180 (703) 281-5800

Engineers, Planners, Surveyors



DRN: ABL

RECEIVED  
 Department of Planning & Zoning  
 JAN 22 2010  
 Zoning Evaluation Division

4304

4305

4302 Cub Run

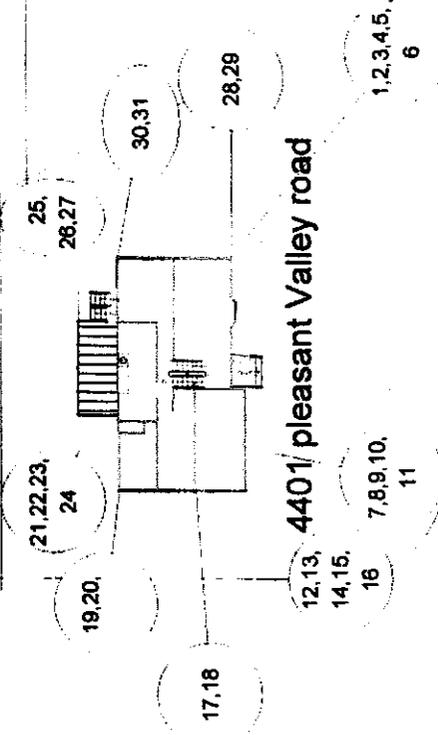
4303

Cub Run Road

4301 Cub Run

4403

4405



Pleasant Valley Road

4390 Pleasant Valley Rd

RECEIVED  
Department of Planning & Zoning

SEP 15 2009

Zoning Evaluation Division

4401 pleasant vally road

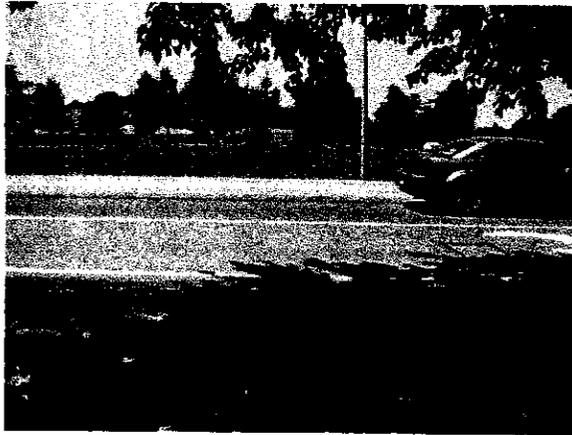
chantilly

Va 20151

July/20/2009



Picture (1)



Picture (2)

Pictures 1, 2 from front yard toward pleasant valley road.



Picture (3)

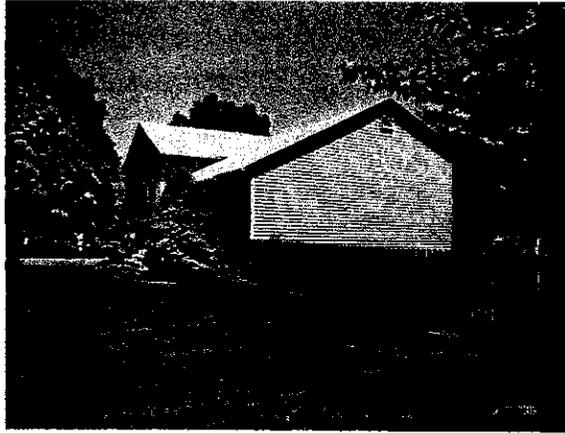


Picture (4)

RECEIVED  
Department of Planning & Zoning  
SEP 15 2009  
Zoning Evaluation Division

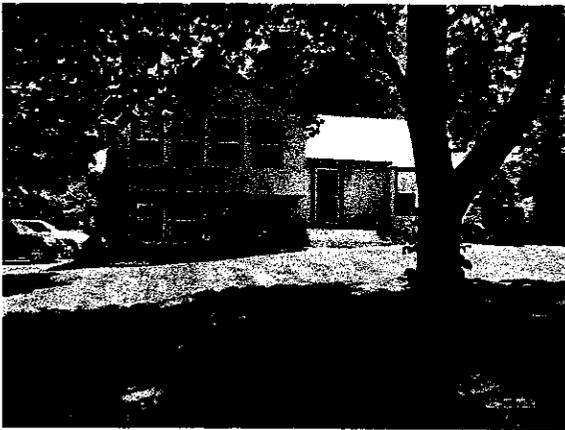


Picture (5)



Picture (6)

Pictures (3, 4, 5, and 6) are taken from right side of front yard on pleasant valley Rd.

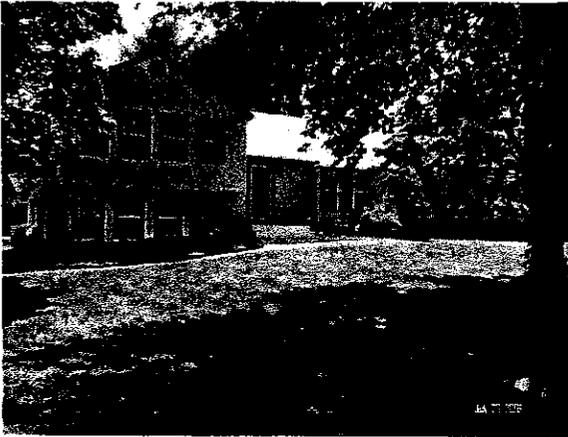


Picture (7)



Picture (8)

RECEIVED  
Department of Planning & Zoning  
SEP 15 2009  
Zoning Evaluation Division



Picture (9)



Picture (10)

Pictures (7, 8, 9, and 10) are taken from left side of pleasant valley Rd.



Picture (11)



Picture (12)



Picture (13)



Picture (14)



