



APPLICATION ACCEPTED: April 17, 2014  
BOARD OF ZONING APPEALS: July 23, 2014  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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July 16, 2014

## STAFF REPORT

**SPECIAL PERMIT NO. SP 2014-DR-045**

### DRANESVILLE DISTRICT

**APPLICANT:** Lucia Albarracin

**OWNERS:** Lucia Albarracin  
Edgard Guzman

**SUBDIVISION:** Pimmit Hills

**STREET ADDRESS:** 7603 Lisle Avenue, Falls Church, 22043

**TAX MAP REFERENCE:** 40-1 ((3)) 238

**LOT SIZE:** 10, 259 square feet

**ZONING DISTRICT:** R-4

**ZONING ORDINANCE PROVISIONS:** 8-305

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

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2014-DR-045 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.

A copy of the BZA's Resolution setting forth this decision will be mailed within five 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.

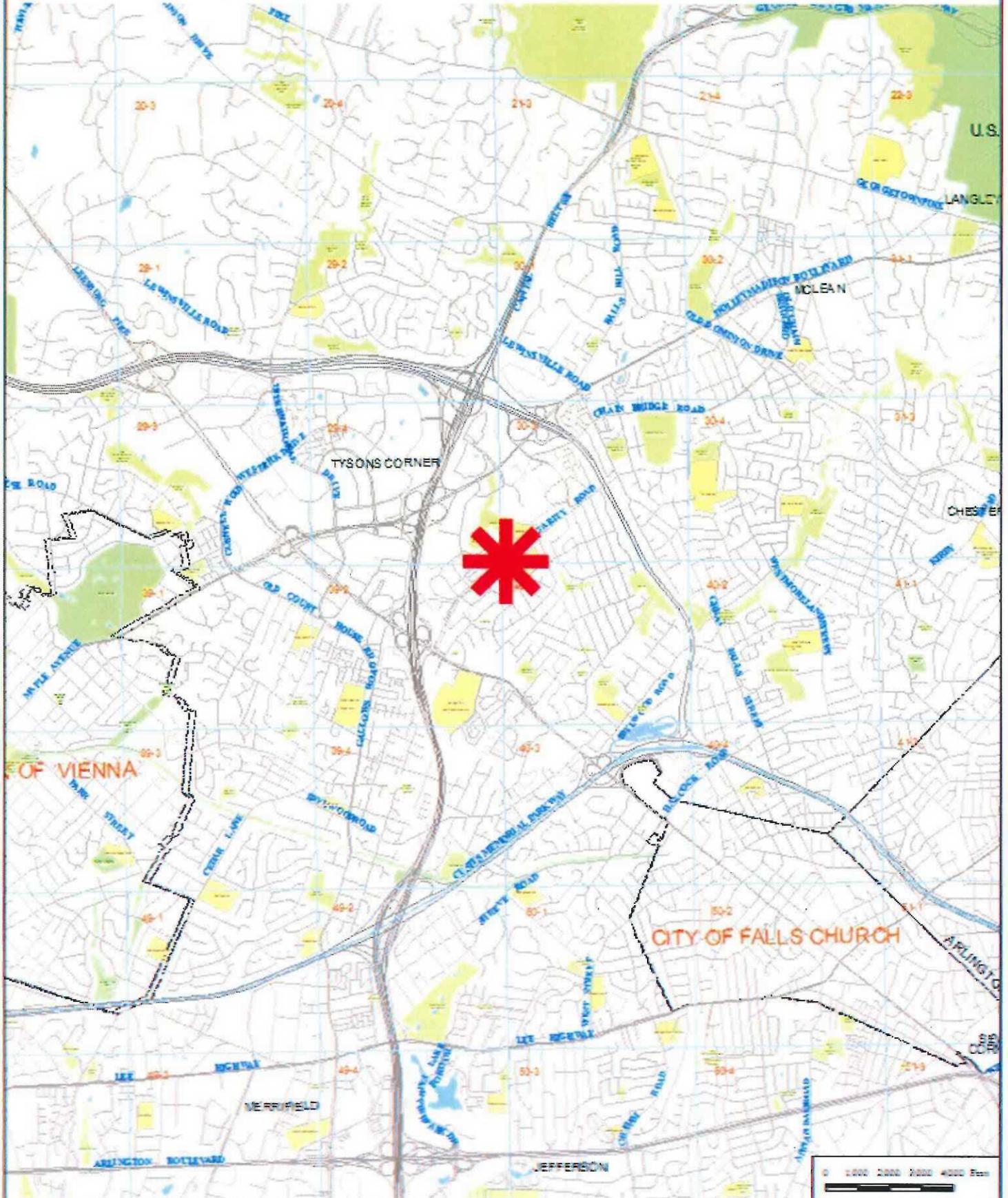
It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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.**



