



APPLICATION ACCEPTED: July 10, 2013  
BOARD OF ZONING APPEALS: December 4, 2013\*  
\*Moved at the applicant's request  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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November 27, 2013

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-PR-051

### PROVIDENCE DISTRICT

**APPLICANT:** Future Star LLC

**OWNERS:** Baruna Rana  
Chaitanya S. Rana

**SUBDIVISION:** Villa Loring

**STREET ADDRESS:** 1909 Hull Road, Vienna, 22182

**TAX MAP REFERENCE:** 39-1 ((10)) (3) 3

**LOT SIZE:** 21,780 square feet

**ZONING DISTRICT:** R-1

**ZONING ORDINANCE PROVISIONS:** 8-301

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

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2013-PR-051 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

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:\rhorner\Special Permits\Rana (HCC)\Staff Report Rana Home Daycare.doc*      *Rebecca Horner*

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.

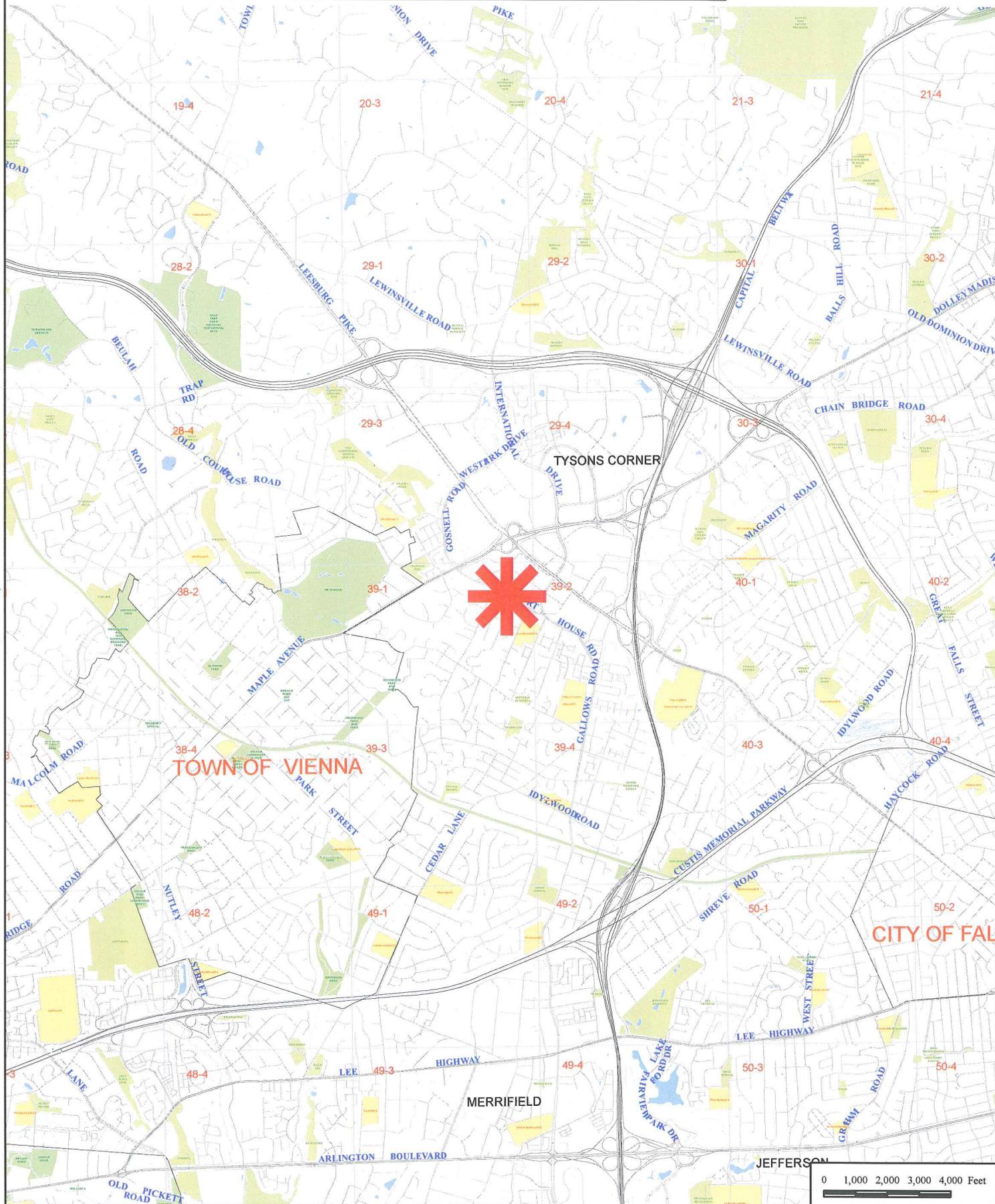
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