**Picture (15)**



**Picture (16)**

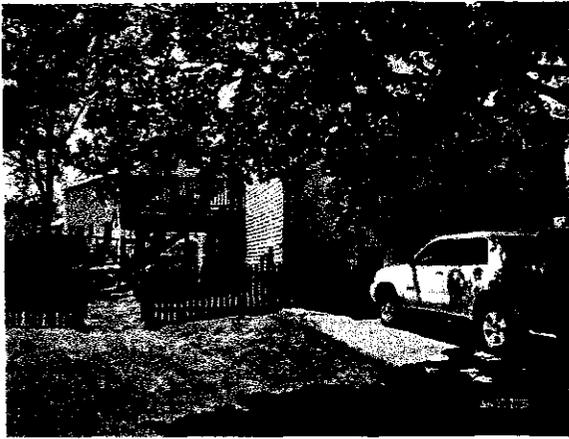


**Picture (17)**

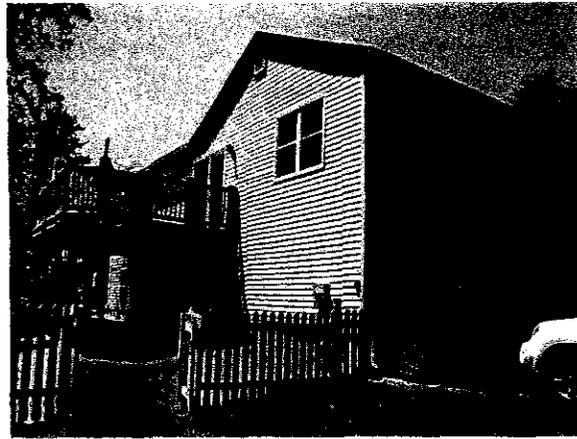


**Picture (18)**

**Pictures (11, 12, 13, 14, 15, 16, 17 and 18) are taken from upper side of Garage on cub run road.**



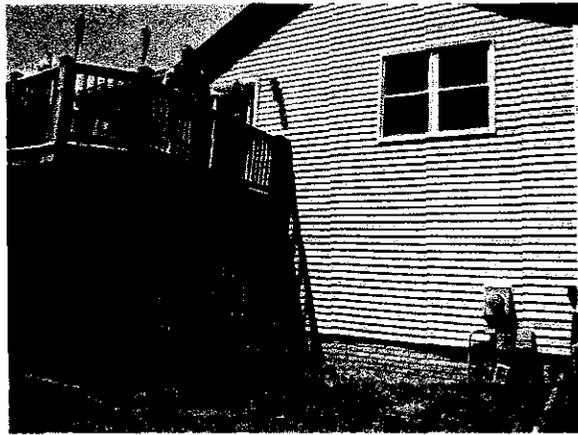
Picture (19)



Picture (20)



Picture (21)

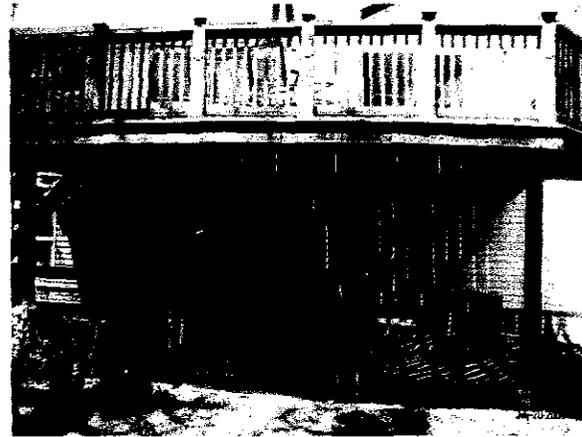


Picture (22)

Pictures (19,20,21,22) is taken from lower side of Garage on cub Run Road.



Picture(23)



Picture(24)

Pictures (23,24) is taken from lower side of back yard.



Picture (25)



Picture (26)

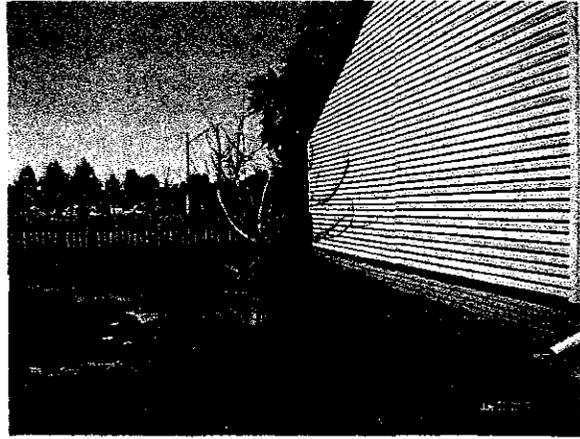


Picture (27)

Pictures (25,26,27) is taken from uper side of back yard

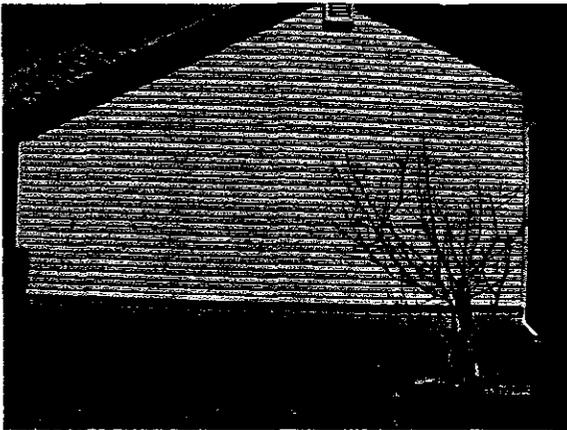


Picture (28)



Picture (29)

Pictures (28,29) is taken from lower side of right side of house.



Picture (30)