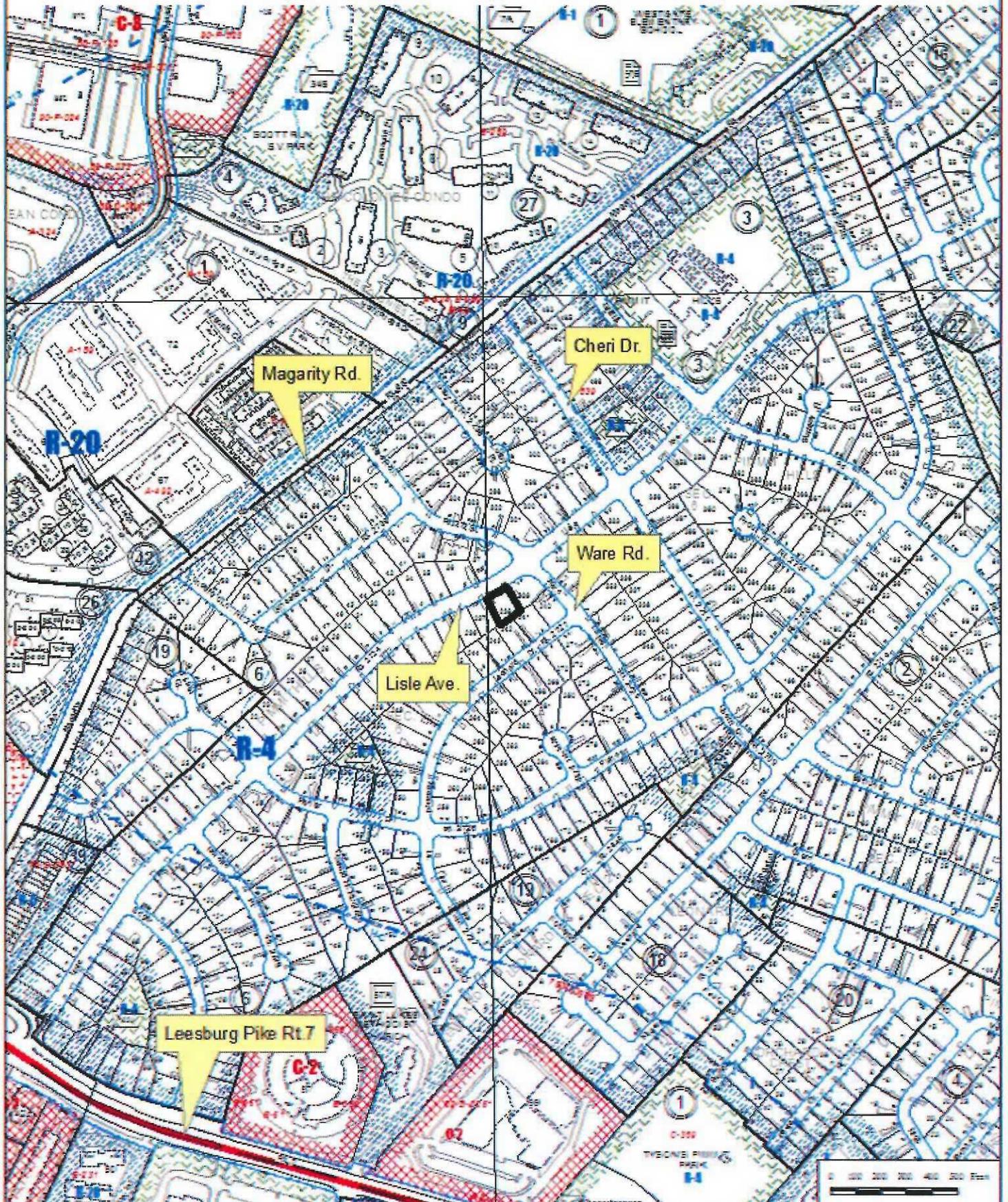
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**Special Permit**  
**SP 2014-DR-045**  
**LUCIA ALBARRACIN**