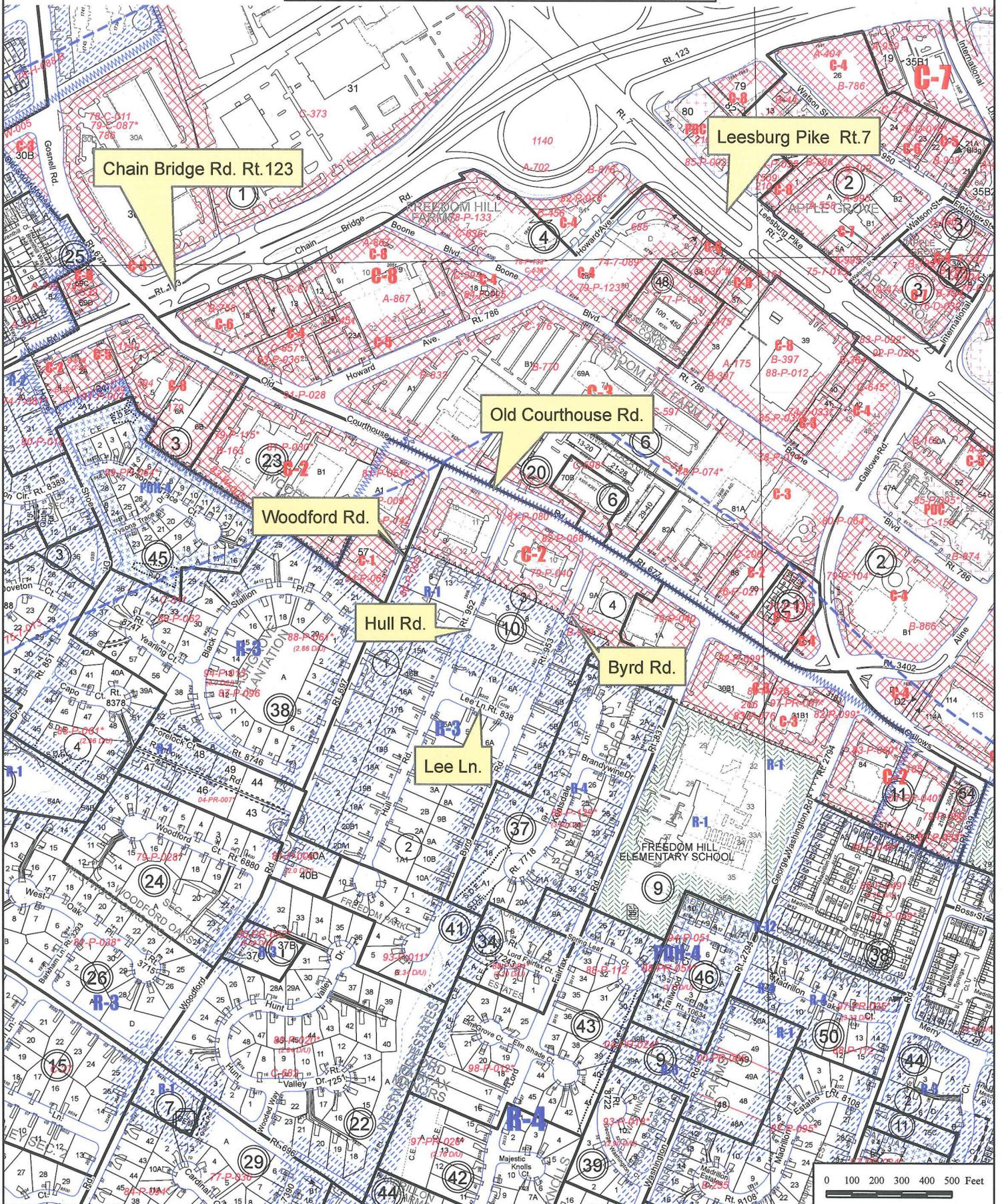
# Special Permit

SP 2013-PR-051  
FUTURE STAR LLC



# Special Permit

SP 2013-PR-051  
FUTURE STAR LLC



Chain Bridge Rd. Rt. 123

Leesburg Pike Rt. 7

Old Courthouse Rd.

Woodford Rd.

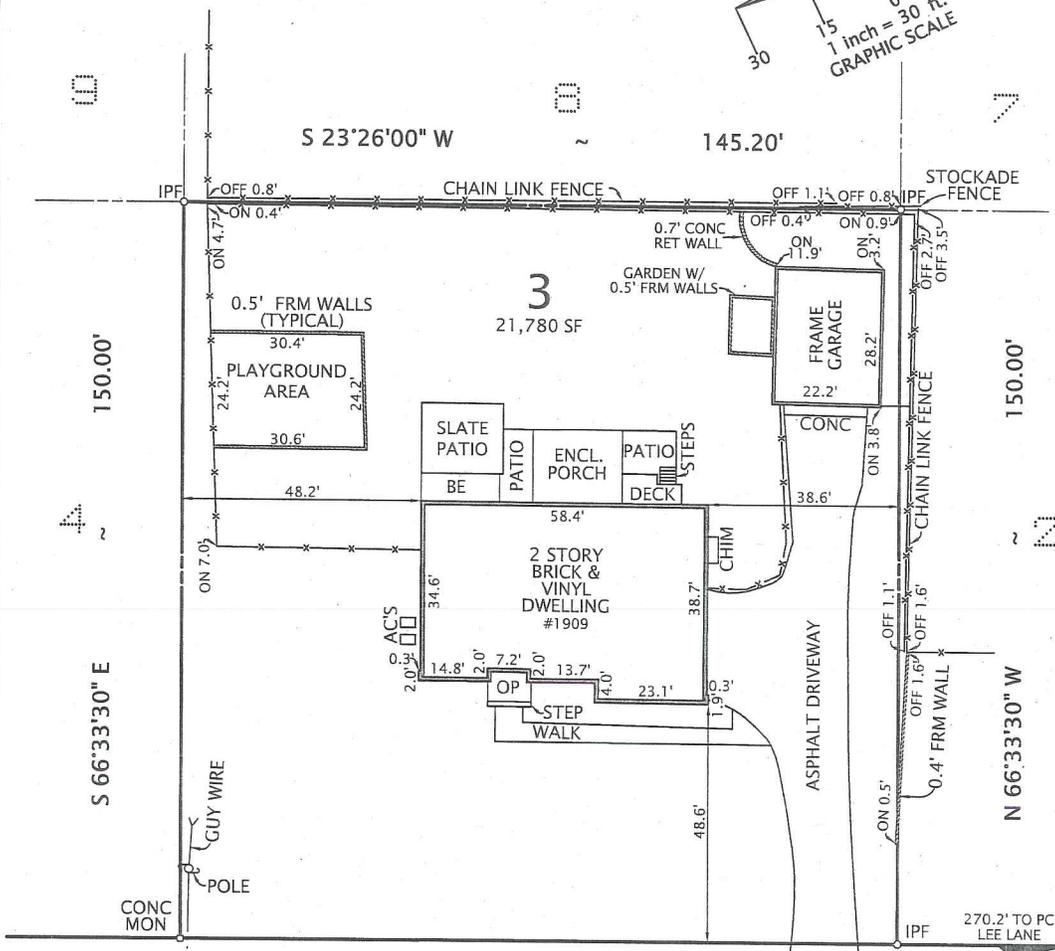
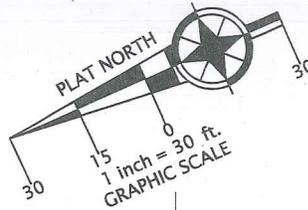
Hull Rd.

