



COMMONWEALTH OF VIRGINIA  
COUNTY OF FAIRFAX



Office of Comprehensive Planning  
Zoning Evaluation Division  
Special Permit and Variance Evaluation Branch  
4050 Legato Road, Suite 700  
Fairfax, Virginia 22033  
246-1280

February 12, 1991

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SPA 89-C-028-1

CENTREVILLE DISTRICT

Applicant: Robert E. Simon Jr. Children's Center,  
Inc./Inova Services, Inc.

Property Owner: Industrial Development Authority of  
Fairfax County, Virginia

Street Address: 1800 Cameron Glen Drive

Tax Map Reference: 17-1((1))pt. 14E

Lot Size: 21.51 Acres

Zoning District: PRC

Applicable Zoning Ordinance  
Provision: Sect. 6-303

Proposed Use: To amend SP 89-C-028 for a child care  
center to permit deletion of land area  
from 21.51 acres to 42,152 square feet

Application Accepted: January 10, 1991

Board of Zoning Appeals  
Hearing Date: February 26, 1991 (Out-of-Turn Hearing  
Granted)

Scheduled Time 10:45 a.m.

Staff Recommendation: Staff recommends approval of SPA 89-C-028-2  
subject to the development conditions contained in Appendix 1.

The Board of Zoning Appeals' decision does not become final for eight (8)  
days after the hearing unless the BZA waives this requirement. A copy of  
the BZA's Resolution setting forth the decision will be mailed within  
five (5) days after the final Resolution is approved.

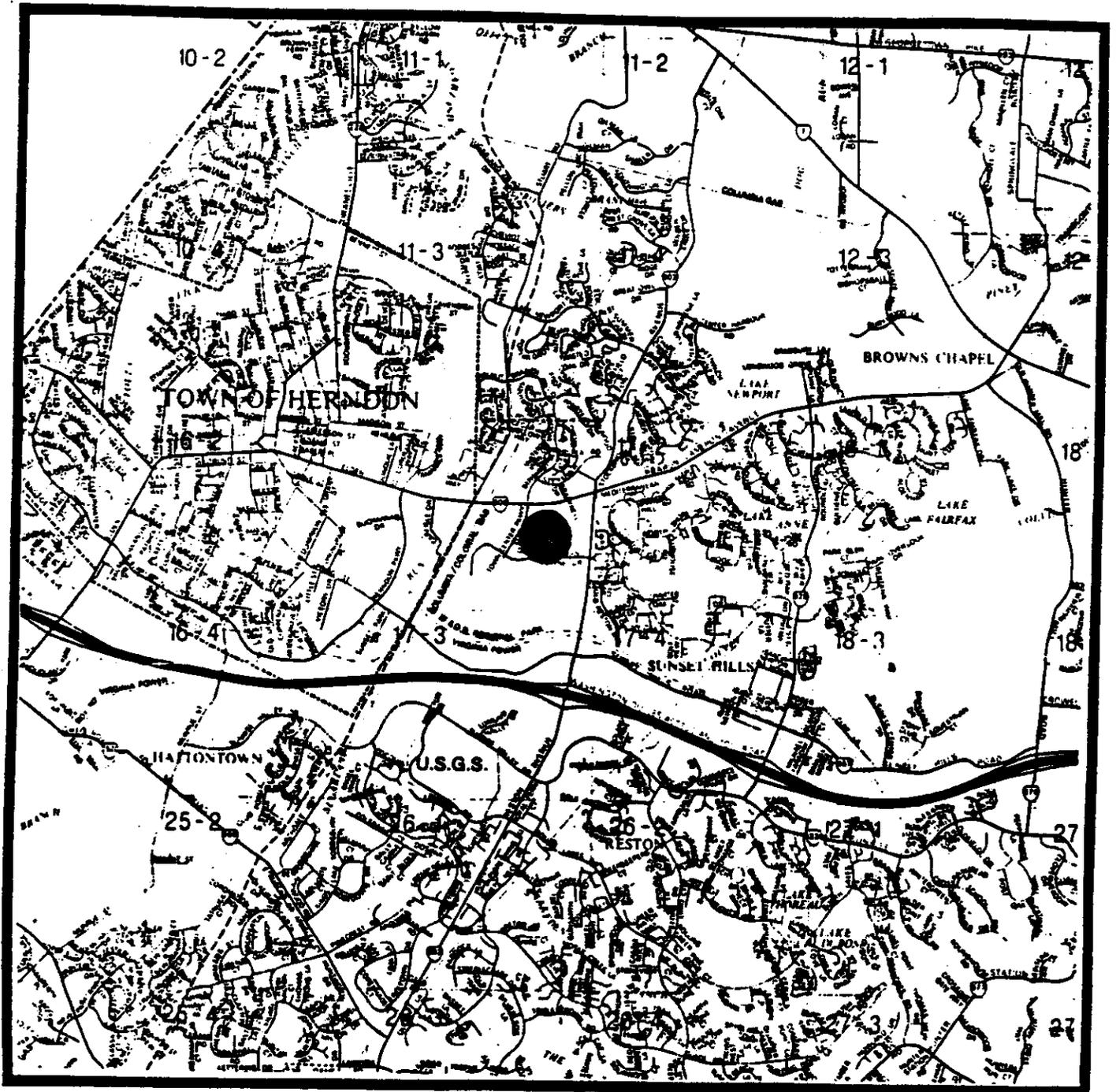
For additional information, call Zoning Evaluation Division, Office of  
Comprehensive Planning at 246-1280.