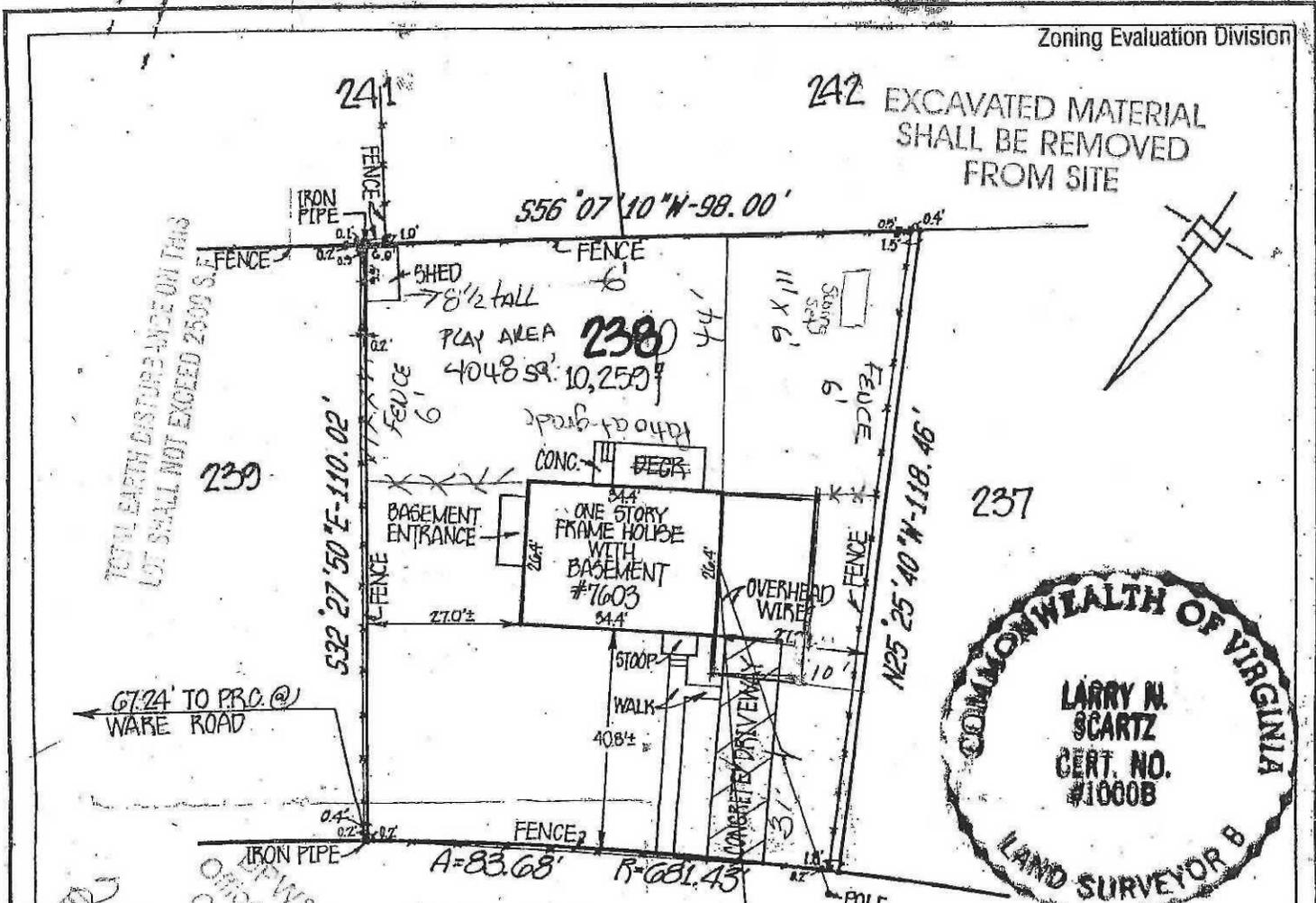
# Special Permit

SP 2014-DR-045  
LUCIA ALBARRACIN



FEB 26 2014

Zoning Evaluation Division



# LISLE AVENUE

60' R/W FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL.