Byrd Rd.

Lee Ln.

0 100 200 300 400 500 Feet

- NOTES: 1. FENCES ARE FRAME UNLESS NOTED.  
 2. UTILITIES ARE UNDERGROUND.  
 3. SWINGSET HEIGHT = 11.4.



N 23°26'00" E 145.20'  
**HULL ROAD**  
 50' WIDE - STATE ROUTE #952

PLAT  
 SHOWING HOUSE LOCATION ON  
 LOT 3, BLOCK 3  
**VILLA LORING**  
 (DEED BOOK 12193, PAGE 1432)  
**FAIRFAX COUNTY, VIRGINIA**  
 PROVIDENCE DISTRICT

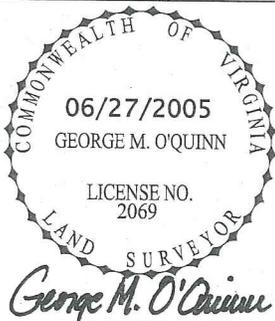
RECEIVED  
 Department of Planning & Zoning  
 AUG 23 2013  
 Zoning Evaluation Division

SCALE: 1" = 30' JUNE 27, 2005  
 AUGUST 14, 2013 (DETAIL PLAY AREA)

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.

A TITLE REPORT WAS NOT FURNISHED.



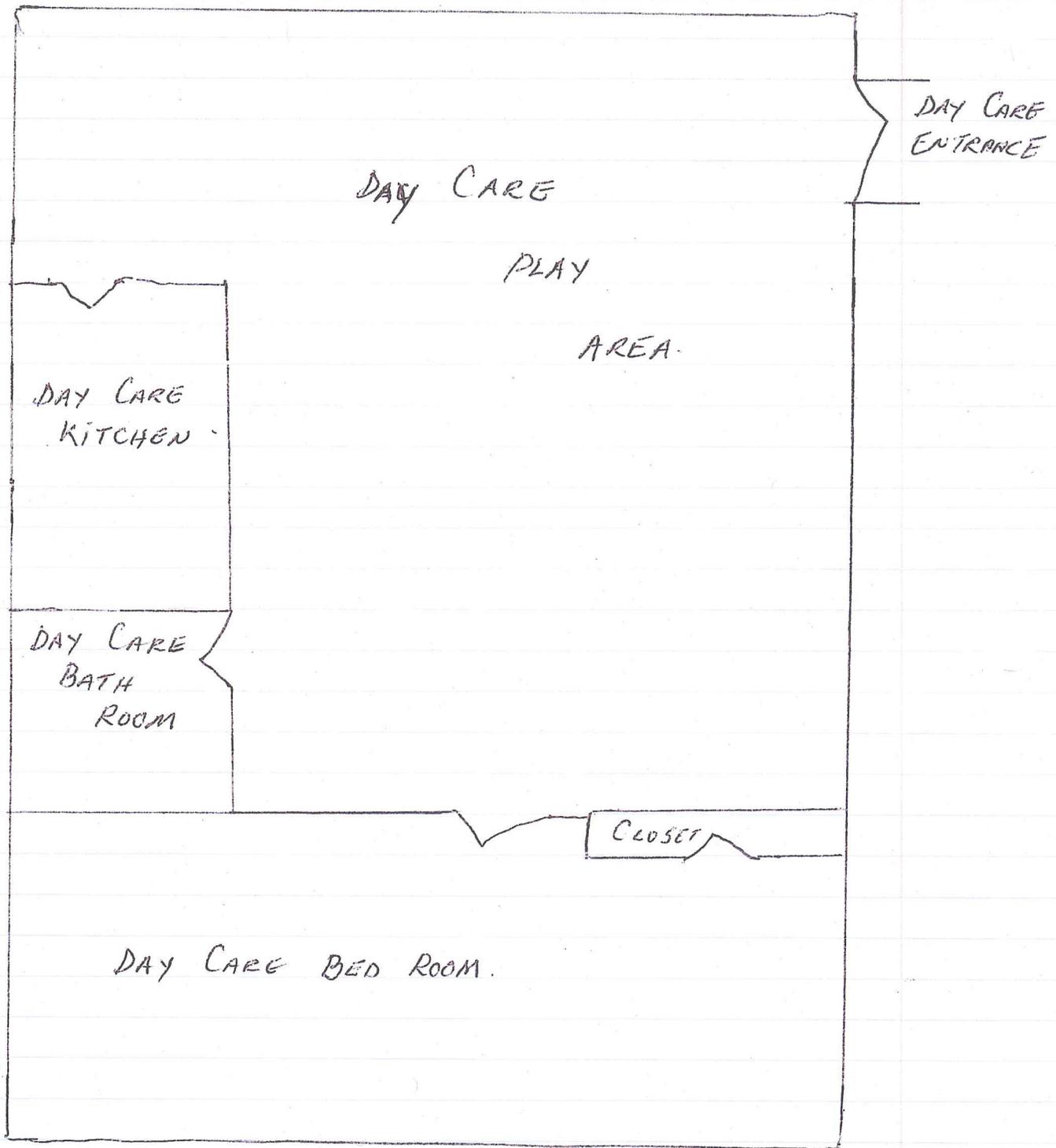
CASE NAME:

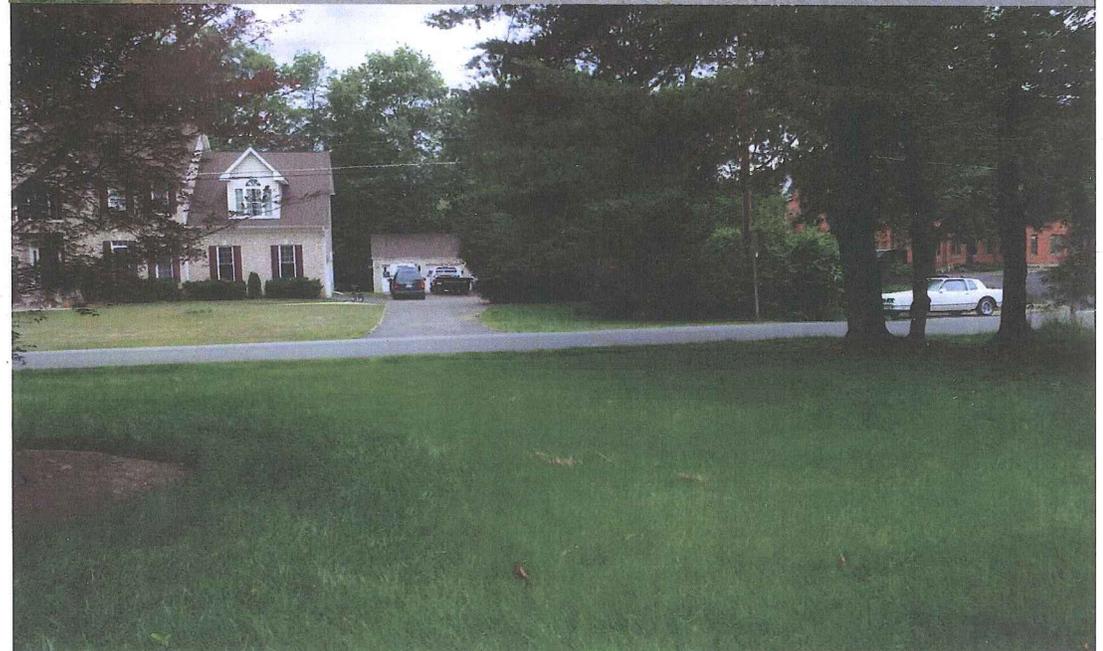
BARINA RANA

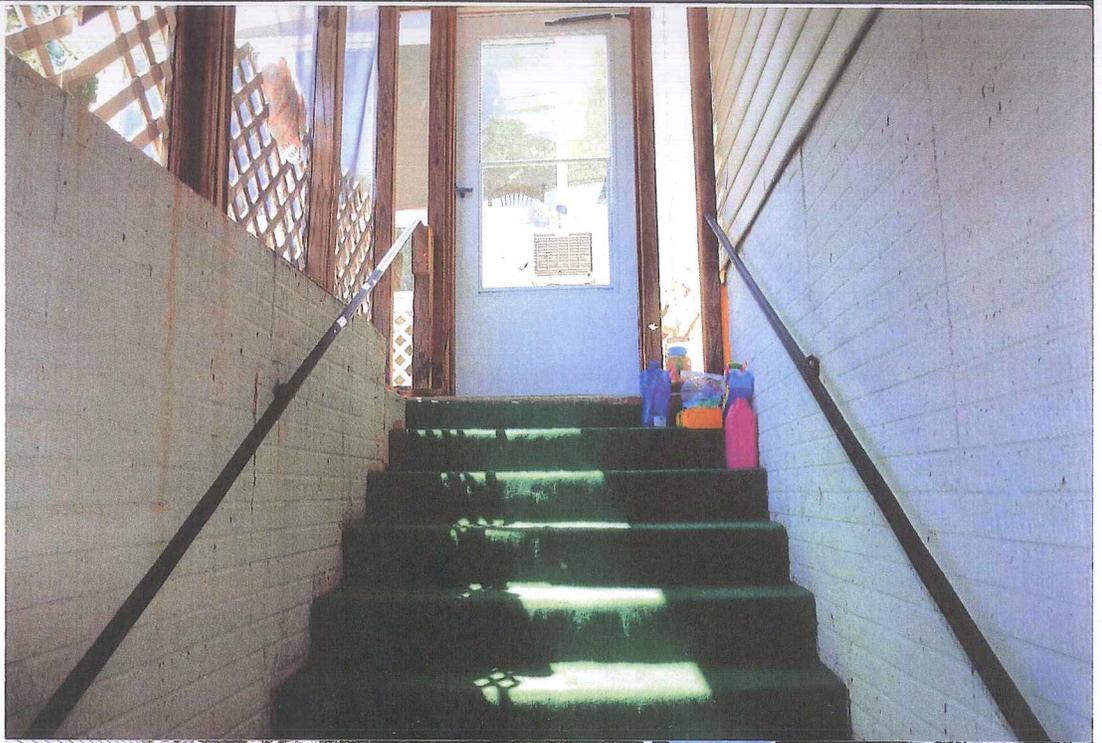
**DOMINION** Surveyors Inc.®

8808-H PEAR TREE VILLAGE COURT  
 ALEXANDRIA, VIRGINIA 22309  