LRG/GREENLIE/148

# SPECIAL PERMIT AMENDMENT APPLICATION

## SPA 89-C-028-1

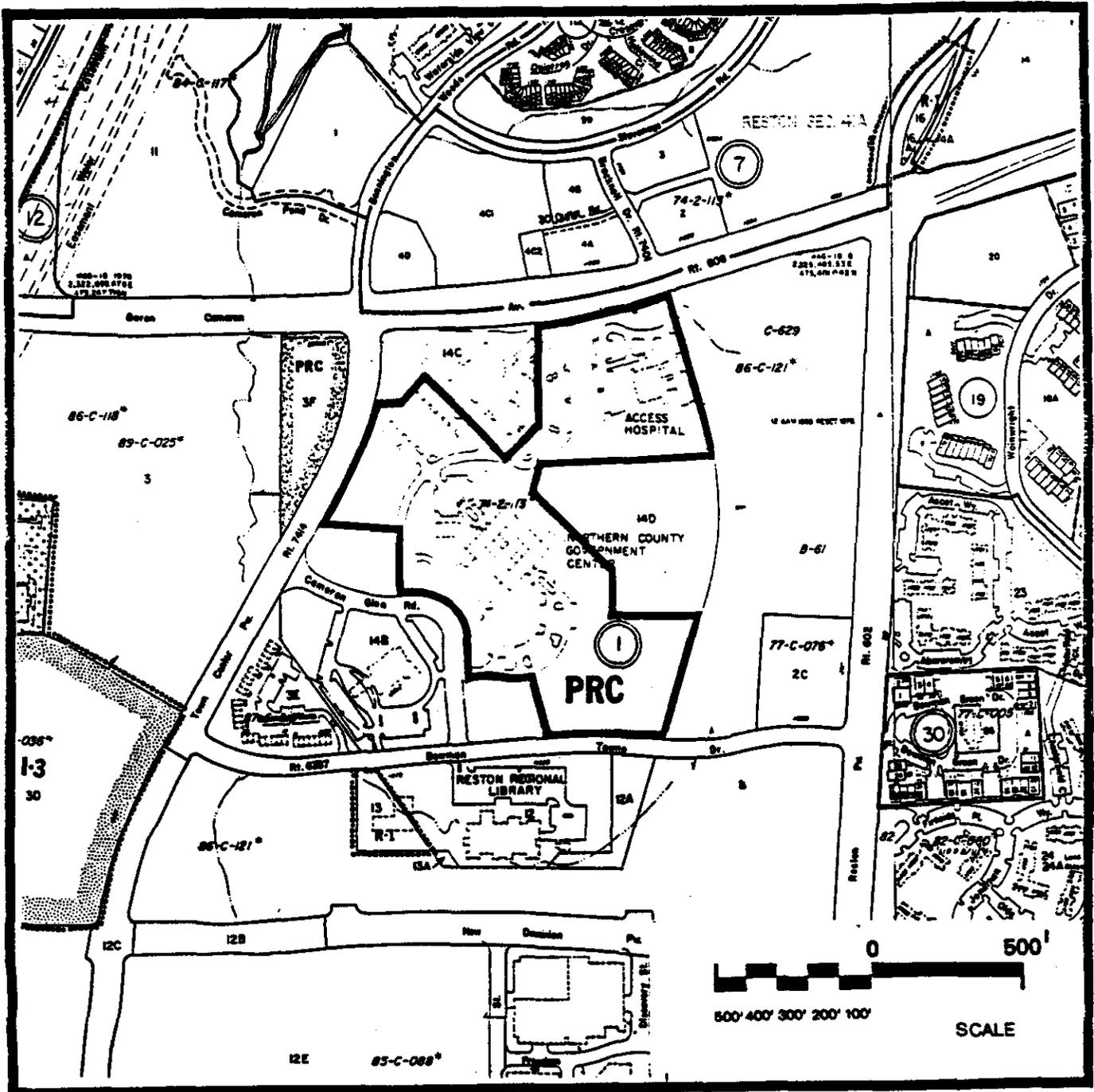
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from approx. 21.51 acres and change permittee located at 1800 Cameron Glen  
Dr., zoned PRC, Centreville District, Tax Map 17-1((1))pt. 14E. (Formerly  
Reston Area Child Care Center, Inc.) (OUT OF TURN HEARING GRANTED 1/24/91)



