



APPLICATION ACCEPTED: February 6, 2014
PLANNING COMMISSION: July 10, 2014
BOARD OF SUPERVISORS: July 29, 2014 @ 3:30 PM

County of Fairfax, Virginia

June 24, 2014

STAFF REPORT

APPLICATION SE 2014-MV-008

MOUNT VERNON DISTRICT

APPLICANT: Lourdes Alvarez, Mamiluly Daycare LLC

ZONING: PDH-3

PARCEL: 98-1 ((4)) 10

SITE AREA: 8,740 square feet

PLAN MAP: Residential, 2-3 du/ac

PROPOSAL: To permit a home child care facility for a maximum of twelve children at any one time.

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2014-MV-008, subject to the proposed development conditions contained in Appendix 1.

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

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

William O'Donnell

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/



Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service

Special Exception

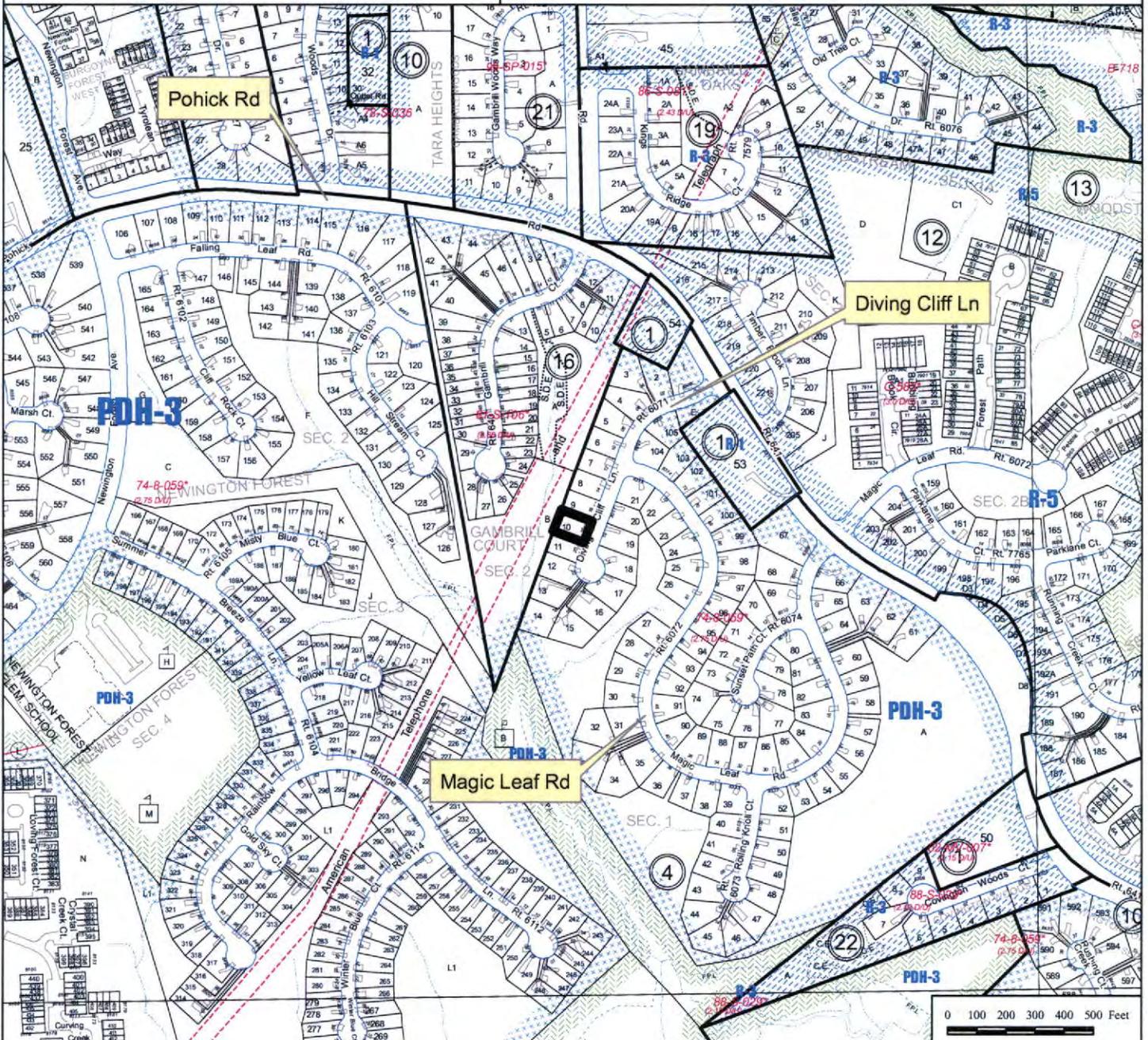
SE 2014-MV-008



Applicant: LOURDES C. ALVAREZ
Accepted: 02/06/2014
Proposed: HOME CHILD CARE FACILITY
Area: 8740 SF OF LAND; DISTRICT - MOUNT VERNON

Zoning Dist Sect: 06-0105
Art 9 Group and Use: 0-05
Located: 8018 DIVING CLIFF LANE, SPRINGFIELD, VA 22153