 703-619-6555  
 FAX: 703-799-6412

# BARUNA RANA DAY CARE



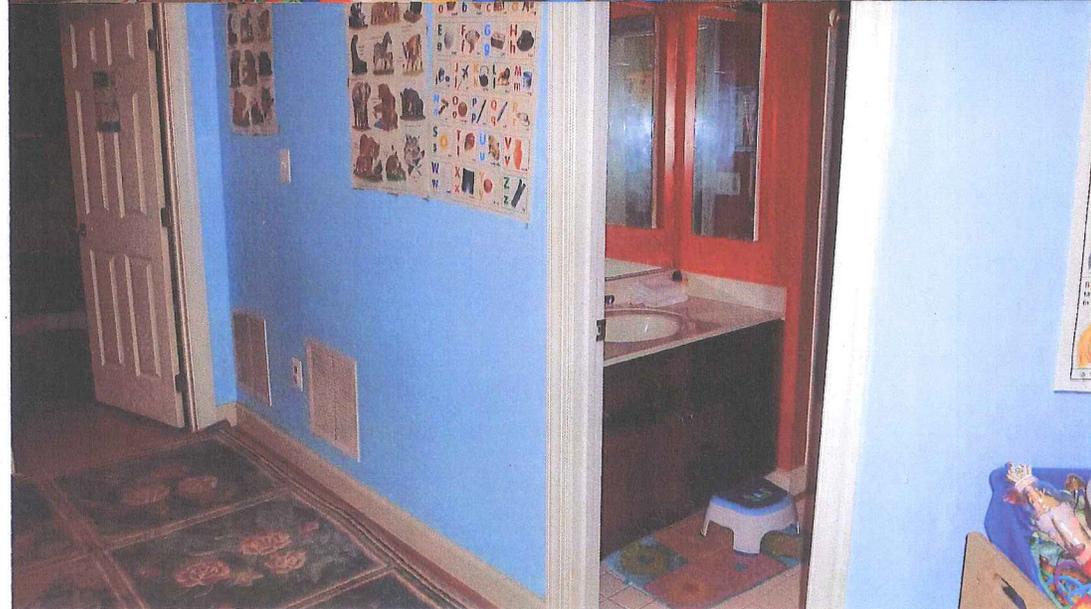


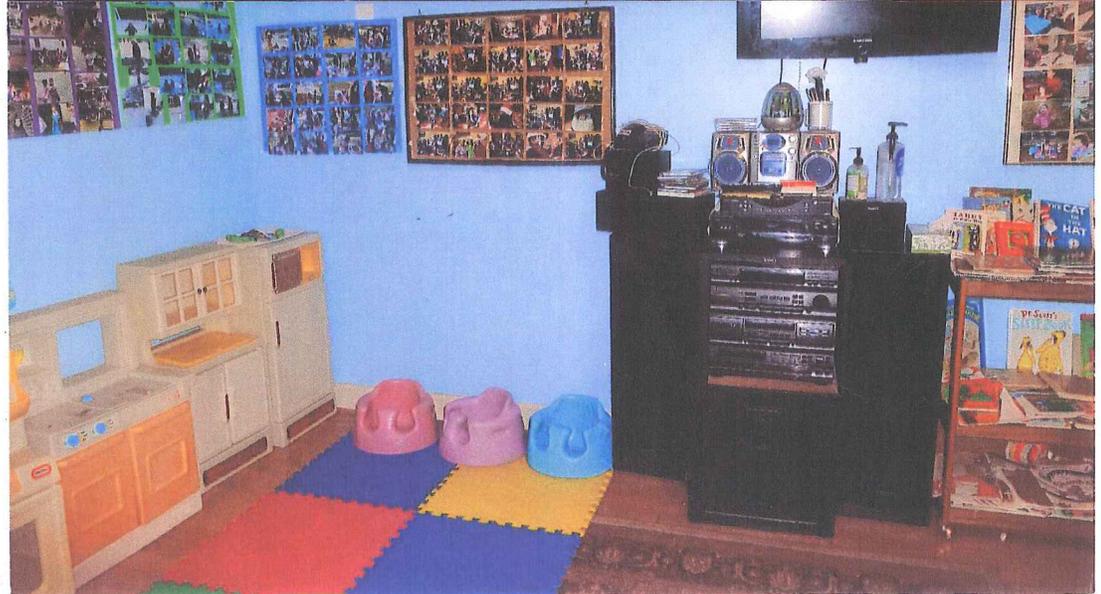
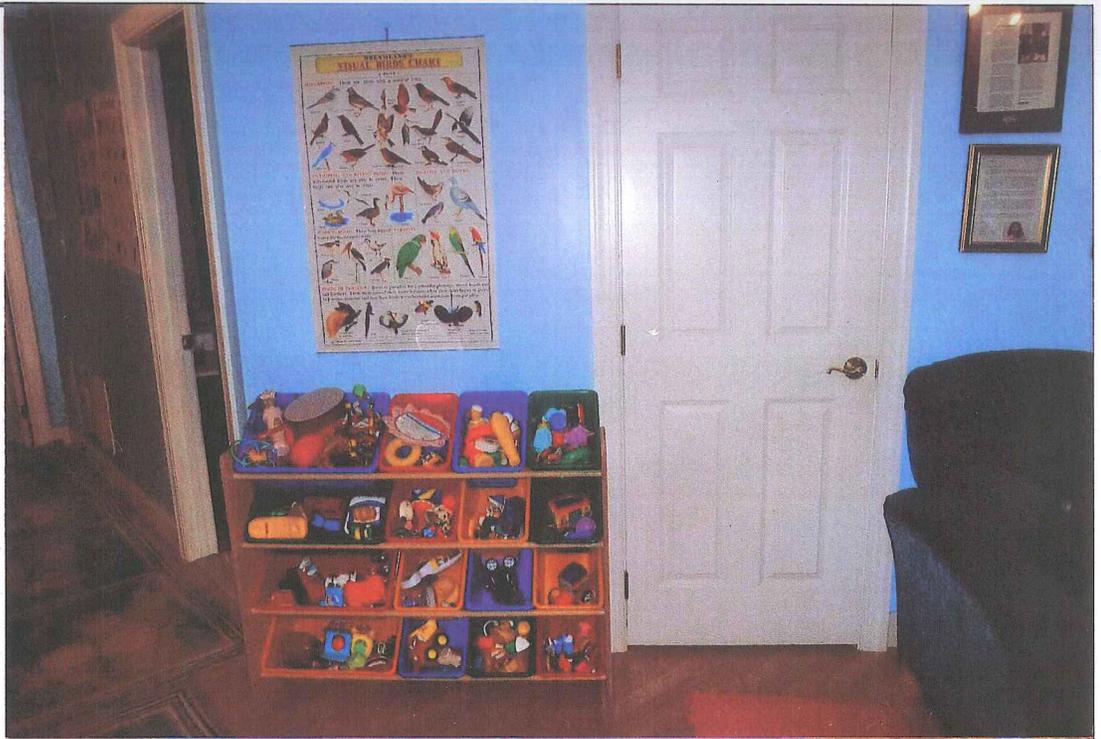