## HOUSE LOCATION SURVEY

LOT 238, SECTION 6

# PIMMIT HILLS

DRANESVILLE DISTRICT

FAIRFAX COUNTY, VIRGINIA

APPROVED

9-902

*J. Tom*  
Zoning Administrator

*Albarracin*  
DATE: 2-18

SCALE: 1" = 30'

DATE: MAY 3, 1993

THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE: X AS PER F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 51525 0100 D EFFECTIVE DATE: MARCH 5, 1990

NO TITLE REPORT FURNISHED  
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS OF RECORD OR OTHERWISE  
FENCE LOCATIONS IF SHOWN ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP

CASE NAME  
**TRITSIS TO ALBARRACIN  
MARTINEZ & ASSOCIATES (MM-451)**

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINE

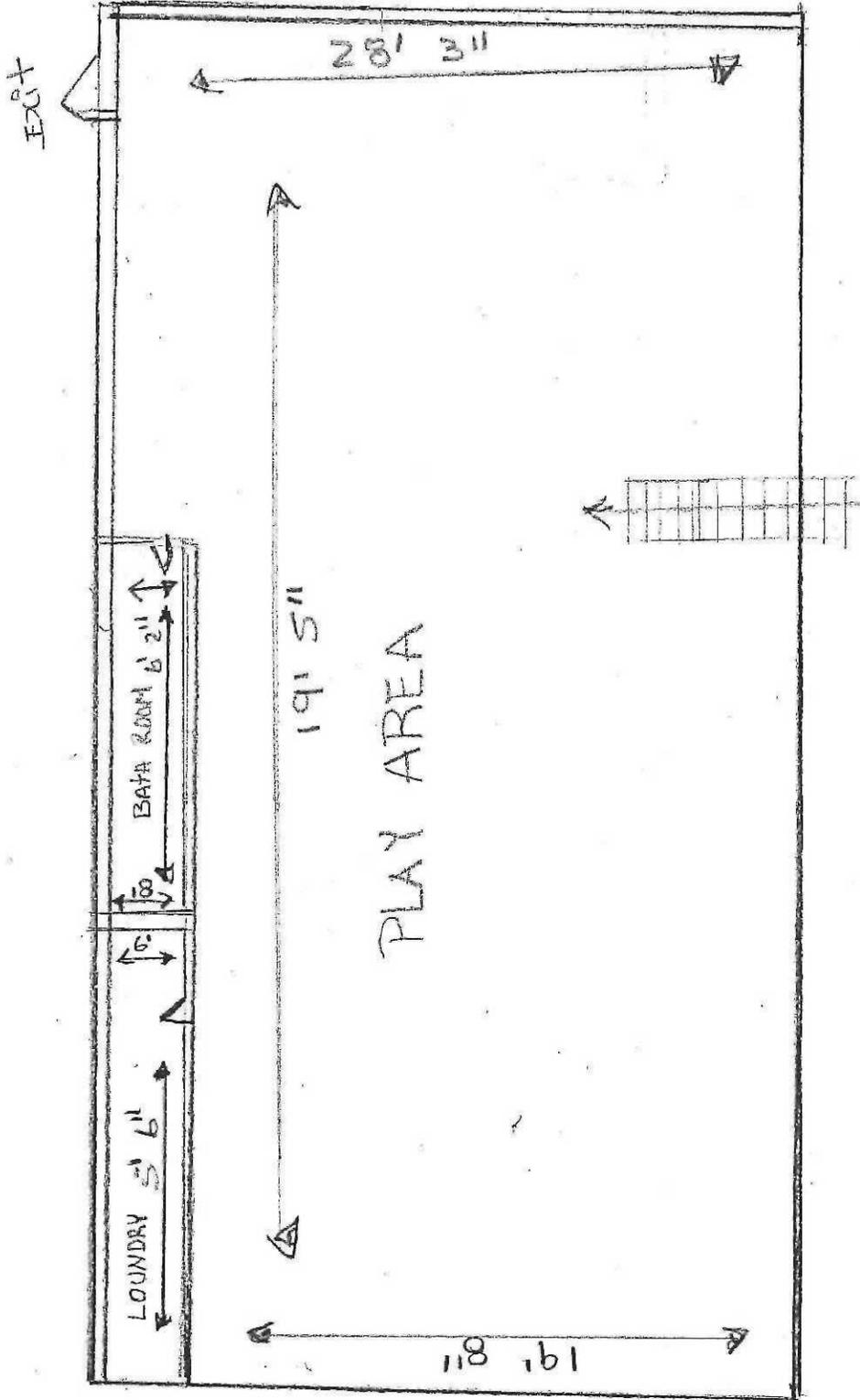
**LARRY N. SCARTZ  
CERTIFIED LAND SURVEYOR  
WOODBRIDGE, VIRGINIA**