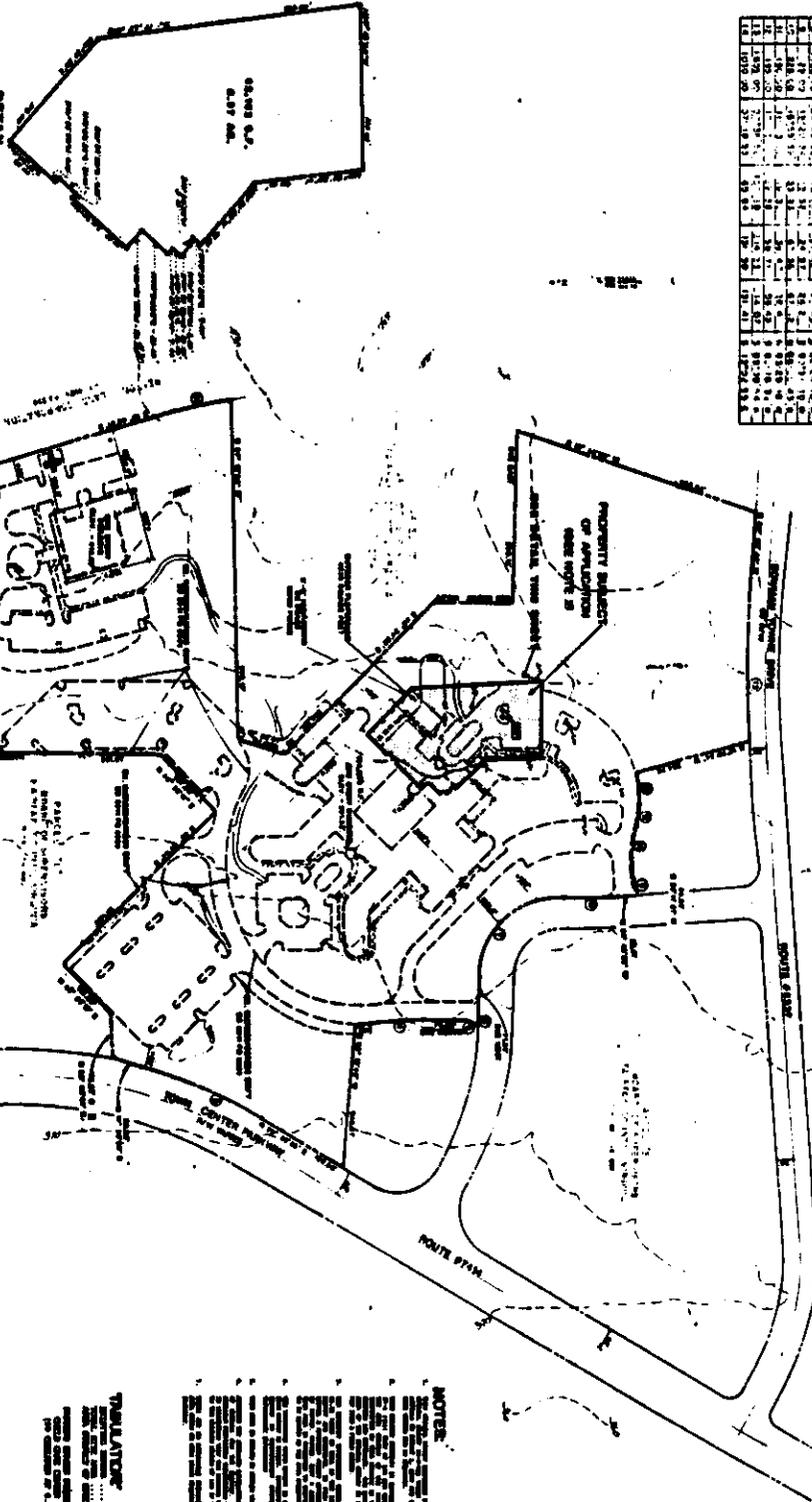
# SPECIAL PERMIT AMENDMENT APPLICATION

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NO.	SECTION	DATE	BY	CHKD.	REVISION
1	PLAN	10/1/80	J.D.	J.D.	ISSUE FOR PERMIT
2	PLAN	10/1/80	J.D.	J.D.	REVISION
3	PLAN	10/1/80	J.D.	J.D.	REVISION
4	PLAN	10/1/80	J.D.	J.D.	REVISION
5	PLAN	10/1/80	J.D.	J.D.	REVISION
6	PLAN	10/1/80	J.D.	J.D.	REVISION
7	PLAN	10/1/80	J.D.	J.D.	REVISION
8	PLAN	10/1/80	J.D.	J.D.	REVISION
9	PLAN	10/1/80	J.D.	J.D.	REVISION
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32	PLAN	10/1/80	J.D.	J.D.	REVISION
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34	PLAN	10/1/80	J.D.	J.D.	REVISION
35	PLAN	10/1/80	J.D.	J.D.	REVISION
36	PLAN	10/1/80	J.D.	J.D.	REVISION
37	PLAN	10/1/80	J.D.	J.D.	REVISION
38	PLAN	10/1/80	J.D.	J.D.	REVISION
39	PLAN	10/1/80	J.D.	J.D.	REVISION
40	PLAN	10/1/80	J.D.	J.D.	REVISION
41	PLAN	10/1/80	J.D.	J.D.	REVISION
42	PLAN	10/1/80	J.D.	J.D.	REVISION
43	PLAN	10/1/80	J.D.	J.D.	REVISION
44	PLAN	10/1/80	J.D.	J.D.	REVISION
45	PLAN	10/1/80	J.D.	J.D.	REVISION
46	PLAN	10/1/80	J.D.	J.D.	REVISION
47	PLAN	10/1/80	J.D.	J.D.	REVISION
48	PLAN	10/1/80	J.D.	J.D.	REVISION
49	PLAN	10/1/80	J.D.	J.D.	REVISION
50	PLAN	10/1/80	J.D.	J.D.	REVISION



**LEGEND**

- PROPERTY LINE
- - - EXISTING STRUCTURES
- - - EXISTING PARKING
- - - EXISTING DRIVEWAYS
- - - EXISTING SIDEWALK
- - - EXISTING ASPHALT DRIVE
- - - EXISTING LIGHT
- - - EXISTING LIGHT POST
- - - LIMIT OF SPECIAL PERMIT

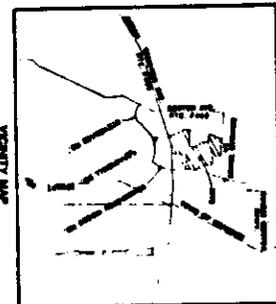
**DETAIL**  
**PROPERTY SUBJECT OF APPLICATION**  
**7-80**

**NOTES**

1. THE SITE PLAN IS TO BE CONSIDERED AS A PART OF THE SPECIAL PERMIT AMENDMENT PLAN.
2. THE SITE PLAN IS TO BE CONSIDERED AS A PART OF THE SPECIAL PERMIT AMENDMENT PLAN.
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**THREATS**

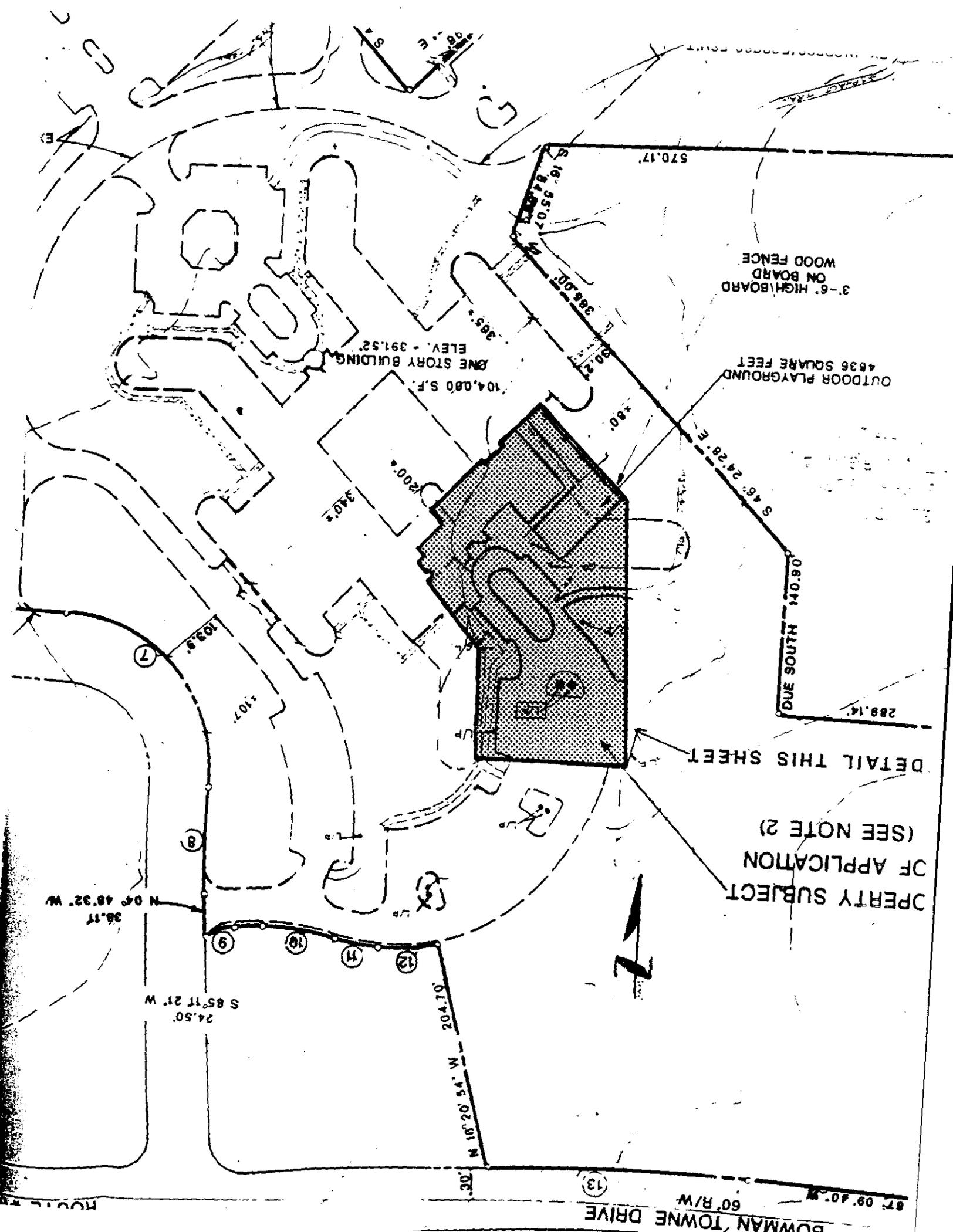
THE SITE PLAN IS TO BE CONSIDERED AS A PART OF THE SPECIAL PERMIT AMENDMENT PLAN.