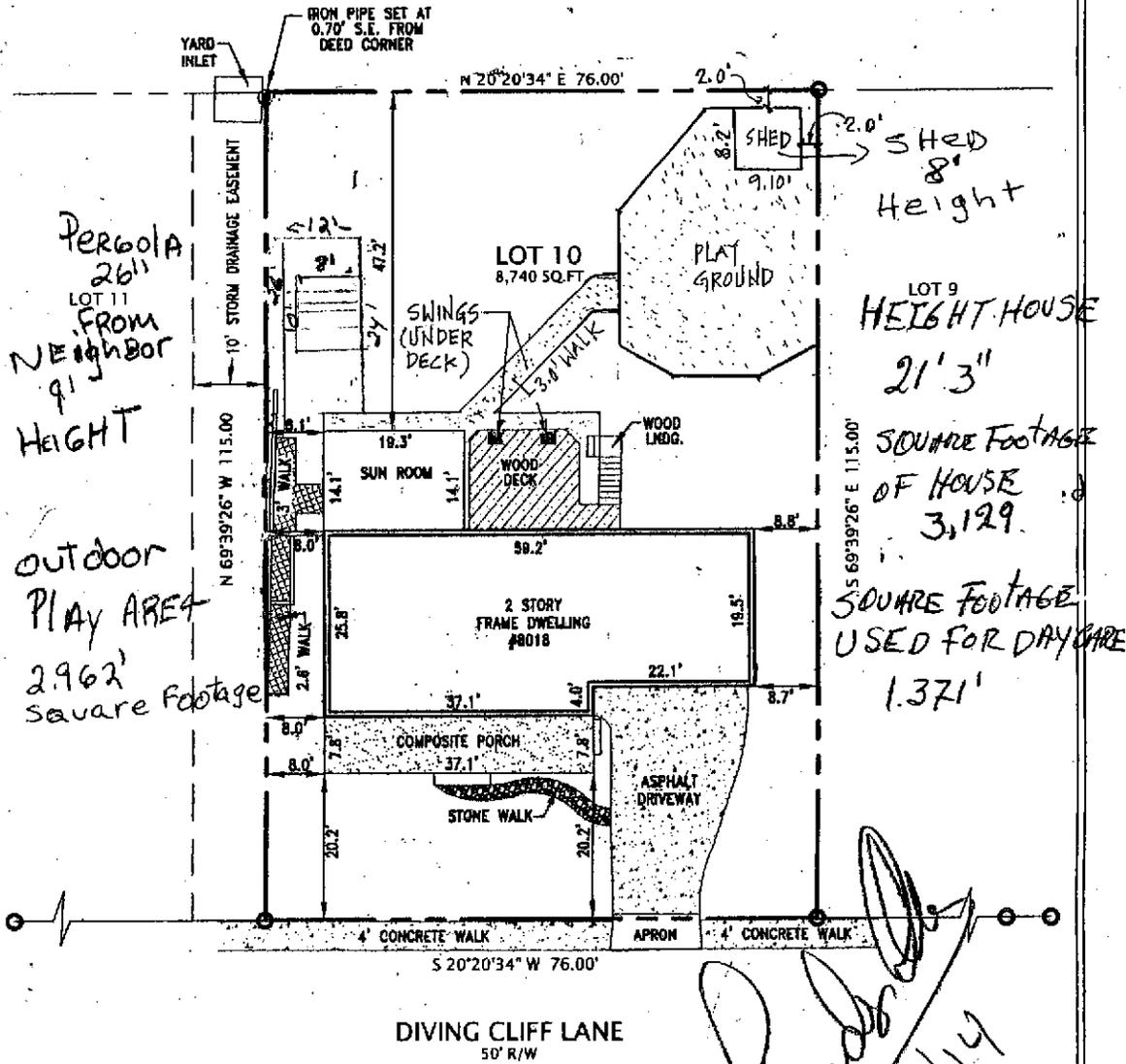
Zoning: PDH- 3
Plan Area: 3,
Overlay Dist:
Map Ref Num: 098-1- /04/ /0010



Lauren
Bowes

RECORD NORTH

GAMBRILL COURT
PARCEL 'B' SECTION 2



Pergola
26'1"
LOT 11
FROM
Neighbor
9'
HEIGHT

10' STORM DRAINAGE EASEMENT

YARD INLET

IRON PIPE SET AT
0.70' S.E. FROM
DEED CORNER

outdoor
Play AREA
2,962'
square Footage

SHED
2.0' SHED
8'
Height

LOT 9
HEIGHT HOUSE
21'3"

SQUARE FOOTAGE
OF HOUSE
3,129.

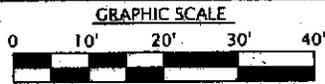
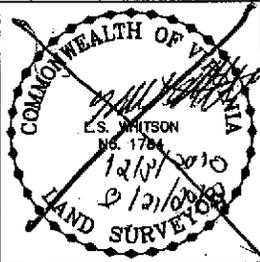
SQUARE FOOTAGE
USED FOR DAYCARE
1,371'

Alvarez
1/28/14

REVISED TO SHOW NEW WALK LOCATION (JANUARY 3, 2011)
REVISED TO SHOW SUN ROOM (AUGUST 21, 2012)

LAND BOUNDARY SURVEY

LOT 10 SECTION ONE
NEWINGTON FOREST
DEED BOOK 4881 PAGE 528
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
DATE: DECEMBER 3, 2010
SCALE: 1" = 20'
DRAWN BY: RMA



LEGEND

- IPF = IRON PIPE FOUND
- ⊙ IPS = IRON PIPE SET
- x- = FENCE

NOTES

THIS PLAT WAS ESTABLISHED BY AN ELECTRONIC TOTAL STATION AND TAPE.
NO TITLE REPORT WAS FURNISHED.