*[Signature]*  
CERTIFIED LAND SURVEYOR

TELEPHONE: WOODBRIDGE 494 4181  
STAFFORD 659-2158  
METRO 690-4955  
FAX 690-3999



# BASEMENT



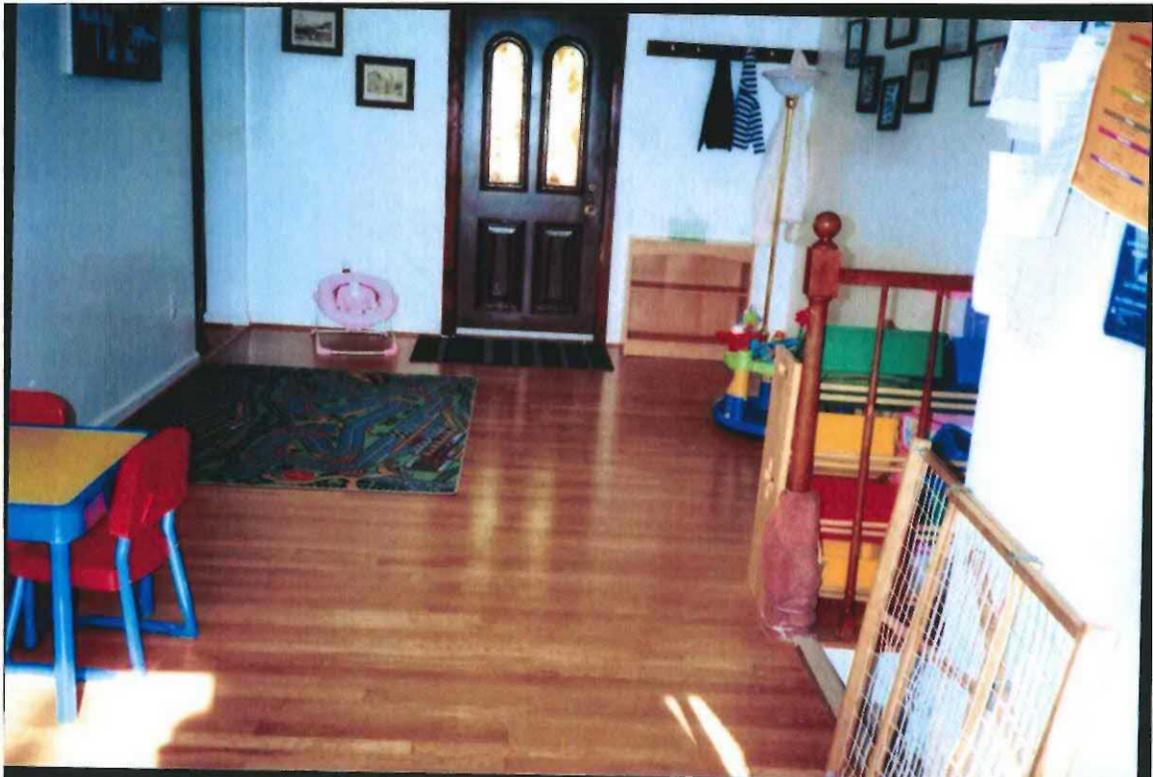








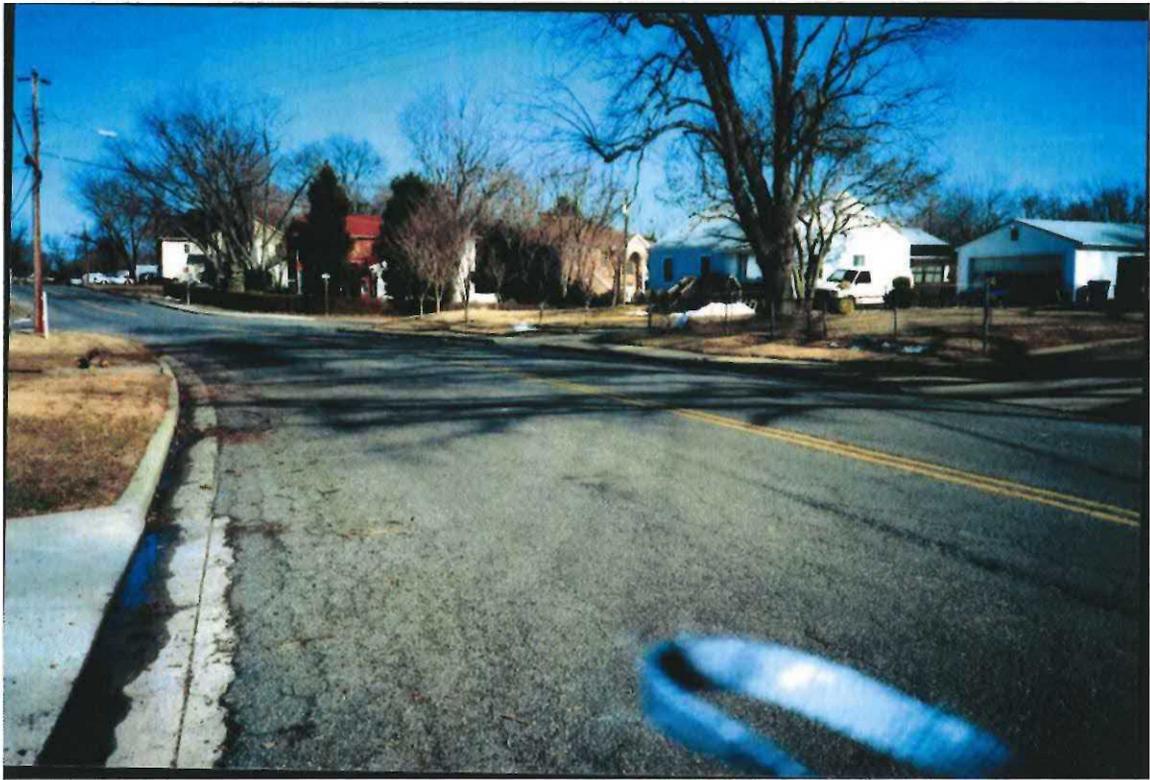






























## SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children.

A copy of the special permit plat titled, "House Location Survey, Lot 238, Section 6, Pimmit Hills," as prepared Larry N. Scartz, L.S., and as revised by Lucia Albarracin on February 18, 2014, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a one story single family detached dwelling with a basement. A stoop, walkway and concrete driveway exist to the north of the dwelling. A two story addition exists to the west of the dwelling. An at-grade patio, a swing set and a shed exist to the south of the dwelling. A basement entrance from the outside exists to the east of the dwelling. The property is relatively flat and contains decorative landscaping.

The property is north of Leesburg Pike and south of Magarity Road. The subject property and surrounding properties are zoned R-4 and developed with single family detached dwellings.



## BACKGROUND

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1952, and purchased by the owners in 1993.

On September 12, 2002, a building permit was approved for the by-right construction of a two story addition with one bath, to the west of the dwelling. A copy of this building permit is contained in Appendix 4.

Records indicate that no other special permit or variance applications relating to a home child care have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

## **DESCRIPTION OF THE PROPOSED USE**

The applicant is requesting approval of a special permit for a home child care facility for up to 12 children on-site at any one time between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. The children arrive between 7:00 a.m. and 9:15 a.m. and depart between 2:45 p.m. and 5:30 p.m. There are one full-time assistant.