**SPECIAL PERMIT AMENDMENT PLAN**  
**CAMERON GLEN CHILD CARE CENTER**  
**CENTREVILLE DISTRICT**  
**FAIRFAX COUNTY, VIRGINIA**

**Dewberry & Davis**  
 Architects Engineers Planners Surveyors





3'-6" HIGHBOARD ON BOARD WOOD FENCE

OUTDOOR PLAYGROUND 4636 SQUARE FEET

ONE STORY BUILDING ELEV. - 391.52

104,080 S.F.

DETAIL THIS SHEET

PROPERTY SUBJECT OF APPLICATION (SEE NOTE 2)

BOWMAN TOWNE DRIVE 60' R/W 87.09.40' W

## DESCRIPTION OF THE APPLICATION

The applicant, Robert E. Simon Children's Center/Inova, Inc., is requesting approval of an amendment to an existing special permit for a child care center to allow the deletion of land area. The original special permit property contained 21.51 acres and included all of the property known as Tax Map Reference 17-1((1))14E. This application requests the deletion of all but 42,152 square feet of Lot 14E.

There are no physical changes proposed and all other aspects of the approved special permit use will remain the same. The current hours of operation, as previously approved, are from 6:30 a.m. to 6:30 p.m. The maximum daily enrollment, as previously approved, is 99 children.

Copies of the plat showing the entire 21.51 acres and the proposed 42,152 square foot special permit area plus a plat which enlarges the proposed special permit area are included on the preceding pages. The applicant's affidavit and statement of justification are included as Appendix 2.

Since a child care center use was not shown in this location on the approved development plan for Reston, the child care center becomes a Group 3 Institutional special permit use in the PRC District. Such a use must comply with the provisions of Sect. 8-006, General Standards, and Sect. 8-303, Standards for All Group 3 Uses, and Sect. 8-305, Additional Standards for Home Child Care Facilities, Child Care Centers and Nursery Schools. A copy of these provisions is enclosed as Appendix 3.

## LOCATION AND CHARACTER OF THE AREA

Lot 14E is located east of Town Center Parkway, south of Baron Cameron Avenue, north of Bowman Towne Drive, and west of Reston Parkway. It is developed with a nursing home/housing for the elderly facility and an adult day care center. Existing development in the area includes the Northern County Governmental Center, the Access Hospital, the Reston Police Station, and the Reston Regional Library. The portion of Lot 14E which is requested to remain under special permit is located in the western portion of Lot 14E.

## BACKGROUND

On August 1, 1989, the BZA approved SP 89-C-028 by Reston Area Child Care Center for a child care center within the Cameron Glen Care Center. The minutes, resolution and approved plat of this previous approval are attached as Appendix 4. The filing of this amendment application was prompted by an interpretation made by an agent of the Zoning Administrator that the previous approval of SP 89-C-028 had brought the entire Lot 14E under special permit. The applicant, however, wishes to have the special permit apply only to the child care center.

On February 12, 1991, the BZA approved a change in the applicant's name from Reston Area Child Care Center/Inova Services, Inc. to Robert E. Simon, Jr. Child Care Center/Inova Services, Inc.

### PROVISIONS OF THE COMPREHENSIVE PLAN

Pertinent citations from the Comprehensive Plan relative to this site can be found in Appendix 5. The Reston Master Plan (Land Use Plan) map shows that the property is planned for "Town Center" uses. The Comprehensive Plan map shows that the property is planned for "Public Facilities, Governmental and Institutional" uses.

### DESCRIPTION OF THE SPECIAL PERMIT PLAT

The submitted special permit plat shows the entire 21.51 acres (Lot 14E) which contains the Cameron Glen Care Center (elderly nursing and day care) and the approved child care center. The plat also shows the portion of the elderly day care center to be used as the child care center, the associated parking for the child care center (19 spaces), and the required play area within a shaded block. A detail on the side of the plat shows the metes and bounds around this area. A note points to the block which indicates that the area is the "property subject of application". The legend on the plat indicates that the shaded area is the "limits of special permit".

### ANALYSIS

There were no land use, environmental or transportation related concerns associated with the original application and no additional concerns are raised by this proposal to delete land area. There have been no changes in land use circumstances for this property since the original approval.

The requirements of Article 11 with regard to the minimum required parking spaces were met in the original application and are unchanged in this amendment application. Nineteen spaces are required and nineteen spaces are provided. There are no transitional screening requirements for this use.

Since the area proposed for special permit use contains all the building area, parking and play area necessary to serve the use, and all other aspects of the operation such as hours of operation and maximum daily enrollment will be unchanged, staff believes that the application continues to meet the Additional Standards for Child Care Centers, Sect. 8-305 and the Standards for All Group 3 Uses, Sect. 8-303.

Staff also believes that the use as proposed meets the General Standards for special permit approval contained in Sect. 8-006. The use remains an appropriate ancillary use to the town center designation shown on the Reston Master Plan and the public facility, governmental, institutional use shown on the Comprehensive Plan. Thus, the use is in harmony with these documents and meets Par. 1 of Sect. 8-006.