OWNER:

PATRICIO H. & LOURDES C.
ALVAREZ

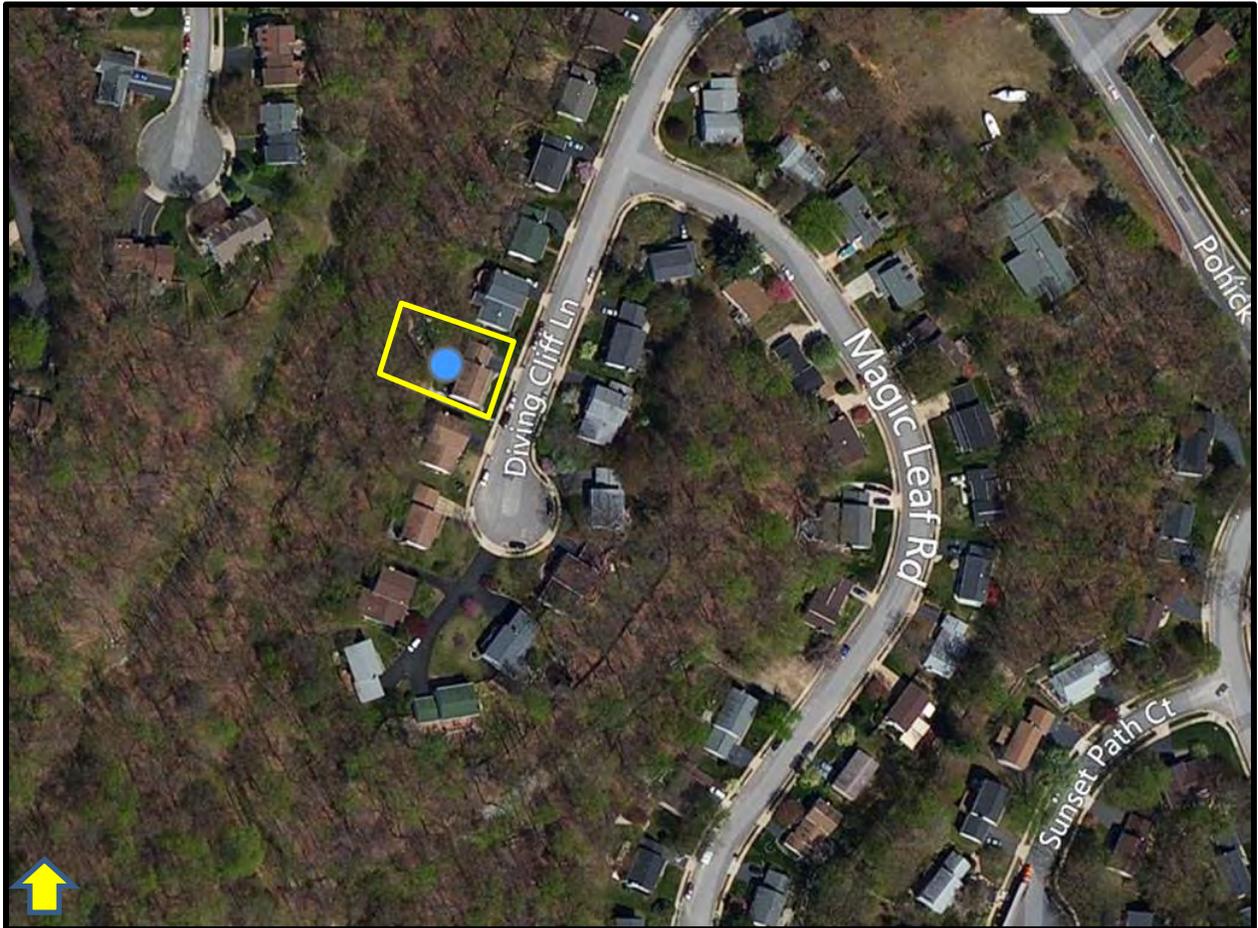
SAM WHITSON, L.S./LAND SURVEYING
7061 GATEWAY COURT SUITE 150
MANASSAS, VIRGINIA 20109
PHONE: (703)330-0822 FAX: (703)330-9778

WO# 10-2284

Reduced

DESCRIPTION OF THE APPLICATION

The applicant requests approval of a Special Exception to operate a home child care for up to twelve children at any one time (not including care for two grandchildren) in a single family detached dwelling with two assistants.



The subject property is located at 8018 Diving Cliff Lane in the Newington Forest subdivision, just south of Pohick Road. The property backs to open space and is otherwise surrounded by the neighborhood of single family detached dwellings. It is situated near the end of a cul-de-sac. The subject property and surrounding area are zoned PDH-3.