The applicant holds a current Family Day Home License, approved for two years and valid through August 1, 2014, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of 12 children, two months through nine years of age (Appendix 5).

The home child care facility is operated on the first floor and in the basement of the dwelling. The facility includes two nap rooms, a reading area and a child care arrival area on the first floor and a play area in the basement as shown on the layout at the beginning of the staff report. The cooking facilities used for the home child care is the primary kitchen of the dwelling and is located on the main floor. A fence encloses the functional rear yard of the house which includes the play area, as shown on the special permit plat. Pictures provided by the applicant show toys and playground equipment located in this area.

## **ANALYSIS**

### **Comprehensive Plan Provisions**

**Plan Area:** Area II, McLean Planning District  
**Planning Sector:** Pimmit Branch Community Planning Sector (M-02)  
**Plan Map:** Residential, 3-4 du/ac

### **Zoning Ordinance Requirements**

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-305 Additional Standards for Home Child Care Facilities
- Sect. 10-103, Par. 6, Limitations Home Child Care Facilities

This special permit is subject to the sections of the Zoning Ordinance outlined above, a copy of which is included as Appendix 7. Subject to development conditions, this special permit must meet these standards.

### **On-site Parking and Site Circulation**

Vehicular access to the site is provided from Lisle Avenue. The parents and children use the walkway and use front door to enter the home child care center area on the main floor.