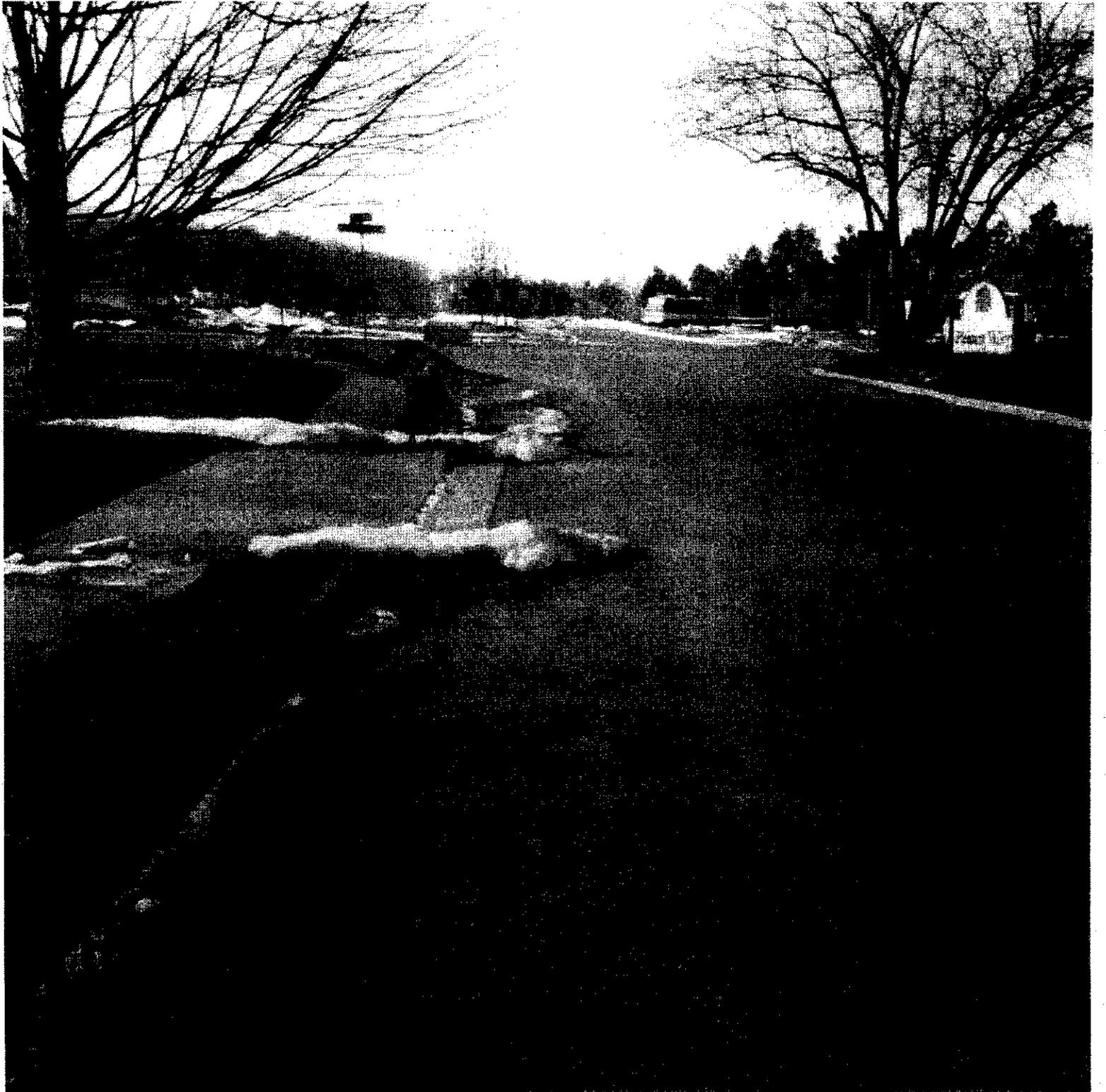


Picture (31)

Pictures (29,30) is taken from upper side of the right side of the house.