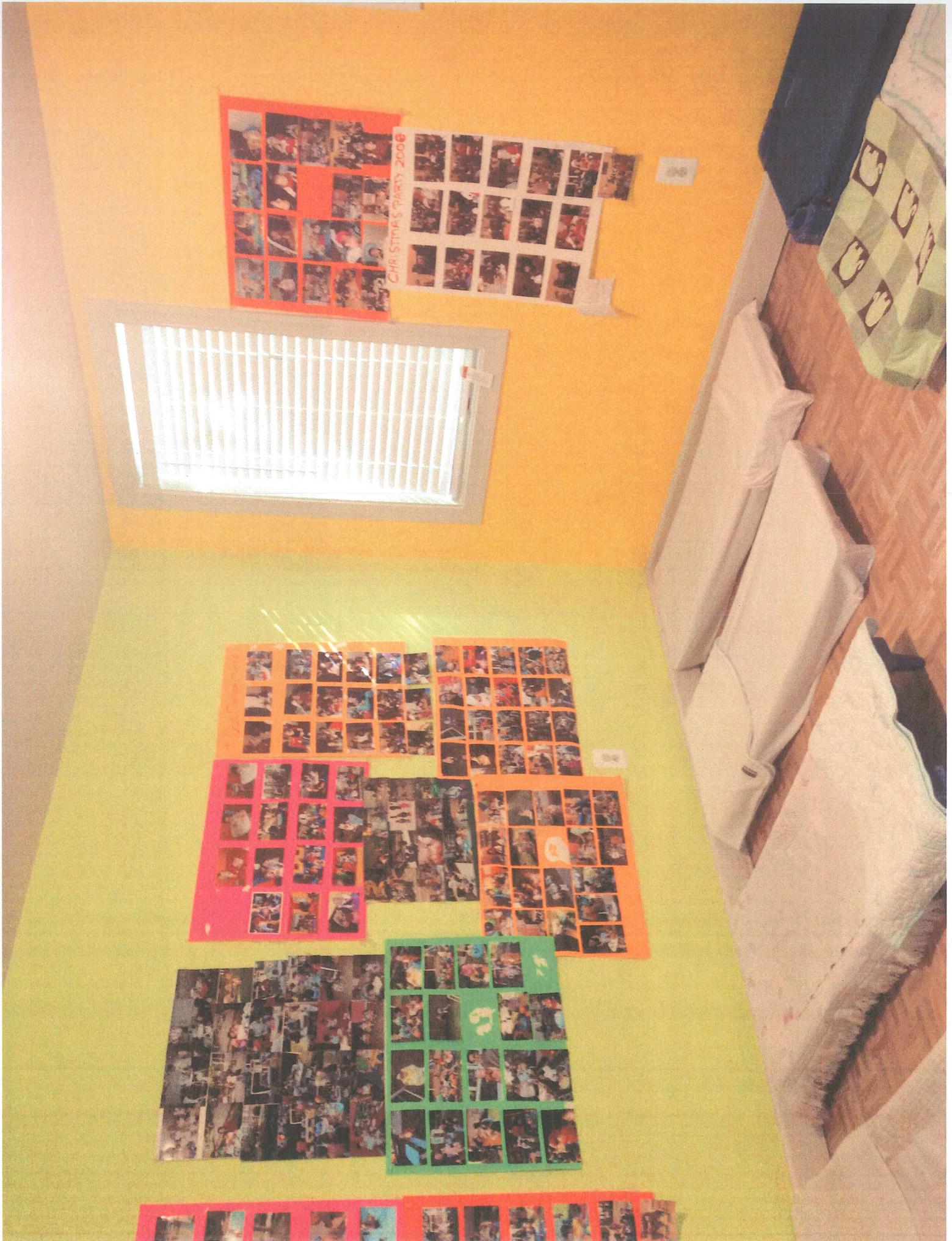














SP 2013-PR-051

## SPECIAL PERMIT REQUEST

The applicant is seeking approval of a home child care facility for 12 children at any one time within an existing dwelling. A detailed discussion of the request is included on page two and three.

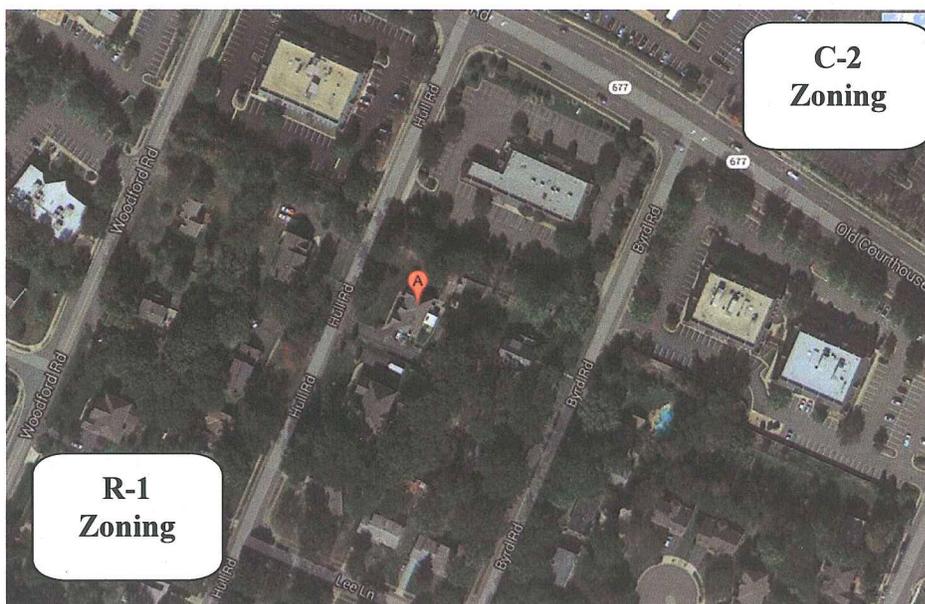
A copy of the special permit plat titled "Hull Road, Plat showing the house location on Lot 3, Block 3, Villa Loring" prepared by Dominion Surveyors, Inc., dated June 27, 2005, as revised through August 14, 2013, signed by George M. O'Quinn, Land Surveyor, is included at the front of the staff report.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The 21,780 square-foot site is located in the Villa Loring Subdivision. The lot is zoned R-1 and developed with a two-story single family detached dwelling consisting of approximately 3,598 square feet of above-grade living. The dwelling includes an attached garage as well as a detached accessory structure (garage). An 11.4 foot tall accessory structure (play set) is located northeast of the dwelling in the backyard.

Ingress and egress to the site is provided via a driveway accessed from Hull Road and terminates at both the attached and detached garages. The driveway appears to be able to accommodate approximately 10 vehicles, in addition to the garage structures. Patios and an enclosed porch are attached to the dwelling located on the east side of the dwelling. The rear yard is enclosed with stockade fencing. The site contains several mature trees, shrubs and foundation plantings.