The use is in harmony with the purpose and intent of the PRC District because it is a complementary and appropriate addition to the existing adult care and elderly housing center. Further, reducing the land area will enable additions to be made to the adult center which will enhance this use by right in the PRC District. Thus, the application meets Par. 2 of Sect. 8-006.

The area to the southwest is part of the total 21.51 acres and is currently bermed and planted. The lot beyond this area is shown as Town Center Green on the most recent Final Development Plan. At the time of the last approval, staff did not anticipate any adverse impact to the adjoining property and this application does not change that conclusion. Thus, the application meets Par. 3 of Sect. 8-006.

At the time of the last approval, staff concluded that the surrounding street system could accommodate the additional trips generated by the special permit use and the amendment proposed in this application will not change the trip generation. Thus, the application continues to meet Par. 4 of Sect. 8-006.

Likewise, Pars. 5 through 8 of Sect. 8-006 which address landscaping, parking and signs continue to be satisfied as the amendment proposed will not alter the use with respect to these requirements.

#### CONCLUSION AND RECOMMENDATION

Staff finds that the application meets all of the applicable standards for approval and thus recommends approval of SPA 89-C-028-1 in accordance with the development conditions contained in Appendix 1. These development conditions have been carried forward from the last approval and no new conditions have been added.

#### APPENDICES

1. Development Conditions
2. Applicant's Affidavit and Statement of Justification
3. Applicable Zoning Ordinance Provisions
4. Minutes, Resolution and Plat from SP 89-C-028
5. Land Use Analysis

PROPOSED DEVELOPMENT CONDITIONS

February 26, 1991

The following development conditions incorporate all applicable conditions of the previous approval. No new conditions have been added. The development conditions requiring site plan approval has been deleted since no new structures or improvements, or changes to the existing facility or use are proposed.

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.
2. This Special Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use 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 hours of operation shall be limited to 6:30 a.m. to 6:30 p.m., Monday through Friday.
5. There shall be a minimum of nineteen (19) parking spaces provided on site for this special permit use. Three out of the four spaces located on the circular driveway shall be marked as handicapped.
6. The play area shall be a minimum of 4,636 square feet in size and shall be fenced with a solid wood, board-on-board fence, a minimum of 3 feet 6 inches in height.
7. The number of children using the play area at any one time shall be in conformance with the provisions of Sect. 8-305 of the Zoning Ordinance.
8. The number of employees at the child care center at any one time shall meet the state standards for child care centers.
9. The maximum daily enrollment shall not exceed 99 children.

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. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Permit shall not be legally established until this has been accomplished. The new Non-Residential Use Permit must reflect the change in land area.

Under Sect. 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, three (3) months after the approval date of the Special Permit unless the activity authorized has been established and is diligently pursued, or unless additional time is approved by the Board of Zoning Appeals because of occurrence of conditions unforeseen at the time of the approval of this Special Permit. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 12/21/90  
 (enter date affidavit is notarized)

I, Thomas J. Grubisich, 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

1-91

and that to the best of my knowledge and belief, the following information 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 are to 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Industrial Development Authority of Fairfax County, Virginia *	4100 Chain Bridge Road Fairfax, VA	Title Owner of Property/Property Lessor

\*Actual title is held by Industrial Development Authority of Farifax County, VA, and is leased back to Inova Services, Inc. pursuant to an Agreement of Lease dated January 20, 1989, which was entered into in connection with the issuance of the Industrial Development Authority's Variable Rate Demand Obligation Revenue Bonds (Inova Services, Inc.), Series 1989A.

(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.

\* List as follows: (name of trustee), Trustee for (name of trust, if applicable), for the benefit of: (list name of each beneficiary).

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

Special Permit/Variance Attachment to Par. 1(a) Page 2 of 3

DATE: 12/21/90  
(enter date affidavit is notarized)

1-91

(NOTE: All relationships to the application are to 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.)

NAME (enter first name, middle initial & last name)	ADDRESS (enter number, street, city, state & zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD in Par. 1(a))
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Inova Services, Inc. ✓	8001 Braddock Road Springfield, VA	Property Lessee/ SubLessor for Applicant/ Co-Applicant
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Agents: John Seilert, President  
Jim Scott, Director, Community Affairs

Reston Area Child Care Center, Inc. ✓ (now Robert E. Simon, Jr. Children's Center, Inc.)	12040 S. Lakes Dr. Reston, VA	Applicant/ SubLessee
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Agent: Thomas J. Grubisich  
Vice President/Secretary  
Registered Agent

Cameron Glen Care Center ✓	1800 Cameron Glen Drive <i>Reston, VA 20190</i>	Agent for Applicant
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Agent: Van C. Hendry, Assistant Administrator

Miles & Stockbridge ✓	11350 Random Hills Rd. Fairfax, VA	Attorneys
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Agent: Barent L. Fake, Esq.

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



Application No(s): \_\_\_\_\_

(County-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

Page Two

DATE: \_\_\_\_\_

12/21/90

(enter date affidavit is notarized)

1-91

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 herein.)

CORPORATION INFORMATION

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

Inova Services, Incorporated ✓

8001 Braddock Road

Springfield, VA 22151

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 THE SHAREHOLDERS: (enter first name, middle initial & last name)

Inova Health Systems Foundation

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

\*\* All listings which include partnerships or corporations 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 the stock. 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 Attachment to Par. 1(b) Page 2 of 3

DATE: 12/21/90  
(enter date affidavit is notarized)

1-91

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

Inova Health Systems Foundation

8001 Braddock Road

Springfield, VA 22151

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 THE SHAREHOLDERS: (enter first name, middle initial & last name)

Inova Health Systems Foundation is a non-stock, non-profit corporation.

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

Cameron Glen Care Center

1800 Cameron Glen Drive

Reston, VA 22090

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 THE SHAREHOLDERS: (enter first name, middle initial & last name)

Cameron Glen Care Center is an unincorporated division of Inova Services, Inc.