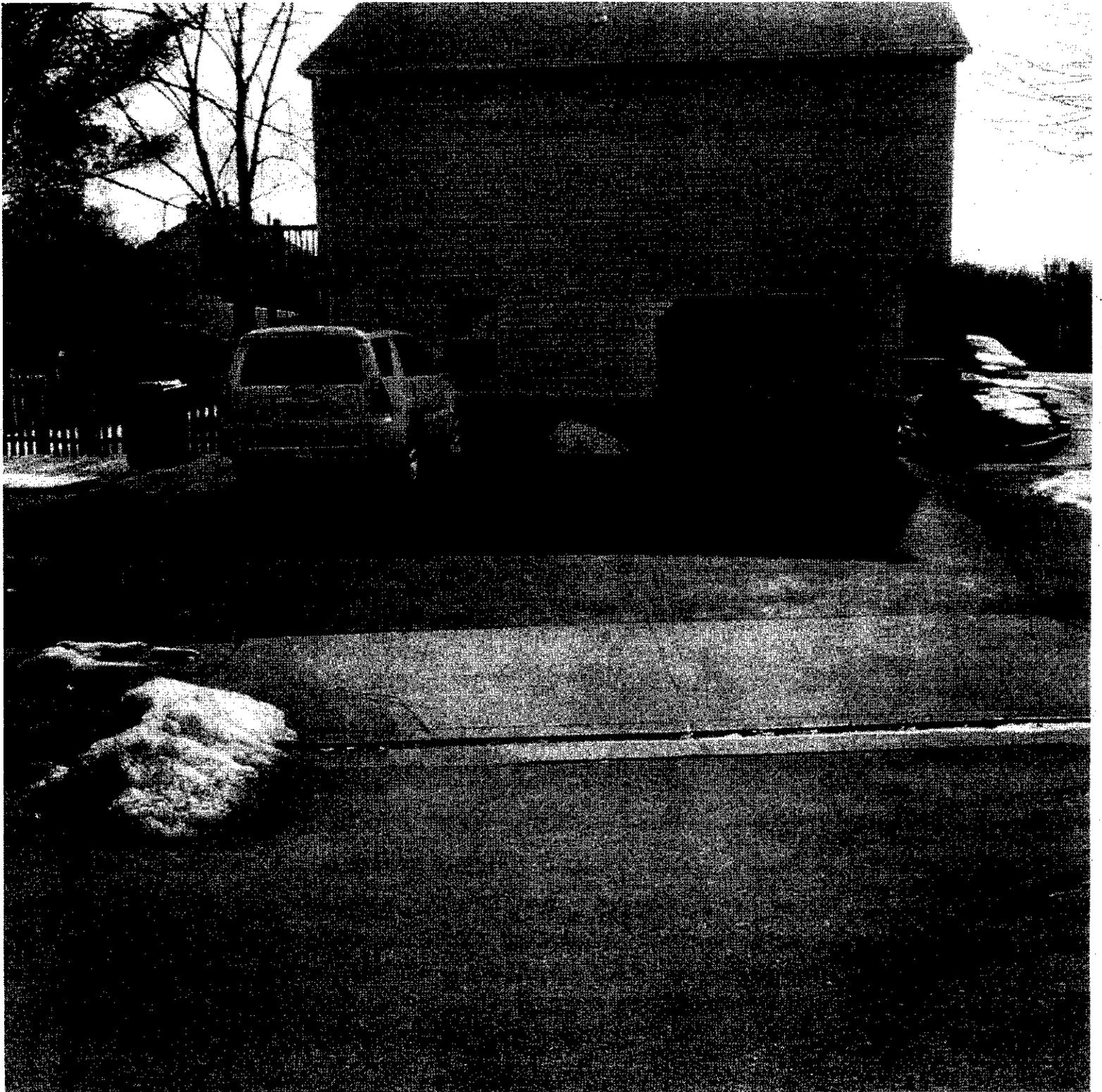


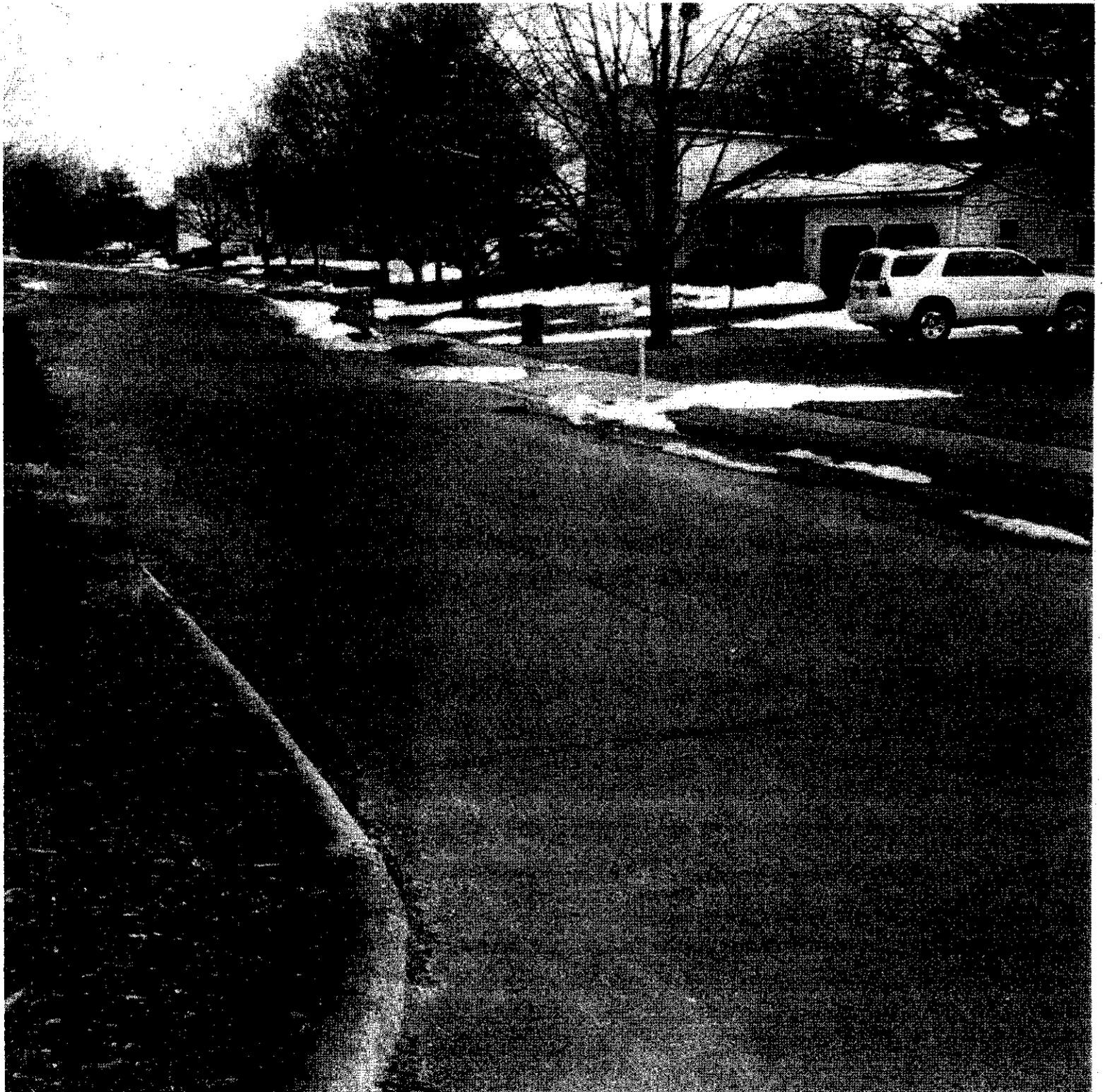












## DESCRIPTION OF THE APPLICATION

The applicant is seeking approval of a special permit to permit a home child care facility for a total of up to ten (10) children at any one time.

- Parking:** 5 spaces: 1 inside the 1 car garage and 4 in the driveway accessed via Cub Run Road.
- Hours of Operation:** Monday through Friday: 7:00 a.m. – 6:30 p.m.
- Number of Employees:** Three (3) employees, which include the applicant, her husband and their adult daughter, all of which reside in the existing single family detached dwelling.

## BACKGROUND

The subject property was developed under the R-2 Cluster regulations. On July 26, 1982 the property was rezoned to the R-C District as part of rezoning RZ 82-W-054. The R-2 Cluster regulations specified a minimum required side yard of eight (8) feet, with total minimum side yards of 24 feet. With the adoption of RZ 82-W-054, the property was subject to the R-C Zoning District regulations, which specify a minimum side yard of 20 feet and a minimum front yard of 40 feet.

Special Permit SP 83-S-036 was approved on July 26, 1983, to permit modification of the minimum yard requirements for an R-C lot to permit a reduction to the front and side yards to permit construction of a single family detached dwelling. On January 14, 1986, the BZA approved a special permit to permit modification to the minimum yard requirements for an R-C lot to allow the construction of a deck addition to dwelling 12.4 feet from the side lot line and 19.4 feet from the rear lot line. A building permit was issued on April 7, 1986 for the construction of the existing deck.

As depicted on the plat, the shed located in the side yard is 7 feet in height and less than 150 square feet in size, and is therefore permitted to remain in its current location.

## EXISTING SITE DESCRIPTION

The 10,500 square foot site is located in the Pleasant Valley Subdivision at the intersection of Pleasant Valley Road and Cub Run Road. The corner lot is zoned to the R-C Zoning District and is developed with a split-level, single family detached dwelling. County Records indicate that the vinyl with brick trim dwelling, with one (1) car garage, was constructed in 1983 and consists of approximately 1,304 square feet of above-grade gross floor area. Ingress and egress to the site is provided via a 25 foot wide by 42 foot in depth concrete driveway accessed from Cub Run Road, terminating at the

one car garage. The driveway appears to be able to accommodate up to four (4) vehicles. There is a wood deck located on the rear of the dwelling. A 7-foot high shed is located along the side lot line. All of these structures appear to be in conformance with the Zoning Ordinance minimum yard requirements. The side and rear yards are enclosed with a 4 foot high wood picket fence.

<b>SURROUNDING AREA DESCRIPTION</b>			
<b>Direction</b>	<b>Use</b>	<b>Zoning</b>	<b>Plan</b>
<b>North</b>	Single Family Dwellings Pleasant Valley Subdivision	R-C & WS	Residential; .1-.2 du/ac
<b>South</b>	Single Family Dwellings Pleasant Valley Subdivision	R-C & WS	Residential; .1-.2 du/ac
<b>East</b>	Single Family Dwellings Pleasant Valley Subdivision	R-C & WS	Residential; .1-.2 du/ac
<b>West</b>	Chantilly Bible Church	R-C & WS	Residential; .1-.2 du/ac

**COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Area III, Bull Run Planning District

**Planning Sector:** Upper Cub Run Community Planning Sector (BR-2)

**Plan Map:** Residential use at 0.1-0.2 dwelling units per acre (du/ac)

**ANALYSIS**

**Special Permit Plat** (Copy at front of staff report)

**Title of SP Plat:** House Location Survey, Lot 49A, Pleasant Valley, Section One

**Prepared by:** Paciulli, Simmons & Associates, Ltd.

**Dated:** November 23, 1983, as signed by Rezan Sofy, November 10, 2009

**Proposed Use:**

The applicant is requesting approval of a special permit for a home child care facility for up to ten (10) children on site at any one time. Seven (7) children are permitted by the Zoning Ordinance. The applicant currently has a Fairfax County license to provide care for five (5) children. The applicant proposes that the children will arrive between 7:00 a.m. and 10:00 a.m. and depart between 3:00 p.m. and 6:30 p.m. Employees include the applicant, her husband and their adult daughter, all of which reside in the dwelling. No other employees are proposed for the use.

The home is a split-level single family detached dwelling. The home child care facility is operated on all levels of the dwelling, to include a play area, an eating area and a separate area dedicated as a sleep area. Currently, the applicant has a 4 foot high picket style wood fence surrounding the side and rear yards of the corner lot; however, proposes to install a 6 foot high privacy fence in the rear yard. Pictures provided by the applicant also show play equipment proposed in the rear and/or side yard of the property.

The existing driveway and garage appear to be able to accommodate five (5) vehicles: 2 for the residential use; 1 for an employee; and, 2 remaining spaces for drop off and pick up of the children.

**Transportation Analysis (Appendix 4)****Issue: Site Access, Sight Distance and Parking**

The following concerns were identified as a result of a site visit performed by staff from the Fairfax County Department of Transportation (FCDOT):

- There are safety concerns with regard to traffic flow at the entrance to the subdivision and to the applicant's driveway.
- An existing median on Cub Run Road separates the entrance/exit to the subdivision and is situated in front of the applicant's driveway.
- The sight distance from the corner of the intersection of Pleasant Valley Road and Cub Run Road is short and visually deceiving. There is not enough deceleration area before reaching the driveway.
- Parking on Cub Run Road is not safe at this location and is very difficult because of the median (landscaped island).