Other details about the application:

- Licensed provider for 12 children;
- Two full-time assistants; one who does not drive;
- Hours of operation: 7:00 a.m. to 6:00 p.m.; staggered drop-off and pick-up;
- Available parking includes two spaces in the attached garage, two in the driveway, as well as spaces on the public street which is a cul-de-sac;
- Parents park in the driveway or on the street and bring their children to the front door or basement entrance at the side of the building;

- Walk-out basement;
- Fenced back yard play area consisting of approximately 2,900 square feet;
- Child care is all in one room in the basement with a meal preparation area (second kitchen). A development condition is included to ensure this meal preparation area would be discontinued or brought into compliance if the child care facility is discontinued or if the single family dwelling is rented or sold.

The proposed development conditions, applicant's statement of justification and file photographs, first floor and basement floor plans and affidavit are contained in Appendices 1 to 4, respectively. Appendix 5 contains a letter from the Newington Forest Community Association indicating that the Community Association does not oppose the application.

BACKGROUND

The subject property is located within Burke Lake Community Planning sector of the Comprehensive Plan. The Plan recommends residential use at 2-3 dwelling units per acre. On February 9, 1976, the Board of Supervisors approved RZ 74-8-009 for the development of 2,200 single family detached and multifamily dwellings at 2.75 dwelling units per acre. The approved development plan and proffers do not speak to the issue of home child care uses, nor do they preclude use of the streets for parking. According to the Department of Tax Administration records, the dwelling was constructed in 1979.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area III, P7-Burke Lake Community Planning Sector of the Pohick Planning District
Plan Map: Residential, 2-3 du/ac
Text: No specific text

The proposed use is in conformance with the Comprehensive Plan.

Transportation (Appendix 6)

Diving Cliff Lane is a public street, which is accessed from Pohick Road. The applicant indicates that drop-off times for the twelve children are staggered from 7:00 a.m. to 9:00 a.m., and pick-up is from 4:00 p.m. to 6:00 p.m. The 2-car garage, 2-car driveway and on-street parking are sufficient to accommodate the parking demands. The street width accommodates parking on both sides, and the street terminates in a cul-de-sac.

Staff finds that the home child care use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood and that there is adequate parking to accommodate the proposed use.

Safety Analysis (Appendix 7)

During a site visit, staff noted a safety issue that should be addressed. Windows in the room used by children for napping may not meet fire safety requirements for emergency egress because the size may be too small to egress safely. The existing double hung window allowed an opening of 27 by 24 inches per window (or approximately 4.5 square feet per window) and the minimum opening requirement is 5.7 square feet per window.



To provide a safe means of egress, the applicant should either alter the window to meet all fire safety requirements or remove the door to the sleeping room, which would widen the doorway to connect to the adjoining room with the recreation room where emergency egress is available. The new unobstructed opening would need to meet the requirements of the Virginia Residential Code for Adjoining Rooms.

The proposed development conditions address this safety issue by requiring that a point of egress which meets emergency escape and rescue openings requirements of the 2009 Virginia Residential Building Code to be installed within 90 days of the approval of the special exception.

Zoning Ordinance Provisions (Appendix 8)

Section 10-103 of the Zoning Ordinance provides for home child care facilities that increase the number of children above seven in a single family detached dwelling or the involvement of more than one nonresident person may be permitted in accordance with the provisions of Part 3 of Article 8. This section applies to Group 3, Institutional uses. Further, Sect. 6-105 for Planned Development Districts specifies that Group or Category uses may be permitted with the approval of a Special Exception when such use is not specifically designated on an approved final development plan (FDP). Since home child care uses are not provided for on the approved FDP for this property, this Special Exception application is required to satisfy the provisions of the General Standards for Special Exceptions (Sect. 9-006), Standards for all Group 3 Uses

(Sect. 8-303), Additional Standards for Home Child Care Facilities (Sect. 8-305), and Use Limitations (Paragraph 6 of of Sect. 10-103).

General Standards for Special Exceptions (Sect. 9-006)

Standards 1 and 2 <i>Comprehensive Plan/Zoning District</i>	Staff finds that the proposed use is in harmony with the Comprehensive Plan. In addition, since no yards were proffered with the original rezoning, Sect. 2-412 of the Zoning Ordinance indicates that in a PDH District, the minimum required yard is deemed to be one-half of the distance of the yard that has been established by the location of the principal structure on a lot. No issues were identified and staff finds the use in harmony with the general purpose and intent of the PDH-3 Zoning District.
Standard 3 <i>Adjacent Development</i>	No construction is proposed with this application and the lot backs to open space. Staff finds that the use will not affect the use or development of neighboring properties.
Standard 4 <i>Pedestrian/Vehicular Traffic</i>	As previously noted, staff finds that the proposed use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
Standard 5 <i>Landscaping/Screening</i>	No additional landscaping is required for the proposed use.
Standard 6 <i>Open Space</i>	The PDH-3 District requires 20% of the gross area of the site to be open space. The FDP that governs the subject property exceeds this requirement.
Standard 7 <i>Utilities, Drainage, Parking, Loading</i>	This application does not affect the provision of adequate public facilities as determined in the review and approval of the dwelling unit. Staff concludes that the available parking is sufficient to accommodate the home child care use.
Standard 8 <i>Signs</i>	Sect. 10-103 of the Zoning Ordinance does not permit signs for home child care facilities.

Standards for all Group 3 Uses (Sect. 8-303)

Standard 1 <i>Lot Size and Bulk</i>	No site improvements are proposed. The property would continue to comply with the lot size and bulk regulations for the PDH-3 District as provided for with the approved FDP.
Standard 2 <i>Performance Standards</i>	The use would comply with the performance standards set forth in Article 14.
Standard 3 <i>Site Plan</i>	Home child care facilities are not subject to Article 17, Site Plans.