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

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

Special Permit/Variance Attachment to Par. 1(b) Page 3 of 3

DATE: 12/21/90  
(enter date affidavit is notarized)

1-91

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

Fried & Sher ✓  
465 Carlisle Drive

Herndon, VA

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 THE SHAREHOLDERS: (enter first name, middle initial & last name)

Fried & Sher of 465 Carlisle Drive, Herndon, VA, is a privately held corporation, with all shares being held by:

- 1. Margery Leveen Sher Shareholder
- 2. Madeline Fried Shareholder

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

Robert E. Simon, Jr. Children's Center, Inc.  
1800 Cameron Glen Drive (Formerly Reston Area Child Care Center, Inc.)  
Reston, VA 22090

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 THE SHAREHOLDERS: (enter first name, middle initial & last name)

Robert E. Simon, Jr. Children's Center, Inc. (formerly the Reston Area Child Care Center, Inc.) is a Virginia non-stock, non-profit corporation, with a self-perpetuating Board of Directors.

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

Application No(s):

(County-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

Page Three

DATE: 12/21/90  
(enter date affidavit is notarized)

1-9/

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 & zip code)

Miles & Stockbridge  
11350 Random Hills Road  
Fairfax, VA 22030

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

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

- |                           |       |       |                         |       |
|---------------------------|-------|-------|-------------------------|-------|
| Robert J. McCandlish, Jr. | _____ | _____ | Charles C. D. McGill    | _____ |
| William B. Rafferty       | _____ | _____ | Timothy R. Casgar       | _____ |
| H. Donald Schwaab         | _____ | _____ | James C. Doub           | _____ |
| John S. Hebb, III         | _____ | _____ | Randolph A. Sutliff     | _____ |
| William C. Bauknight      | _____ | _____ | Robert H. J. Loftus     | _____ |
| Lowell R. Bowen           | _____ | _____ | Robert L. Doory, Jr.    | _____ |
| William J. Evans          | _____ | _____ | Gary C. Duvall          | _____ |
| Richard R. Burgee         | _____ | _____ | Conrad W. Varner        | _____ |
| Theodore W. Hirsch        | _____ | _____ | Gerard P. Martin        | _____ |
| Jesse B. Wilson, III      | _____ | _____ | Alexander C. Short      | _____ |
| David L. Bowers           | _____ | _____ | Joseph S. Welty         | _____ |
| Patrick C. McKeever       | _____ | _____ | Sarent L. Fake          | _____ |
| G. Vann Canada, Jr.       | _____ | _____ | Charles T. Bowyer       | _____ |
| Peter A. Arntson          | _____ | _____ | Duncan W. Keir          | _____ |
| Marc E. Bettius           | _____ | _____ | Frederick W. Runge, Jr. | _____ |
| James R. Eyler            | _____ | _____ | Stephen J. Sfikas       | _____ |
| William T. Define         | _____ | _____ | Edward J. Adkins        | _____ |
| Samuel A. Bleicher        | _____ | _____ | John Parker Sweeney     | _____ |
| Milton R. Smith, Jr.      | _____ | _____ | Samuel H. Clark, Jr.    | _____ |
| Stephen C. Winter         | _____ | _____ | James J. Demma          | _____ |
| James S. Maffitt          | _____ | _____ | Donald R. Mering        | _____ |
| Gary W. Brown             | _____ | _____ | Richard E. Levine       | _____ |
| Richard S. Wasserstrom    | _____ | _____ | Harold Altscher         | _____ |
| K. Donald Proctor         | _____ | _____ | John A. Stalfort        | _____ |
|                           |       |       | Katherine L. Bishop     | _____ |

(check if applicable) [X] There is more partnership information on this affidavit on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\* All listings which include partnerships or corporations 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 the stock. 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 Attachment to Par. 1(c) Page 3 of 4

DATE: 12/21/90  
(enter date affidavit is notarized)

1-91

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

Dewberry & Davis

8401 Arlington Blvd

Fairfax, Virginia 22031

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

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

Sidney O. Dewberry

General Partner

Barry K. Dewberry

General Partner

KMT Limited Partnership

General Partner

William H. Edwards

General Partner

John P. Fowler, II

General Partner

David P. Habib

General Partner

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



Application No(s):

(County-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

Page Four

DATE:

12/21/90

(enter date affidavit is notarized)

1-91

2. That no member of the Fairfax County Board of Zoning Appeals or 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 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.

3. That within the twelve-month period prior to the filing of this application, no member of the Fairfax County Board of Zoning Appeals or 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 \$200 or more, with any of those listed in Par. 1 above.

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

Within the past 12 months, Audrey G. Moore has served as a member of the Board of Trustees of Inova Health Systems Foundation. She no longer holds such position.

(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 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:

Thomas J. Grubisich

(check one)

[ ] Applicant

[X] Applicant's Authorized Agent

Thomas J. Grubisich Vice President / Secretary

(type or print first name, middle initial, last name & title of signer)

Subscribed and sworn to before me this 21 day of December, 19 90, in

**ROBERT E. SIMON, JR. CHILDREN'S CENTER  
(formerly the Reston Area Child Care Center, Inc.)**

**RESPONSE TO ZONING REQUIREMENTS**

7.

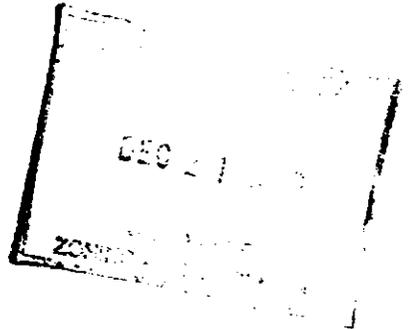
The actual title of the above property is held by the Industrial Development Authority of Fairfax County, VA, and is leased back to Inova Services, Inc. pursuant to an Agreement of Lease dated January 20, 1989, which was entered into in connection with the issuance of the Industrial Development Authority's Variable Rate Demand Obligation Revenue Bonds (Inova Services, Inc.), Series 1989A.

The applicant is a lessee for the space used for the center pursuant to an Agreement of Lease dated January 15, 1990, a copy of which is immediately attached.

ROBERT E. SIMON JR. CHILDREN'S CENTER  
c/o Fried & Sher, Inc.  
456A Carlisle Drive  
Herndon, Virginia 22070  
(703) 648-9100

December 20, 1990

Barbara A. Byron, Division Director  
Zoning Evaluation Division  
4050 Legato Road  
Fairfax, Virginia 22033



Dear Ms. Byron:

The purpose of this letter is to request a partial waiver of the submission requirements, on behalf of the Robert E. Simon Jr. Children's Center, as related to the attached Special Permit Amendment application. The introductory paragraph of Sect. 8-011 of the Zoning Ordinance permits such a waiver when it is determined that the information in Par. 2 of Sect. 8-011 is clearly not necessary for the review of the application.