Due to the configuration of the existing driveway, vehicles exiting the site must back up onto Cub Run Road. There is an existing landscape island in the middle of Cub Run Road, which runs directly in front of the application property. When someone exits the driveway, they are forced to back up and continue east on Cub Run Road, and make a U-turn around the landscape island, to continue west on Cub Run Road and proceed onto Pleasant Valley Road to exit the subdivision. Traffic on Pleasant Valley Road travels at a high rate of speed and the distance from the entrance of the subdivision to the applicant's driveway is not sufficient to provide appropriate deceleration into the applicant's driveway.

In a memorandum provided by VDOT dated February 24, 2010, it is noted that in order to provide the safest possible means of ingress and egress and to avoid rear-end collisions with vehicles making right or left turns from Pleasant Valley Road, the provided off-street parking should include turnaround space so that vehicles egress from the site and enter Cub Run Road head-in. Staff does not believe the application site can accommodate such a turnaround and that it would create a commercial appearance with the additional paving required in the front yard.

#### **Resolution:**

Currently, there is no resolution proposed to address the safety concerns identified by staff.

### **ZONING ORDINANCE REQUIREMENTS**

#### Special Permit Requirements (Appendix 5)

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-305 Additional Standards for Home Child Care Facilities

#### **Summary of Zoning Ordinance Provisions**

##### **Sect. 8-006 General Special Permit Standards**

Staff believes that the application for the home child care facility does not meet all of the 8 General Special Permit Standards. Based on the issues raised by DOT and VDOT staff, General Standard 4 has not been met. This Standard states that the proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

As outlined above, staff does not believe the application property can provide safe vehicular access to the site given the distance from the entrance into the subdivision to the driveway, as well as the location of the existing landscape island located directly in front of the applicant's driveway, forcing circumvention of the natural flow of traffic around the median.

## **CONCLUSION AND RECOMMENDATIONS**

Staff believes that the subject application is not in conformance with the applicable Zoning Ordinance provisions. Staff recommends denial of SP 2010-SU-013.

Should the BZA take action to approve the subject application, staff recommends that it only approved with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Fairfax County Department of Transportation Analysis
5. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2010-SU-013****April 7, 2010**

If it is the intent of the Board of Zoning Appeals to approve SP 2010-SU-013 located at Tax Map 33-4 ((2)) 49A for a home child care facility pursuant to Section 3-C03 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Rezan A. Sofy, only and is not transferable without further action of the Board, and is for the location indicated on the application, 4001 Pleasant Valley Road, and is not transferable to other land.
2. This special permit is granted only for the purposes, structures and/or uses indicated on the special permit plat prepared by Paciulli, Simmons & Associates, Ltd., dated November 23, 1983, as signed by Rezan A. Sofy, November 10, 2009, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:30 p.m., Monday through Friday.
5. The maximum number of employees shall be limited to three (3) on-site at any one time, which includes the applicant.
6. The dwelling that contains the child care facility shall be the primary residence of the applicant.
7. A minimum of four (4) parking space shall be provided in the driveway and one (1) space in the garage. The garage shall not be converted to any other use and the applicant's vehicle shall be parked in the garage. A minimum of two (2) spaces in the driveway shall be available for drop-off/pick-up of children.
8. There shall be no signage associated with the home child care facility.

This approval, contingent upon 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. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The number of children shall not be increased above seven (7) until all conditions are met. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Application No.(s): \_\_\_\_\_  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/8/2010  
 (enter date affidavit is notarized)

I, Rezan A. Sofy, do hereby state that I am an  
 (enter name of applicant or authorized agent)

(check one)       applicant  
                           applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE,\*\*** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

**(NOTE:** All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Rezan A. Sofy	4401 Pleasant Valley Rd.	Applicant/title owner
Farok H. Sofy	Chantilly, VA 20151	Title Owner
Trei F. Laizure	"	Agent

(check if applicable)       There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.  
 \*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/8/2010  
(enter date affidavit is notarized)

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

**(NOTE:** Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

**CORPORATION INFORMATION**

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

**DESCRIPTION OF CORPORATION:** (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

(check if applicable)  There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/8/2010  
(enter date affidavit is notarized)

1(c). The following constitutes a listing\*\*\* of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

(check if applicable)  The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable)  There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable)  There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/8/2010  
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

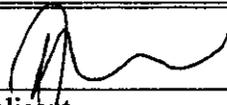
NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:



(check one)

Applicant

Applicant's Authorized Agent

Rezan A. Sofy, Applicant/Title Owner  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 10th day of March 2010, in the State/Comm. of VIRGINIA, County/City of FAIRFAX

My commission expires: 09/30/2012



Sheel  
Notary Public

MAR 5 2010

Justification of addressing submission requirement

SPECIAL PERMIT &  
VARIANCE BRANCH

Addressing item number (5.03 .5.05. 1.13 &amp; 1.14)

The property of Sofys daycare has the large drive way as it showing in the pictures (15, 17, 18 and 19) which are submitted before and the actual dimension is 25.00 feet wide and 42.00 feet long as indicated in lay out number (1). The distance between drive way and nearest prosperity lines is 40.00 feet as it is showing in the layout (1) which is far from the nearest neighborhood it does not affecting their privacy we can divided the drive way in six different spot (1,2,3,4,5 and 6) as it is showing in lay out number (1)the spot (1 and garage) will be reserved for employs of business and rest of it will be used for drop off and pick up and in emergency cause we have two more parking spot which is located on cub run in front of our property by using these space it does not cause any traffic jam in the area and it does not cause any uncomfoting to our neighborhood. Parents have the option to use the turn around the island or go around Cub Run Road to exit on to Pleasant Valley Rd. The garage will be used for a the residents car not a office as originally planned.

To determine number of client for this kind of business we expecting the best scenario which is 10 full time children we will bee take the client in different time as it shown in table bellow;

Time	Number of client drop off	Number of client pick up	Parking lot #
07.00 Am - 07.30 Am	2		2 & 3
07.30 Am - 08.00 Am	2		2 & 3
08.00 Am - 08.30 Am	2		2 & 3
08.30 Am - 09.00 Am	2		2 & 3
09.00 Am - 09.30 Am	1		3
09.30 Am - 10.00 Am	1		3
10.00 Am - 03.00 Pm	Interview Time		2,3,5,6
03.00 Pm - 03.30 Pm		2	2 & 3
03.30 Pm - 04.00 Pm		2	2 & 3
04.00 Pm - 04.30 Pm		2	2 & 3
04.30 Pm - 05.00 Pm		2	2 & 3
05.00 Pm - 05.30 Pm		2	2 & 3
05.30 Pm - 06.00 Pm		1	3
06.00 Pm - 06.30 Pm		1	3

Addressing 5.04

Sofy day care business is very privet and family business and it will be run mostly by two owners which is Rezan and Farok Sofy and my daughter Trei Laizure.