Additional Standards for Home Child Care Facilities (Sect. 8-305)

Standard 1 <i>Max. 12 Children; Approval of more than one nonresident person</i>	The applicant's request for 12 children meets this standard. This application requests approval for the involvement of two nonresident employees.
Standard 2 <i>Access and Parking</i>	Staff finds that access and parking are sufficient to accommodate the use.
Standard 3 <i>Landscaping/Screening</i>	Staff finds that no additional landscaping is required for this location.
Standard 4 <i>Submission Requirements</i>	The submission requirements allow the use of a house location survey in lieu of the SE Plat.
Standard 5 <i>Code of Virginia: Title 63.2, Chapter 17</i>	The applicant is subject to state licensing and registration procedures, and presently holds a license through August 22, 2015.

Use Limitations (Sect. 10-103, Paragraph 6)

Part A <i>Max. Children</i>	This application requests approval for 12 children in a single family detached dwelling.
Part B <i>Licensed provider/ primary residence</i>	The applicant holds a license from the Virginia Department of Social Services for a Family Day Home. The dwelling is her primary residence.
Part C <i>No exterior evidence except play equipment</i>	Staff finds there is no exterior evidence of the home child care facility, other than play equipment in the rear yard.
Part D <i>Nonresident person</i>	This application requests approval for two nonresident employees to be involved, and with the hours of 7:00 a.m. to 6:00 p.m.
Part E <i>Primary residence of nonresident person</i>	Not applicable. The dwelling is the primary residence of the home child care provider.
Part F <i>Code of Virginia: Title 63.2, Chapter 17</i>	The applicant is subject to state licensing and registration procedures, and presently holds a license through August 22, 2015.
Part G <i>Increase in children or nonresident person</i>	The provisions of Part 3 of Article 8 are addressed above.

CONCLUSION AND RECOMMENDATION

In staff's opinion, the home child care facility for up to 12 children at any one time on the subject property would not adversely impact the site or neighboring properties. Staff finds that the application is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance provisions. Staff recommends approval of SE 2014-MV-008, subject to 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. 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 this application.

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 Supervisors.

APPENDICES

1. Proposed Development Conditions
2. Statement of Justification and File Photographs
3. First Floor and Basement Floor Plans
4. Affidavit
5. Newington Forest Community Association

6. Transportation Analysis
7. Safety Inspection
8. Applicable Zoning Ordinance Provisions
9. Glossary of Terms

Proposed Development Conditions

SE 2014-MV-008

June 24, 2014

If it is the intent of the Board of Supervisors to approve SE 2014-MV-008 located at 8018 Diving Cliff Lane, Tax Map 98-1((4)) 10, for a home child care facility of up to twelve children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. Any plan or permit submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat, consisting of an annotated copy, dated January 28, 2014, of the House Location Survey entitled "Lot 10, Section One, Newington Forest" prepared by Sam Watson, L.S. / Land Surveying and dated December 3, 2010 as revised through January 3, 2011, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the special exception conditions 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.
5. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
6. The hours of operation for the home child care facility shall not exceed 7:00 a.m. to 6:00 p.m.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, with the hours of such attendance limited to 7:00 a.m. to 6:00 p.m.
8. The dwelling that contains the home child care facility shall be the primary residence of the provider.

9. The existing two-car garage shall not be converted to any use which would preclude the parking of vehicles, and shall be kept clear of debris at all times in order to accommodate parking for the dwelling and the home child care provider.
10. There shall be no signage associated with the home child care facility.
11. All outdoor play equipment shall conform to all applicable state regulations and standards.
12. All pick-up and drop-off of children shall take place in the driveway.
13. The kitchen located in the basement shall only be used for the home child care facility. If the home child care facility is discontinued or the single family dwelling is rented or sold, an approved County demolition permit shall be obtained and this kitchen shall be demolished, unless the kitchen is otherwise brought into compliance with the Zoning Ordinance.
14. A point of egress, which meets emergency escape and rescue openings requirements of the 2009 Virginia Residential Building Code, shall be installed in the sleeping room, as labeled "Existing Baby Room" on the basement floor plan in Appendix 3. This egress shall be installed within 90 days of the approval of the special exception.
15. All applicable permits and inspections shall be obtained prior to establishment of the use, to be demonstrated to the satisfaction of the Zoning Administration Division, including any electrical or plumbing inspections as may be required.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the Board.

This approval, contingent on the above noted conditions, shall not relieve the application from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above.

NOV 06 2013

Zoning Evaluation Division

Mamiluly Day Care LLC
 Lourdes Alvarez
 8018 Diving Cliff Lane
 Springfield, VA 22153

Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035

To Whom it May Concern:

I own and live in a single-family detached dwelling at 8018 Diving Cliff Lane, Springfield, VA 22153. The property is zoned PDH-3 and under that I need to seek approval for a special exception in order to operate a child care facility within my home. I am licensed by the State of Virginia to have 12 children. Below is information about my child care:

Hours. The child care is open from 7:00 AM to 6:00 PM, Monday-Friday.

Number of Children. I care for 12 children. This number does not include my two grandchildren.

Employees. I have two assistant they work full-time. My Husband helps during the children's lunch and at our lunch break time.