The existing driveway appears to be able to accommodate three vehicles and the property does not have a garage. The applicant parks one family car in the driveway during home child care operating hours. The applicant currently has one assistant who parks off-site. Therefore, the driveway has approximately two spaces available to be used for drop-off and pick-up of children.

Two off street parking spaces are required for the single family dwelling and these are contained in the driveway. Therefore, with inclusion of the development conditions in Appendix 1, staff believes sufficient parking exists on the street in front of the house to accommodate the pick-up and drop-off of children for the home child care use.

### **Zoning Inspection Analysis**

During the inspection of the home child care staff found a number of items that should be addressed. Staff found an exterior stairway that should be evaluated for possible repair, a dead bolt lock on an egress door that is keyed from the inside, and required electrical repairs. The list of comments from the site inspection is in Appendix 6. The applicant has been made aware of these concerns, and Zoning Inspection staff will make a secondary site visit before the public hearing to ensure that outstanding safety issues have been addressed. Additionally, staff has included a development condition which requires satisfactory completion of all inspections and permits prior to establishing the use of the home child care.

A shed and play equipment located in the rear yard do not comply with the setback requirements or rear yard coverage requirements of the Zoning Ordinance. These structures do not comply with the Zoning Ordinance and will need to be addressed in the future, should the applicant sell the property or request other permits. Failure to address this issue may impact the applicant's ability to obtain building permits or pursue other zoning applications on this property in the future.

### **CONCLUSION**

Staff 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.

**RECOMMENDATION**

Staff recommends approval of SP 2014-DR-045 for the home child care facility with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

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

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

**APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Building Permit History
5. Home Child Care State License
6. Zoning Inspection Branch Site Visit Comments
7. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2014-DR-045****July 16, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-DR-045 located at Tax Map 40-1 ((3)) 238 to permit a home child care facility pursuant to Section 8-305 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 only, Lucia Albarracin, and is not transferable without further action of the Board, and is for the location indicated on the application, 7603 Lisle Avenue, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat titled, "House Location Survey, Lot 238, Section 6, Pimmit Hills," as prepared Larry N. Scartz, L.S., and as revised by Lucia Albarracin on February 18, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. The maximum number of assistants for the home child care shall be one.
8. All pick-up and drop-off of children shall take place in the driveway.
9. A minimum of two parking spaces shall be provided on the subject parcel, within areas of existing paving.
10. There shall be no signage associated with the home child care facility.
11. All applicable permits and inspections shall be obtained prior to the 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.

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 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 2014-DR-045  
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013  
(enter date affidavit is notarized)

124563

I, Lucia Albarracin, 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)
Lucia Albarracin	7603 Lisle Avenue Falls Church VA 22043	Applicant/Title Owner
Edgard Guzman	7603 Lisle Avenue Falls Church VA 22043	Title Owner

(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).

CMB 124563

Application No.(s):

SP 2014-DR-045

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

September 14, 2013

124563

(enter date affidavit is notarized)

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

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

CORPORATION INFORMATION

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

N/A

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)

N/A

(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 2014-DR-045

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

124563

DATE:

September 14, 2013

(enter date affidavit is notarized)

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

PARTNERSHIP INFORMATION

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

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

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

N/A

(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.

124563

Application No.(s):

SP 2014-DR-045

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

124563

DATE: September 14, 2013

(enter date affidavit is notarized)

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

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

[x] 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 2014-DR-045

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

Page Five

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: September 14, 2013  
(enter date affidavit is notarized)

124563

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

Lucia Albarracin

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

Subscribed and sworn to before me this 14th day of September 2013, in the State/Comm. of Virginia, County/City of Fairfax.

Erin Michelle Haley  
Notary Public

My commission expires: June 30, 2015



AB 124563

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

SP 2014-DR-045

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

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

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

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

124563

**(NOTE:** All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel (s) for each owner(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)
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RECEIVED  
Department of Planning & Zoning  
FEB 26 2014  
Zoning Evaluation Division

(check if applicable)

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

STATEMENT OF JUSTIFICATION  
FOR A HOME CHILD CARE FACILITY

RECEIVED  
Department of Planning & Zoning

FEB 26 2014

Name: Lucia Albarracin  
Address: 7603 Lisle Avenue  
Falls Church, VA 22043  
Phone #: 703 847 6069  
E-mail: \_\_\_\_\_

Zoning Evaluation Division

Date September 14, 2013

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

Re: Special Permit Application  
Applicant: Lucia Albarracin  
Zoning Ordinance Section 8-305 for Home Child Care Facility  
Section 8-004 of General Standards

Tax Map #: 40-1 (13) 238  
Zoning District: R-4  
Lot Size: 10259 sq. ft.