Addressing 1.06, 1.09

The area where the storage structure (shed) located is far from reach of children because we will build a new fence which is part of our improvement and it prevent the kids to reach that zone and it will be secure and it will be used as a service area as showing in the lay out (1)

The dimension and location of that storage structure (shed) indicated in the lay out (1) as follow;

(14.00 x 10.00 x 8.00) feet

Addressing 1.15

Sofys day care is located at pleasant valley community and it is served by public water and sewer system by attaching water bill will show the fee which we get charge for that service.

Attaching is the water and sewer bill and statement of health department showing approval to proposed use related with that business

Addressing 1.30, 5.07

After the approval the property will be still be utilized for our main residential purpose and Sofys day care business.

In order to be a successful business we are planning to do same remodel and some improvement is need to make that business successes bellow is the most achievement we are planning;

- 1- Install a new fence around the lot with appropriate height including dividing front yard with back yard as it showing in the attaching layout (1).
- 2- Building a wood Ramp to cover the entrance concrete stair and platform this work is including installing knew wooding guard rail.
- 3- Providing the best and safe playground equipment which is fit to those children age, the attaching pictures (P1, P2, P3) is some sample of these equipments which we are using in that project. Size will meet zoning requirement.

FAIRFAX COUNTY, VIRGINIA  
OFFICE FOR CHILDREN

ANNUAL  
HOME CHILD CARE PERMIT

Permit is granted to: SOFY, REZAN  
For Home Child Care at: 4401 PLEASANT VALLEY RD  
CHANTILLY VA 20151

From: 06/01/2009

To: 05/31/2010

Limitations: MAS TERBEDROOM, LAUNDRY ROOM, DINING ROOM, AND ATTIC ROOM  
OFFLIMITS.

THIS PERMIT IS ISSUED IN ACCORDANCE WITH CHAPTER 30, ARTICLES 3 OF THE COUNTY OF FAIRFAX, VIRGINIA

22565

Permit Number

*Caroline R. Sullivan*  
Director, Office for Children

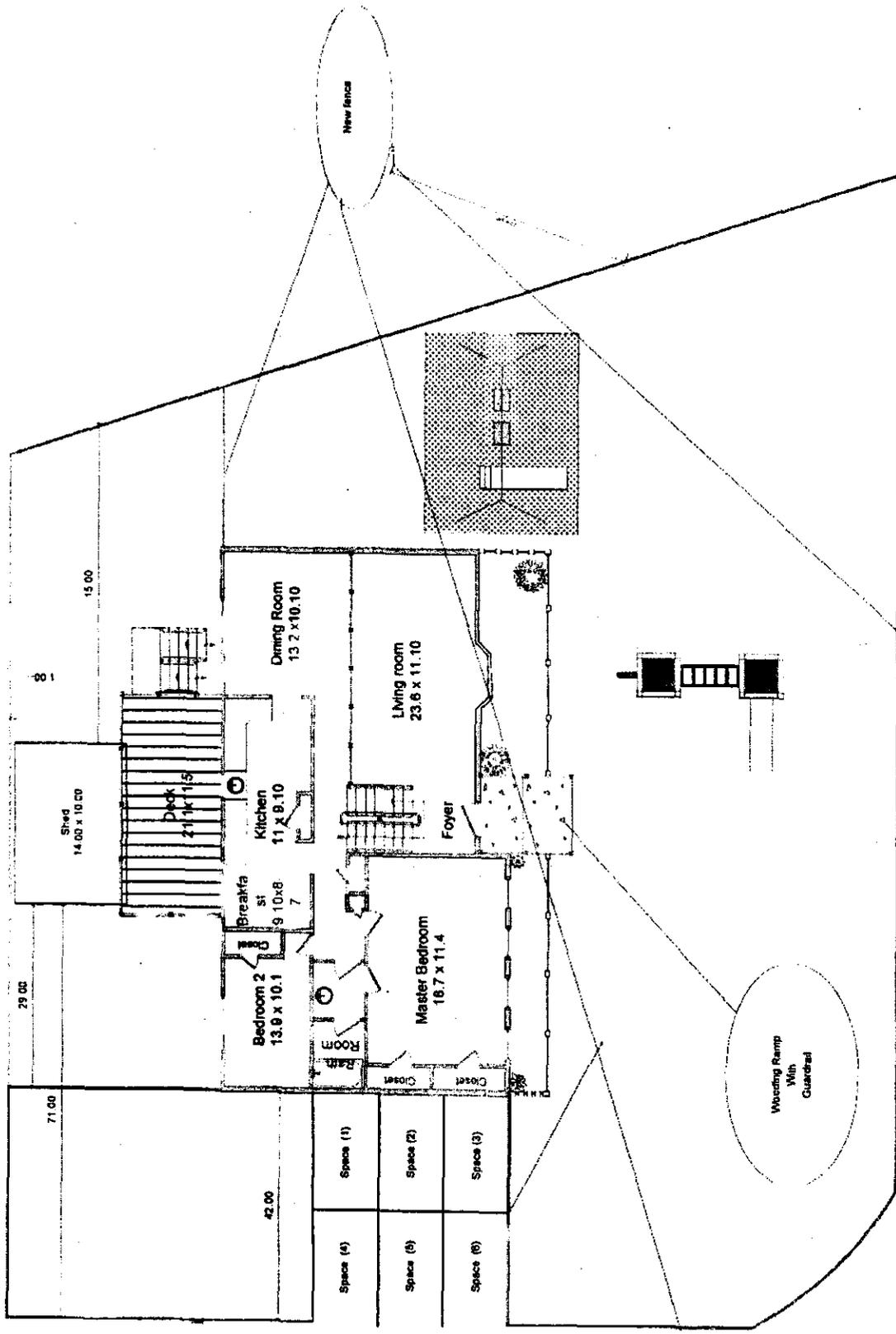


Plate number (1)  
 For Property  
 4401 Pleasant valley Rd  
 Chantilly  
 Va 20151



Pleasant valley Rd



Run Cub 25.00

Space (1)

Space (2)