Arrival Schedule. Two of the children arrive between 7:00 and 7:30 AM. Four arrive between 7:30 and 8:00 AM. Four arrive between 8:00 and 8:30 AM and two at 9:00 AM.

Departure Schedule. Three of the children are picked up between 4:00- 4:30 PM. Four of the children leave between 4:30- 5:00 PM. Three of the children are picked up between 5:00-5:30 PM. The remaining two stay until 5:30-6:00 PM.

Area Served. Currently, most of the children live in the general vicinity of my neighborhood. Parents of one child drive from Manassas to my house. *and Springfield, Fortson*

Operations. As I stated, my house is a single-family detached dwelling. It has a walk-out basement, which is where the children spend part of their time. I use the kitchen only to cook their lunch (located on the ground floor). I also have a sun room that is part of the area for the children to spend their time. We have a side entrance for the day care

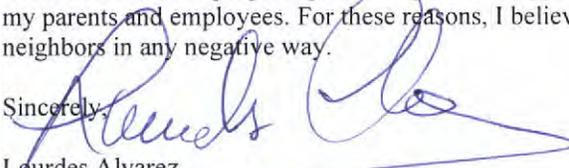
Attached is a floor plan that indicates the areas where the day care is located.

Outdoor Play. I use my backyard for outdoor play for the children. There is a set of two swings under the deck as indicated on the plat.

Parking. Our home is located in a cul de sac and ample parking is available along the street in front of my house. I believe that this parking is adequate for the parent's dropping off and picking up their children, as well as for one of my helpers. The other helper is dropped off and picked up at the end of the day.

In conclusion, I am proposing no changes to the appearance of my home. Adequate parking is available for my parents and employees. For these reasons, I believe that my proposed home day care will not impact my neighbors in any negative way.

Sincerely,


 Lourdes Alvarez
 Owner of Mamiluly Daycare LLC

Hazardous or Toxic Substances The house and yard are free from hazardous or toxic substances, No hazardous materials will be generated, utilized, stored, treated or disposed of inside over →

Zoning Ordinance Compliance The proposed development conforms to applicable ordinances, regulations and adapted standards.

Photographs of Subject Property



View of front of dwelling



View of walkway to rear entrance



View of basement entrance



View of fenced rear yard play area



View of portion of indoor play area



View of sleeping area



Changing Area



2nd Kitchen

Commonwealth of Virginia



DEPARTMENT OF SOCIAL SERVICES

FAMILY DAY HOME LICENSE

Issued to:

Lourdes C. Alvarez, d.b.a. Mamiluly Day Care

Address:

8018 Diving Cliff Lane, Springfield, Virginia 22153

This license is issued in accordance with provisions of Chapters 1, 17 and 18, Title 63.2, Code of Virginia and other relevant laws, the regulations of the State Board of Social Services and the specific limitations prescribed by the Commissioner of Social Services as follows:

<u>CAPACITY</u>	
12	
<u>GENDER</u>	<u>AGE</u>
Both	Birth through 12 years

This license is not transferable and will be in effect August 23, 2013 through August 22, 2015 unless revoked for violations of the provisions of law or failure to comply with the limitations stated above.

ISSUING OFFICE:

Virginia Department of Social Services
Division of Licensing - Fairfax Licensing Office
3701 Pender Drive, Suite 125
Fairfax, VA 22030