The subject property abuts commercial uses, zoned C-2 to the north. Single family residential, zoned R-1, is located to the west, east and south.



## **BACKGROUND AND HISTORY**

County Records show that the dwelling was constructed in 2002. The applicant purchased the property in August 2005. The applicant indicates she started the home child care facility approximately 23 years ago (eight at this address), for 12 children. The applicant holds a current license, which was valid until November 24, 2013, from the Commonwealth of Virginia, Department of Social Services for a Family Day Home with a capacity of 12 children, aged birth through 12 years 11 months, however the applicant indicates she cares for children between the ages of birth through four years. The applicant has two full-time helpers, in addition to herself. A portion of the existing home, the lowest level, was converted into the home child care facility. Kitchen components were added for the preparation of lunch and snacks. The applicant indicates the plumbing and electrical components were already installed and she only added appliances.

County records reflect that there have been three similar cases in the vicinity. The similar case history is included as Appendix 4.

## **DESCRIPTION OF SPECIAL PERMIT REQUEST**

The applicant is requesting approval of a special permit for a home child care facility for up to twelve (12) children, at any one time, between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday. Drop-off of children is to be staggered between 7:30 a.m. and 8:30 a.m. and pick-up between 4:30 p.m. and 5:30 p.m., Monday through Friday. Employees include the applicant and two full-time teachers. The applicant indicates that one assistant drives and the other rides the bus.

The home child care facility is operated throughout the lowest level of the house which includes a bedroom, bathroom, kitchen, and play area. There is a fenced yard and open deck where the children play outside.

Staff noted during the site visit that proper egress was not provided in the day care bedroom. Since brought to the attention of the applicant, staff understands she has installed a proper egress. Photos of the egress window are included in the front of the report.

The existing driveway appears to be able to accommodate at least ten plus additional vehicles in the enclosed garages. Parents access the child care facility from the rear of the dwelling, which has a walk-up access.

## **ANALYSIS**

### **Comprehensive Plan Provisions**

**Plan Area:** Area II, Vienna Planning District  
**Planning Sector:** Spring Lake Community Planning Sector (V3)  
**Plan Map:** Residential use at 2-3 dwelling units per acre (du/ac)

The Comprehensive Plan language does not dissuade or prohibit home child care facilities in this area.

### **Zoning Ordinance Requirements**

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

This special permit is subject to the section of the Zoning Ordinance outlined above, a copy of which is included in Appendix 5. Subject to the development conditions, the special permit must meet these standards.

## **CONCLUSION AND RECOMMENDATIONS**

Staff did not identify any issues with the request and believes that the subject application is in conformance with the applicable Zoning Ordinance provisions with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. Staff recommends approval of SP 2013-PR-051.

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. Similar Case History
5. Home Child Care Ordinance Amendments
6. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****November 27, 2013**

If it is the intent of the Board of Zoning Appeals to approve SP 2012-SP-51 located at Tax Map 39-1 ((10)) (3) 3 for a home child care facility pursuant to Section 8-301 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, Future Stars L.L.C., only and is not transferable without further action of the Board, and is for the location indicated on the application, 1909 Hull Road, 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 prepared by Dominion Surveyors, Inc., dated June 27, 2005, as revised through August 14, 2013, signed by George M. O'Quinn, Land Surveyor, 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 7:30 a.m. to 5:30 p.m., Monday through Friday.
5. The maximum number of children on site at any one time shall be twelve (12), excluding the applicant's own children.
6. Pick up and drop off of children shall take place in the driveway.
7. The dwelling that contains the child care facility shall be the primary residence of the applicant.
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, six 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 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): SP-2013-PR-051  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 22, 2013  
(enter date affidavit is notarized)

116625

I, Jane Kelsey, Jane Kelsey & Associates, Inc.,, 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)
Future Star LLC	1909 Hull Road, Vienna, VA 22182	Applicant
Baruna Rana	1909 Hull Road, Vienna, VA 22182	Managing Member of Future Star LLC, Agent
Baruna Rana	1909 Hull Road, Vienna, VA 22182	Title Owner of Tax Map No. 031-1((10))(3) parcel 3
Chaitanya S. Rana	1909 Hull Road, Vienna, VA 22182	Title Owner of Tax Map No. 031-1((10))(3) parcel 3
Jane Kelsey & Associates, Inc. Jane Kelsey Bruce Kelsey, Agent	4041 Autumn Court, Fairfax, Virginia 22030 " "	Agent for Applicant and TitleOwners Agent for Applicant and TitleOwners Agent for Applicant and TitleOwners

(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): SP-2013-PR-051  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 22, 2013  
(enter date affidavit is notarized)

116625

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)

Future Star, LLC  
1909 Hull Road  
Vienna, VA 22182

**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)

Baruna Rana, Managing Member

(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):

SP-2013-PR-051

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

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 22, 2013

(enter date affidavit is notarized)

116625

- 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)

N/A

(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): SP-2013-PR-051  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 22, 2013  
(enter date affidavit is notarized)

116625

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:

None

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): SP-2013-PR-051  
(county-assigned application number(s), to be entered by County Staff)

Page \_\_\_\_ of \_\_\_\_

**Special Permit/Variance Attachment to Par. 1(b)**

DATE: October 22, 2013  
(enter date affidavit is notarized)

116625

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)  
Jane Kelsey & Associates, Inc. /  
4041 Autumn Court  
Fairfax, VA 22030-5168

**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, and last name)  
Jane Kelsey

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

(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):

SP-2013-PR-051

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: October 22, 2013

(enter date affidavit is notarized)

116625

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

Jane Kelsey  
Jane Kelsey, President, Jane Kelsey & Associates, Inc.