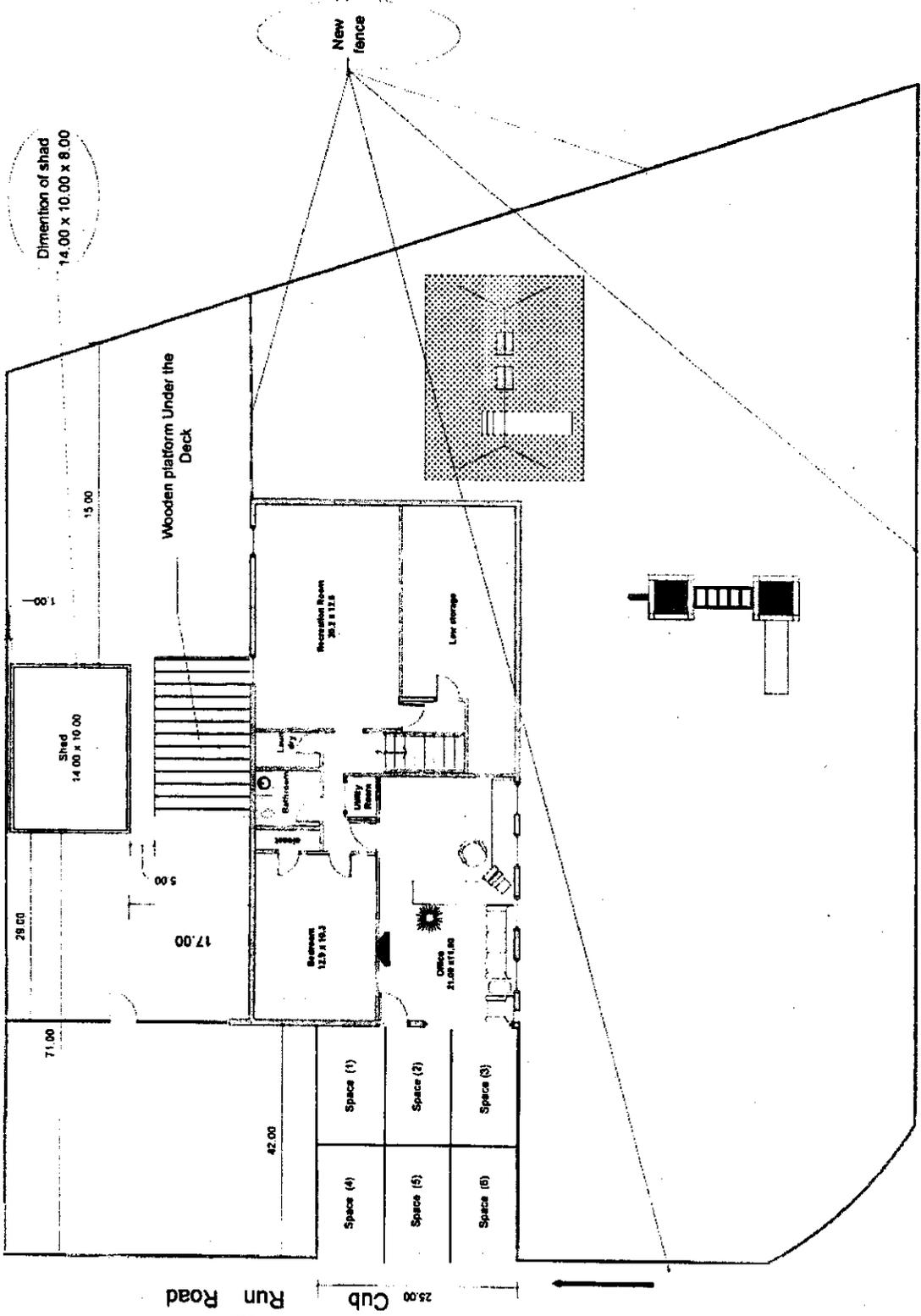
Space (3)

Space (4)

Space (5)

Space (6)

Wedding Ramp  
With  
Guardrail



Dimension of shed  
14.00 x 10.00 x 8.00

Plate number (2)  
 Improvement in the first floor for property  
 4401 Pleasant valley Rd  
 Chantilly  
 Va 20151  
 Dimension of the shade L(14.00) x W(10.00) x H(8.00) Feet  
 Dimension of Drive way L(25.00) x W(42.00) Feet

Pleasant valley Road

Run Road 25.00

Wooden platform Under the Deck

New fence

Space (1)

Space (2)

Space (3)

Space (4)

Space (5)

Space (6)

Recreation Room  
20.3 x 12.5

Living storage

Bathroom  
12.5 x 7.0

Office  
21.00 x 11.00

Utility Room

Shed  
14.00 x 10.00

15.00

100'

28.00

17.00

42.00

71.00

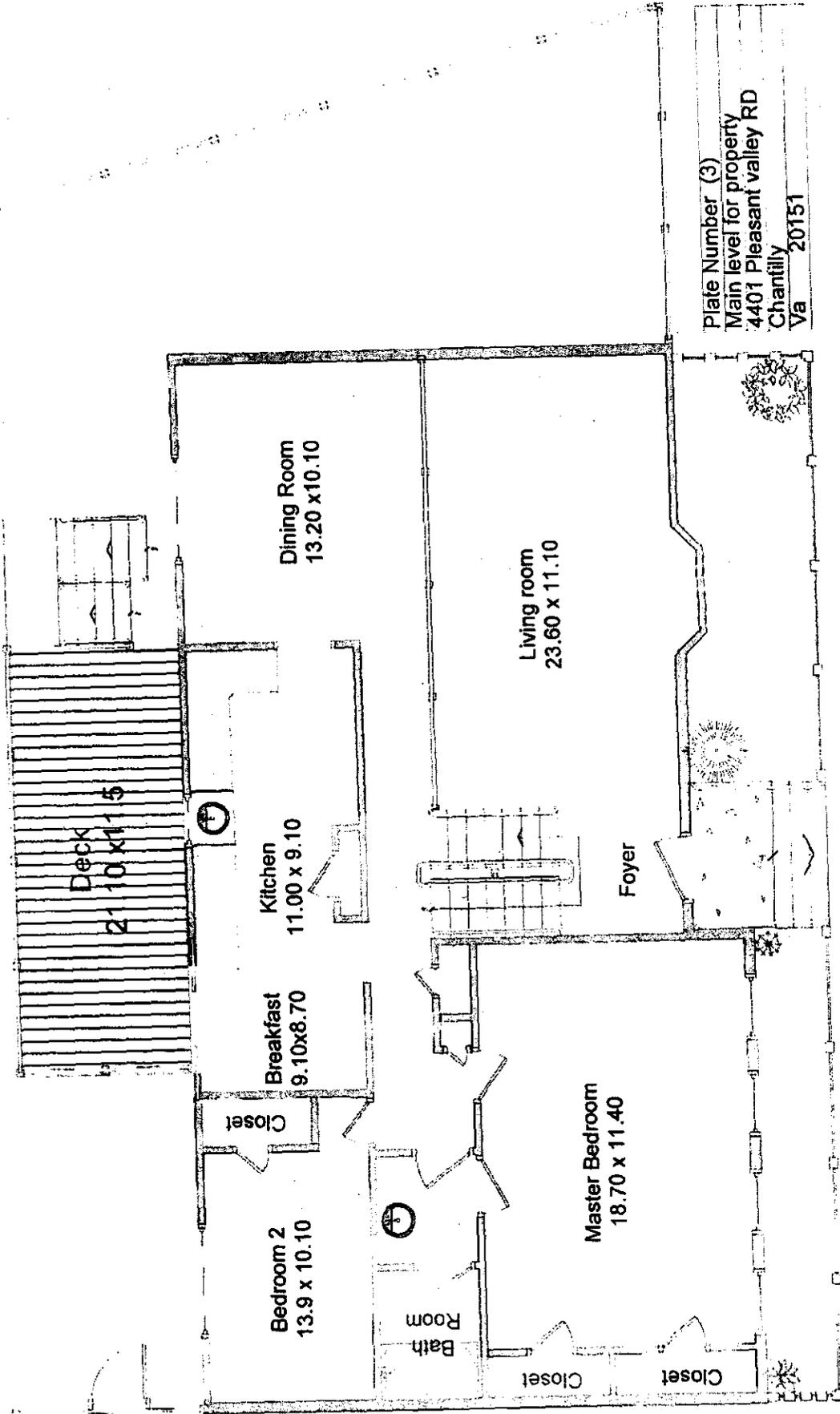


Plate Number (3)  
Main level for property  
4401 Pleasant valley RD  
Chantilly  
Va 20151