By way of a brief background, on August 1, 1989, the Board of Zoning Appeals approved a special permit to permit a child care center with 99 children. Subsequently, the question has been raised as to what area on that approved special permit plat is subject of the special permit. It was always intended that only the shaded area be subject to the special permit and the remainder of the site be unencumbered. However, there are inconsistencies on the plat as well as in the application form, thus the need for this amendment to clarify the issue.

The sole purpose of this special permit amendment is to clarify that only the 0.96 acres shown as the shaded area is subject of the original special permit. Given the fact that this special permit amendment is basically a "housekeeping" amendment, it seems reasonable to accept a modification of the plat which was approved by the Board of Zoning Appeals on August 1, 1989. The only changes in the plat are the notes and tabulation, and a detail showing the special permit area with bearings and distances.

Your positive determination regarding this request is greatly appreciated. In closing, I would note that a formal interpretation request regarding this issue has been submitted concurrent with this special permit amendment.

Sincerely,

Tom Grubisich  
Member, Board of Directors  
Robert E. Simon Jr. Children's Center

FAIRFAX COUNTY

DEC 21 1990

**ROBERT E. SIMON, JR. CHILDREN'S CENTER  
(formerly the Reston Area Child Care Center, Inc.)**

**RESPONSE TO ZONING REQUIREMENTS**

6.

- A. Operations will be child care services only.
- B. The center will operate Monday through Friday from 6:30 a.m. to 6:30 p.m.
- C. When the center is at full capacity, there will be 99 children aged 2 months to 12 years.
- D. When the center is at full capacity there will be one Director, one Assistant Director, eight Teachers, nine Assistant Teachers and one Bookkeeper/Secretary.
- E. It is estimated that there will be 85 trips per day Monday through Friday by private cars which will be spread out between the hours of 6:30 a.m. and 9:30 a.m. and between 3:30 p.m. and 6:30 p.m.
- F. The center will serve Reston/Herndon area employees and residents.
- G. Description of Architecture - The center will be located within the eastern corner of the building. The renovations will require minor structural and interior modifications. The outside play area will be fenced, equipped with play equipment and landscaped. All interior and exterior modifications will be architecturally compatible with the existing structure.
- H. There are no hazardous or toxic substances, hazardous wastes or petroleum products that are generated, utilized, stored, treated, and/or disposed of on the center premises, nor are there any storage tanks/facilities for said substances.
- I. The Robert E. Simon, Jr. Children's Center, Inc. hereby states that the use conforms to the provisions of all applicable ordinances, regulations, adopted standards and any applicable conditions, or if any waiver, exception or variance is sought by the center from such ordinances, regulations, standards and conditions, such shall be specifically noted with the justification for any such modification.

**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.**

FAIRFAX COUNTY ZONING 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 application can be made for a Building Permit, all uses, except home child care facilities, shall be subject to the approval of a site plan prepared in accordance with the provisions of Article 17.

**Additional Standards for Home Child Care Facilities, Child Care Centers and Nursery Schools as Set Forth in Par. 5 of Sect. 301**

- 2. A. In addition to complying with the minimum lot size requirements of the zoning district in which located, the minimum lot area shall be of such size that 100 square feet of usable outdoor recreation area shall be provided for each child that may use the space at any one time. Such area shall be delineated on a plat submitted at the time the application is filed.

For the purpose of this provision, usable outdoor recreation area shall be limited to:

- 1. That are not covered by buildings or required off-street parking spaces.
  - 2. That area outside the limits of the required front yard.
  - 3. Only that area which is developable for active outdoor recreation purposes.
  - 4. An area which occupies no more than eighty (80) per cent of the combined total areas of the required rear and side yards.
- B. For each person enrolled, indoor recreation space shall be provided in accordance with the provisions of Chapter 30 of The Code.
  - C. All such uses shall be located so as to have direct access to an existing or programmed public street of sufficient right-of-way and cross-section width to accommodate pedestrian and vehicular traffic to and from the use as determined by the Director. To assist in making this determination, each applicant, at the time of application, shall provide an estimate of the maximum expected trip generation, the distribution of these trips by mode and time of day, and the expected service area of the facility. As a general guideline, the size of the use in relation to the appropriate street type should be as follows, subject to whatever modification and conditions the BZA deems to be necessary or advisable:

<b>Number of Persons</b>	<b>Street Type</b>
1-75	Local
76-99	Collector

- D. All such uses shall be located so as to permit the pick-up and delivery of all persons on the site.
- E. No such use shall be permitted unless it is determined by the County Department of Health Services that the location does not pose any hazard to the health, safety and welfare of the children.

Page \_\_\_\_\_, August 1, 1989, (Tape 1), Scheduled case of:

9:45 A.M. RESTON AREA CHILD CARE CENTER, INC./INOVA SERVICES, INC.,  
SP 89-C-028, application under Sect. 6-303 to allow a child care  
center, located at 1800 Cameron Glen Drive, on approximately  
21.51 acres of land, zoned PRC, Centreville District, Tax Map  
17-1((1))14A. (OUT OF TURN HEARING GRANTED)

Lori Greenlief, Staff Coordinator, presented the staff report.

Van C. Hendry, Assistant Administrator with the Cameron Glen Care Center, 1800  
Cameron Glen Drive, Reston, Virginia, represented the applicant. He stated  
that the request was for a child care center for 99 children to be located in  
a nursing home. He added that the play area would be fenced and landscaped  
with no external modifications proposed. Mr. Hendry asked that the Board  
grant the request and waive the eight day time limitation.

As there were no speakers to address the request, nor any staff closing  
comments, Chairman Smith closed the public hearing.

Mr. Ribble made a motion to grant SP 89-C-028.