Telephone: (703) 934-1505

FDH 1107657-L101
LICENSE NUMBER

MARGARET ROSS SCHULTZE
COMMISSIONER OF SOCIAL SERVICES

By

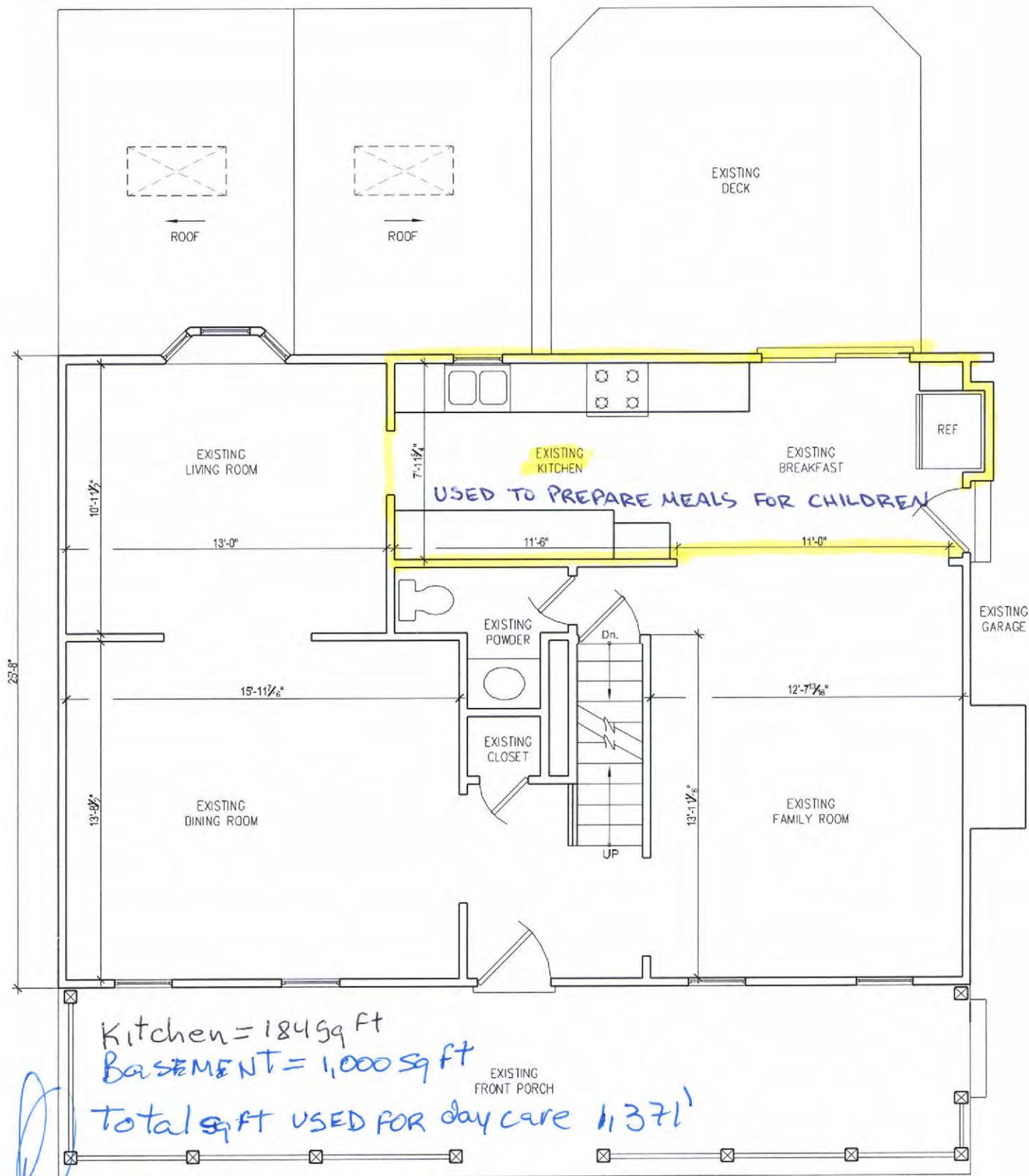
James J. Parcelli

Title

LICENSING ADMINISTRATOR

Date

August 14, 2013



Kitchen = 184 sq ft
 Basement = 1,000 sq ft
 Total sq ft used for day care 1,137 1/2

Total sq ft of house 3,129

EXISTING FIRST FLOOR PLAN

SCALE 3/16"=1'-0"

Lourdes Alvarez

LOURDES ALVAREZ

RESIDENCE OF MR. & MRS. PATRICIO & LOURDES ALVAREZ			
304 DOWING CREEK LANE, GREENFIELD, VA, 22185			
CONTEXT		FIRST FLOOR PLAN	
 <small>C. LAGUARDA, DESIGNER 2014 S. 2ND ST. #100 VALENTIA, VA 22180</small>	DATE	12-12-2012	REVISION
	SCALE	AS SHOWN	
	DRAWN	C.L.	SHEET No.
	APPROVED	C.L.	
<small>C. L. ALVAREZ, LICENSED PROFESSIONAL ARCHITECT 2014 S. 2ND ST. #100 VALENTIA, VA 22180</small>			A-2 OF

1/30/14

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/15/13
(enter date affidavit is notarized)

I, LOURDES CALVAREZ, do hereby state that I am an
(enter name of applicant or authorized agent)

124307

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

in Application No.(s): SE 2014-MV-008
(enter County-assigned application number(s), e.g. SE 88-V-001)

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(s) in the Relationship column.)

Table with 3 columns: NAME, ADDRESS, RELATIONSHIP(S). Rows include LOURDES CALVAREZ (TITLE OWNER), MAMILULY DAYCARE LLC (CO-APPLICANT), and PATRICIO H. ALVAREZ (TITLE OWNER).

(check if applicable) [] There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception 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).

Handwritten initials 'JM'

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/15/13
(enter date affidavit is notarized)

124307

for Application No. (s): SE 2014-MV-008
(enter County-assigned application number(s))

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 and number, street, city, state, and zip code)
Re MAMILULY DAYCARE LLC
8018 DIVING CLIFF LANE
SPRINGFIELD, VA 22153

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)

LOURDES C. ALVAREZ

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/15/13
(enter date affidavit is notarized)

124307

for Application No. (s): SE 2014-MV-008
(enter County-assigned application number(s))

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, and 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 Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/15/13
(enter date affidavit is notarized)

124307

for Application No. (s): SE 2014-MW-008
(enter County-assigned application number(s))

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 Supervisors, 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 Exception Attachment to Par. 2" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 10/15/13
(enter date affidavit is notarized)

124307

Application No.(s): SE 2014-MV-008
(county-assigned application number(s), to be entered by County Staff)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, 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 Exception 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:

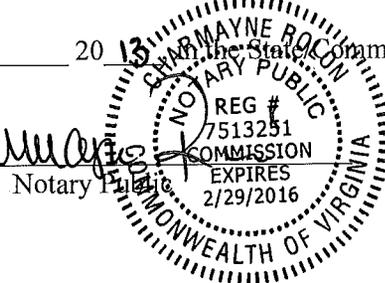
(check one) Applicant Applicant's Authorized Agent

LOURDES C. ALVAREZ

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

Subscribed and sworn to before me this 15 day of October 2013 at 13 Gaymays, Inc. State Comm. of
Virginia, County/City of Fairfax.