Wood  
plate  
form  
Under  
the Deck

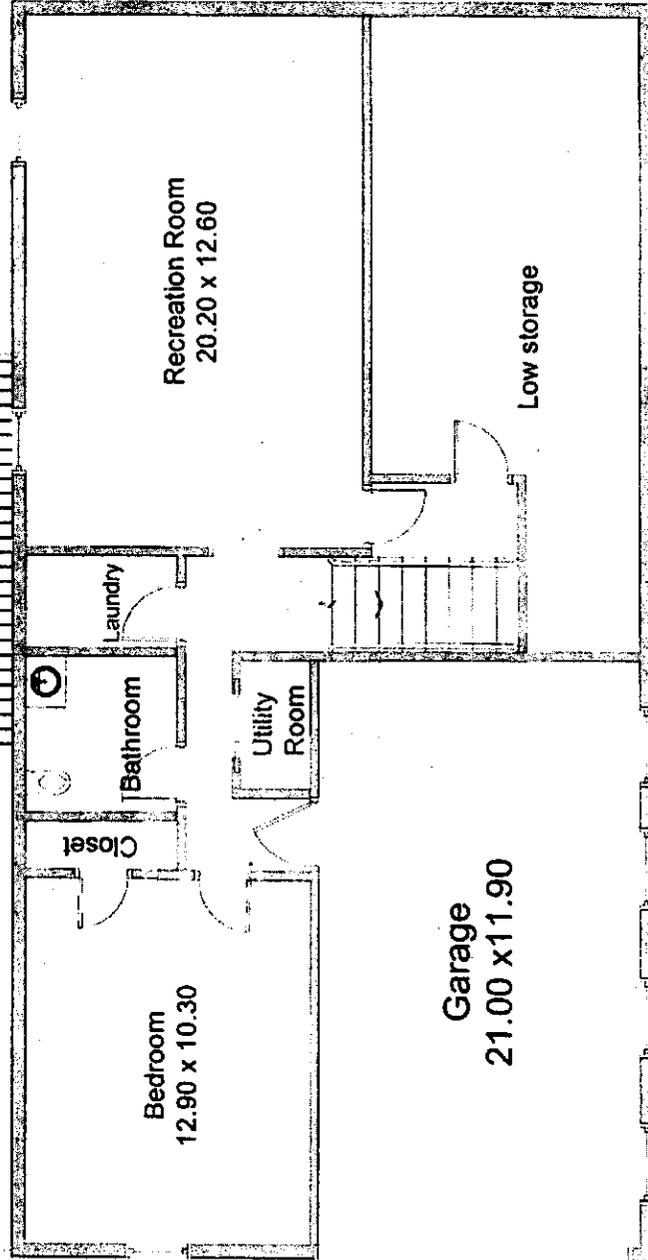
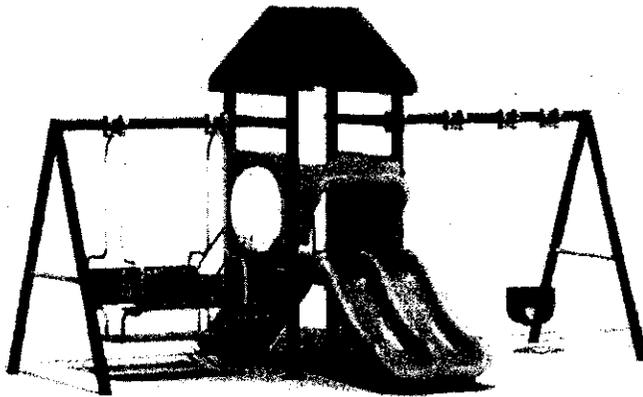


Plate Number (4)  
First Floor plane for Propriety  
4401 pleasant valley road  
Chantilly  
Va 20151

First Floor plane for property 4401 Pleasant valley Rd  
Chantilly Va 20151



P1



P2



P3



# County of Fairfax, Virginia

## MEMORANDUM

DATE: March 10, 2010

**TO:** Regina Coyle, Director  
Zoning Evaluation Division  
Department of Planning and Zoning

**FROM:** Angela Kadar Rodeheaver, Chief  
Site Analysis Section  
Department of Transportation

**SUBJECT:** Transportation Impact

**REFERENCE:** SP 2010-SU-013; Rezan A Sofy  
Land Identification Map: 33-4 ((22)) 49A

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on the informational packet made available to this department on February 24, 2010 and plat dated October 12, 1983.

The proposed application for a home child care facility to accommodate up to 10 children and 3 employees (includes 2 owners and 1 additional employee) has been thoroughly reviewed by this department. The Department of Transportation does not recommend approval of this application based on issues with site access, site distance, and parking.

- There are safety concerns with regards to traffic flow at the entrance to the subdivision and to the applicant's driveway. During the site visit, it was quite clear that entrance/exit traffic continuously flows and at high rates of speed.
- An existing median on Cub Run Road separates the entrance/exit to the subdivision but unfortunately sits directly in front of the applicant's driveway. This could pose an issue with traffic flow in and out of the applicant's driveway and individuals possibly circumventing the natural flow of traffic around the median.
- The site distance from the corner to driveway is short and visually deceiving. When on site and making the actual turn, there is not enough deceleration area before reaching the driveway.
- Driveway (25'x42') will comfortably and safely fit 4 vehicles not 6 as stated by applicant – unless driveway width is expanded. With 2 spaces required for residential use and 6 proposed spaces, the parking issues are a cause for concern.
- Parking on Cub Run Road is not permitted at this location. Parking on this street would be dangerous to traffic entering from either direction into the subdivision and to the individuals parked on the street as proposed.

AKR/mdd

Fairfax County Department of Transportation  
4050 Legato Road, Suite 400  
Fairfax, VA 22033-2895  
Phone: (703) 877-5600 TTY: 711  
Fax: (703) 877-5723  
[www.fairfaxcounty.gov/fcdot](http://www.fairfaxcounty.gov/fcdot)





**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF TRANSPORTATION**

**GREGORY A. WHIRLEY**  
ACTING COMMISSIONER

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)  
February 24, 2010

**To:** Ms. Regina Coyle  
Director, Zoning Evaluation Division

**From:** Alex Faghri  
Virginia Department of Transportation – Land Development Section  
703-383-2058

**Subject: SP-10-SU-013 – Rezan A Sofy Home Child Care Facility**

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the subject plan and offer the following comment:

- In order to provide the safest possible means of ingress and egress and to avoid rear-end crashes with vehicles making right or left turn from Pleasant Valley Road (Rt. 609), the provided off-street parking should include turnaround space so that vehicles egress from the site and enter Cub Run Road head-in.

If you have any question or concern please feel free to contact me.

**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

**8-303 Standards for all Group 3 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

## 8-305

**Additional Standards for Home Child Care Facilities**

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed ten (10), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use.
2. The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
  - A. The dimensions, boundary lines and area of the lot or parcel.
  - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
  - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
  - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.