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 22<sup>nd</sup> day of October 2013, in the State/Comm. of Virginia, County/City of Fairfax

My commission expires: 4/30/16



Amy L. Bain  
Notary Public

## Special Permit Statement of Justification, County of Fairfax, Virginia

- A. Type of operation: Family Day Care Home, have been doing for 21 years.
- B. Hours of operation: 07:30 AM to 05:30 PM.
- C. Estimated numbers of clients: ~~10-12~~ 12 BR June-28-2013
- D. Proposed Number of employees/teachers: 3.
- E. Estimated traffic impact should normal, interval of five to fifteen minutes @ 7:30AM to 5:30 PM.
- F. On the north of property line commercial building @75 feet walled fence, on the east Hull Road, on the south private home @ 65 feet, half fenced and on the east private home @ 75 feet fenced.
- G. Single Dwelling 2 story, Vinyl w/brick trim, roof composition Shingle, full basement, basement Rec. Room 522 sq. ft, year built 2002, 5 bedrooms, 4 full bath, 1 half bath, 2 fireplaces 3 basement rooms/dens, heating central A/C. No t in County Historic Overlay District. Map# 0391 100300, District: Providence, Land area: 21,780 sq. feet, Zoning Description: R-1 (residential 1DU/AC), Book 17526, Page 2113.
- H. Utilities : water, sewer and gas connected.
- I. Have been providing day care for more than 21 years and in current location for seven years with no complaints or obstruction.

Sincerely,

*Baruna Rana*

Baruna Rana (owner)

Future Star LLC

1909 Hull Road, Vienna VA 22182

703-847-1986

RECEIVED  
Department of Planning & Zoning  
JUN 07 2013  
Zoning Evaluation Division

September 14, 2013

To Chairman and Members of the Board of Zoning Appeals

I am the closest neighbor to Ms. Baruna Rana and her husband Mr. Chaitanya Rana who live at 1909 Hull Road, Vienna, VA. My driveway is parallel to their driveway. Ms. Rana has operated a home child care facility at this location for the past eight years. This home child care facility has never created any problems for me or my family.

The facility appears to be well run and the parents are very conscious of their speed as they drop off and pick up their children. The play area is separated from our property by their large detached garage. We cannot even hear the children at play and, if we could hear them, we would not object to these happy sounds.

If you or the County staff have questions or concerns, I would be happy to talk with you.

Sincerely,

Gloria J. Payne  
1912 Hull Rd.  
Vienna, Va. 22180  
703-442-0536

JOHN C CLEMENS  
1908 HULL RD  
VIENNA, VA 22182  
703-328-0808

RECEIVED  
DEPARTMENT OF PLANNING  
AND ZONING

OCT 11 2013

SPECIAL PERMIT &  
VARIANCE BRANCH

September 16<sup>th</sup>, 2013

To: Chairman and members of the Board of Zoning Appeals

We are residents of Hull Road and neighbors to Ms. Baruna Rana and her husband Mr. Chaitanya Rana who reside at 1909 Hull Road. Ms. Rana has operated a home child care facility at this location for the past eight years. This child care facility has never created any problems for me or my family.

The facility appears to be well run and the parents are very conscious of their speeds as they drop off and pick up their children. Noise has also not been issue.

If you or the County Staff has any questions or concerns, please feel free to contact me. 301-526-5959

Sincerely,

  
VINA NGUYEN  
1945 Hull Rd.  
Vienna, VA 22182

RECEIVED  
DEPARTMENT OF PLANNING  
AND ZONING

OCT 11 2013

SPECIAL PERMIT &  
VARIANCE BRANCH

SP 2013-PR-051

September 16<sup>th</sup>, 2013

To: Chairman and members of the Board of Zoning Appeals

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Sincerely,

  
Timothy TRAN  
1940 HULL RD VIENNA, VA 22182

RECEIVED  
DEPARTMENT OF PLANNING  
AND ZONING

OCT 11 2013

SPECIAL PERMIT &  
VARIANCE BRANCH

September 16<sup>th</sup>, 2013

To: Chairman and members of the Board of Zoning Appeals

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Sincerely,

Negin Rassekh

1920 Hull Rd, Vienna

202-549 2210

September 16<sup>th</sup>, 2013

To: Chairman and members of the Board of Zoning Appeals

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If you or the County Staff has any questions or concerns, please feel free to contact me.

Sincerely,

John C. Haines  
1922 Hull Rd.  
Vienna, Va 22182  
703-772-5845

September 16<sup>th</sup>, 2013

To: Chairman and members of the Board of Zoning Appeals

We are residents of Hull Road and neighbors to Ms. Baruna Rana and her husband Mr. Chaitanya Rana who reside at 1909 Hull Road. Ms. Rana has operated a home child care facility at this location for the past eight years. This child care facility has never created any problems for me or my family.

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If you or the County Staff has any questions or concerns, please feel free to contact me.

Sincerely,

Samira = 1931 Hull Rd.

44 year resident

# Similar Case History

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**Group: 85-P -002****SP 85-P -002**

APPLICANT: MERRITT, JACK H. AND DOLORES, SR. AND JACK H. MERRITT, JR.  
STATUS: APPLICATION DENIED  
STATUS/DECISION DTE: 04/02/1985  
ZONING DISTRICT: R- 1  
TAX MAP #S: 0391-03  
DESCRIPTION: CHILD CARE CENTER  
LOCATION: 2159 CHAIN BRIDGE ROAD

**Group: 86-P -028****SP 86-P -028**

APPLICANT: MONDINO, VICTOR O AND SURAYA  
STATUS: APPLICATION DENIED  
STATUS/DECISION DTE: 07/22/1986  
ZONING DISTRICT: R- 1  
TAX MAP #S: 0391-03  
DESCRIPTION: CHILD CARE CENTER  
LOCATION: 2159 CHAIN BRIDGE ROAD

**Group: 89-P -056****SP 89-P -056**

APPLICANT: IRANIAN COMMUNITY SCHOOL, INC.  
STATUS: APPLICATION DENIED  
STATUS/DECISION DTE: 03/14/1990  
ZONING DISTRICT: R- 1  
TAX MAP #S: 0391-04  
DESCRIPTION: TO PERMIT A PRIVATE SCHOOL OF SPECIAL EDUCATION (LESS THAN 100 STUDENTS DAILY) AND WAIVER OF THE DUSTLESS SURFACE REQUIREMENT  
LOCATION: 2221 CHAIN BRIDGE ROAD

**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 twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, 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.