My commission expires: 2/29/16





NEWINGTON FOREST COMMUNITY ASSOCIATION, INC.

September 30, 2013

Lourdes Alvarez
8018 Diving Cliff Ln
Springfield, VA 22153

RECEIVED
Department of Planning & Zoning

NOV 06 2013

Zoning Evaluation Division

RE: Childcare as a Home Business in Newington Forest

Dear Lourdes,

This letter serves the purpose of stating the rules of the Newington Forest Community Association as they pertain to operating a childcare home business at your property located on Diving Cliff Ln.

The Articles of Incorporation; Declaration of Covenants, Conditions and Restrictions and Reservation of Easements; Bylaws: Article VI- General Restrictions on the Use of Lots and Improvements to be made Thereon, 6.01: Zoning Regulations state:

6.01 Zoning Regulations. No Lot shall be used for any purpose other than as permitted in the Fairfax County Zoning Ordinances or the laws, rules, or regulations, of any governmental authority in force and effect on the date of recording of this Declaration as the same may be hereafter from time to time amended. This restriction shall not apply to any use for which a special exception under the Fairfax County Zoning Ordinances or other governing regulations, as the same may be hereafter from time to time amended, is finally granted provided such use is approved in writing by the Covenants Committee. The right, however, to further limit or restrict the use of a particular Lot is reserved under the provisions hereof.

We currently find the Zoning Ordinance for Fairfax County to state that a home child care facility is allowed in the following two ways:

1. As a by right accessory use, if the number of nonresident children does not exceed seven in a single family detached dwelling and five in a single family attached dwelling (townhouse), a multiple family dwelling (apartment) or a mobile home dwelling; and
2. As a special permit use, upon approval by the Board of Zoning Appeals (BZA), for a potential maximum of twelve (12) nonresident children.

As long as you are in compliance with the current zoning ordinance of Fairfax County, you are permitted to do the same in Newington Forest. Please let me know if you need any additional information.

Sincerely,

Dana Mayfield
Community Manager



County of Fairfax, Virginia

MEMORANDUM

DATE: February 21, 2014

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

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

FILE: 3-5 (SE 2014-MV-008)

SUBJECT: Transportation Impact

REFERENCE: SE 2014-MV-008 Lourdes C. Alvarez
Traffic Zone: 1579
Land Identification Map: 98-1 ((4)) 10

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat made available to this office dated December 3, 2010, and revised through August 21, 2012. The applicant, who is licensed by the state, seeks approval to operate a home child care facility for 12 children. There are two full-time assistants one of which is dropped off in the morning and picked up at the end of the day. The hours of operation are 7:00 a.m. to 6:00 p.m. Monday–Friday.

The applicant has adequate parking available in the driveway and in the street which ends in a cul-de-sac just beyond her house. Therefore, this department has no transportation issues with this application.

AKR/LAH/lah

Cohenour, Chuck

From: Cohenour, Chuck
Sent: Tuesday, March 04, 2014 12:54 PM
To: O'Donnell, William
Subject: Comment on 8018 Diving Cliff Lane inspection

The observations and comments of the child care facility at 8018 Diving Cliff Lane, Springfield, Virginia made on February 26, 2014 are as follows:

- A second kitchen was observed in the basement. While this area does not contain a permanently installed cooking device, it did contain a microwave oven and by operation would be considered a full kitchen. A cursory check was made in FIDO and there was no record that a permit for the second kitchen had been issued. If no permits were issued, the applicant should have to obtain the requisite permits and inspections.
- One room in the child care area contained five cribs as a sleeping area for infants. While this room contained two locations ingress/egress both were blocked on the inside by cribs and the exterior window ingress/egress was blocked by outdoor furniture, toys and general storage.

I have concerns that the number of children in cribs in this room and the placement of the cribs would make the pathway of ingress/egress to each crib minimal. The emergency ingress/egress must be addressed. The double hung window only allowed an opening of 27" x 24" per window with a height of 24" at grade. Per Investigator V. Dzierzek, Department of Code Compliance, the Property Maintenance Code does not apply to this room as the room may not have shown on the original building plans. Her recommendation is that the room, now in a commercial use, be inspected by the Fire Marshal for their determination of compliance.

At a minimum, the applicant should keep all ingress/egress pathways clear especially the area outside the windows and under the deck clear of outdoor furniture, toys and general storage.

- The applicant advised that she had a fence installed and it was later determined that the fence was not on her property; a certified site plan should be requested and the fence relocation as necessary.
- The applicant advised that she had three assistants. A determination should be made as to the number of assistants that will be on site.
- Clarification should be made as to the number of children that will be at the home any one time which should including her sister's children and those of any assistants. (None of whom are exempt from the total number of children being cared for by this permit)
- If the applicant's driveway is to be used for the parking of parents that are picking up or dropping off children, due to the size of the driveway, the applicant may consider parking her personal automobile or those automobiles of her assistant in the garage.

- An upgrade to the walkway lighting is necessary so that the entire walkway is illuminated when necessary.

Chuck Cohenour, Senior Zoning Inspector
Zoning Inspection Branch
703-324-1323

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such 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 category or use, the Board 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 Board may impose more strict requirements for a given use than those set forth in this Ordinance.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		