//

**COUNTY OF FAIRFAX, VIRGINIA**

**SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS**

In Special Permit Application SP 89-C-028 by RESTON AREA CHILD CARE CENTER,  
INC./INOVA SERVICES, INC., under Section 6-303 of the Zoning Ordinance to  
allow a child care center, on property located at 1800 Cameron Drive, Tax Map  
Reference 17-1((1))14A, Mr. Ribble moved that the Board of Zoning Appeals  
adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with  
the requirements of all applicable State and County Codes and with the by-laws  
of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by  
the Board on August 1, 1989; and

WHEREAS, the Board has made the following findings of fact:

1. That the applicant is the sublessee of the land.
2. The present zoning is PRC.
3. The area of the lot is 21.51 acres of land.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions  
of law:

THAT the applicant has presented testimony indicating compliance with the  
general standards for Special Permit Uses as set forth in Sect. 8-006 and the  
additional standards for this use as contained in Sections 8-303 and 8-305 of  
the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **GRANTED** with  
the following limitations:

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit and the Non-Residential Use 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. This special permit shall be subject to the provisions of Article 17, Site Plans. Any plan submitted pursuant to this special permit shall be in conformance with the approved Special Permit plat and these development conditions. A revised parking tabulation for the complex which includes this special permit use shall be provided to and approved by the Department of Environmental Management prior to the approval of a site plan or site plan waiver and the issuance of a Non-Residential Use Permit.
5. The hours of operation shall be limited to 6:30 a.m. to 6:30 p.m., Monday through Friday.
6. There shall be a minimum of nineteen (19) parking spaces provided on site for this special permit use. Three out of the four spaces located on the circular driveway shall be marked as handicapped.
7. The play area shall be a minimum of 4,636 square feet in size and shall be fenced with a solid wood, board-on-board fence, a minimum of 3 feet 6 inches in height.
8. The number of children using the play area at any one time shall be in conformance with the provisions of Sect. 8-305 of the Zoning Ordinance.
9. The number of employees at the child care center at any one time shall meet the state standards for child care centers.
10. The maximum daily enrollment shall not exceed 99 children.

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. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Under Sect. 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, eighteen (18) months after the approval date\* of the Special Permit unless the activity authorized has been established, or unless construction has started and is diligently pursued, or unless additional time is conveyed by the Board of Zoning Appeals because of

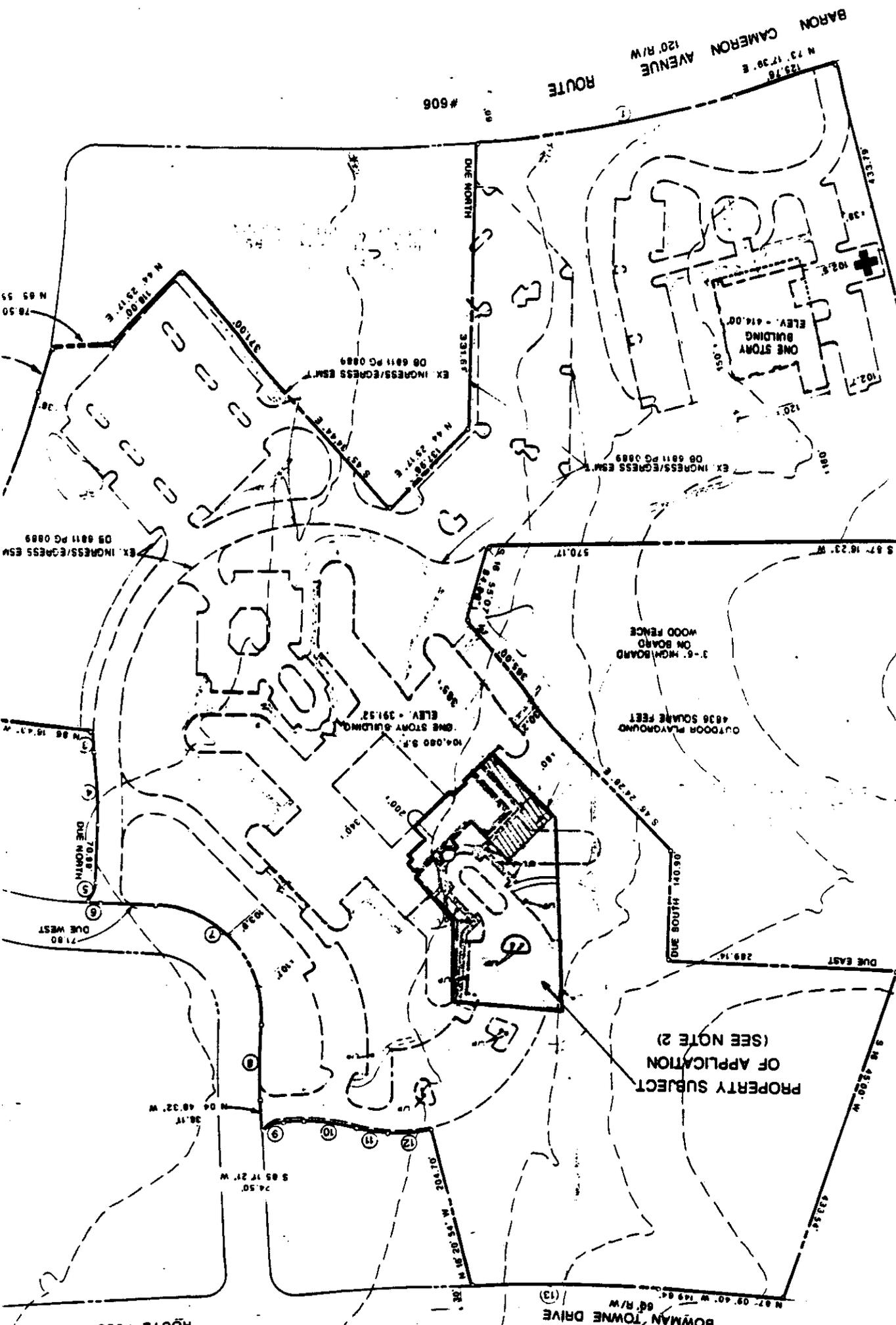
occurrence of conditions unforeseen at the time of the approval of this Special Permit. A request of additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

Mrs. Harris seconded the motion. The motion carried by a vote of 6-0 with Mr. DiGiulian absent from the meeting.

Mr. Ribble made a motion to waive the eight day time limitation. Mrs. Harris seconded the motion which carried by a vote 6-0 with Mr. DiGiulian absent from the meeting.

\*This decision was officially filed in the office of the Board of Zoning Appeals and became final on August 1, 1989. This date shall be deemed to be the final approval date of this special permit.

//



BOWMAN TOWNE DRIVE

N 87° 09' 40" W 149.84' (13)

ROUTE #6337

PROPERTY SUBJECT  
(SEE NOTE 2)

OUTDOOR PLAYGROUND  
4836 SQUARE FEET

3-6' HIGH BOARD  
ON BOARD  
WOOD FENCE

ONE STORY BUILDING  
ELEV. - 391.52

ONE STORY  
BUILDING  
ELEV. - 416.00

ROUTE  
BARON CAMERON AVENUE  
120' R/W  
N 73° 17' 39" E  
123.78

# 606