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I own and live in a attached (~~detached~~) (*circle one*) dwelling at

7603 Lisle Avenue Falls Church VA 22043 (your address).

The property is zoned R-4 and I understand I need to seek approval of a special permit in order to operate a child care facility within my home. I am currently licensed by the State of Virginia to have 12 children in my child care facility in my home. Below is information about my child care facility's operations:

Hours. The child care is open from 7:00 am - 6:00 pm Monday - Friday.

Number of Children. I care for up to 12 children at any one time. This number does not include my own 0 child/children.

Employees. I have 1 assistant(s) who work part-time and 1 assistant(s) who work full-time.

Arrival Schedule. \_\_\_\_\_ of the children arrive between \_\_\_\_\_ AM and \_\_\_\_\_ AM.

Departure Schedule. \_\_\_\_\_ of the children are picked up at \_\_\_\_\_ PM. \_\_\_\_\_

Area Served. Various areas permit hill. & Falls Church EG.  
(what neighborhood/general area do the children live in?)

Operations. As I stated, my house is a single-family attached / (detached) (circle one) dwelling. It has (explain the general layout of the house):

The area used for the child care has a basement, 3 bedrooms used for cribs, kitchen and bathroom on first floor. Addition constructed in 2003 contains 3 bedrooms, rec room and full bath.  
The house has 1,920 square feet. The following rooms are where I conduct the day care:  
as stated above -

These rooms are 1800 square feet total.

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

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.

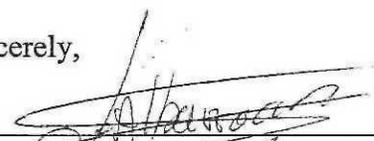
Outdoor Play Area. I use my rear yard for outdoor play for the children. The area is approximately 4048 square feet. The outdoor play area consists of: The entire back yard is fenced and is used for play.

Parking. I use my driveway to park my family car(s). My parents park in the driveway and along Lisle Avenue in front of my home.

For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

In conclusion, I am proposing to continue my home child care which was operated off and on for approximately 20 years. I currently have ten (10) children and am licensed for twelve (12). I would like to increase the number of children to twelve (12) with this request.

Sincerely,

  
Owner of Lucia Albarracín

(Attachment 1)  
RECEIVED  
Department of Planning & Zoning

FEB 26 2014

Zoning Evaluation Division

## Arrival Schedule and Departure Schedule

### Arrival Schedule

Child	7:00 - 7:45 AM	7:45 - 8:00 AM	8:00 - 8:30 AM	9:00 - 9:15 AM
1				
2		2		2
3	3		3	
4				
5				
6				
7				
8				
9				
10				
11				
12				

### Departure Schedule

Child	2:45 - 4:15 PM	4:15 - 4:30 PM	4:30 - 5:00 PM	5:00 - 5:30 PM
1		1		
2				
3	3		3	3
4				
5				
6				
7				
8				
9				
10				
11				
12				



OK 19-11-2002 JLM

**BUILDING PERMIT APPLICATION**

PERMIT # 02252 B0770

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES  
PERMIT APPLICATION CENTER

12055 Government Center Parkway, 2nd Floor Telephone: 703-222-0801  
Fairfax, Virginia 22035-5904 Web site: http://www.co.fairfax.va.us/dpwps

FOR INSPECTIONS CALL: 703-222-0455 (see back for more information)

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY

PLAN # R-02-01225  
TAX MAP # 40-1-03-023A

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN  
(PLEASE PRINT OR TYPE)

**JOB LOCATION**  
ADDRESS 7603 Lisle Ave  
LOT # 238 BUILDING \_\_\_\_\_  
FLOOR \_\_\_\_\_ SUITE \_\_\_\_\_  
SUBDIVISION Permit Hill S 2000  
TENANT'S NAME Sec 6

**OWNER INFORMATION** OWNER  TENANT   
NAME Felicia B. ...  
ADDRESS 7603 Lisle Ave  
CITY Falls Church STATE VA ZIP 2204  
TELEPHONE 703 869 2059

**CONTRACTOR INFORMATION** SAME AS OWNER   
CONTRACTORS MUST PROVIDE THE FOLLOWING:  
COMPANY NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
TELEPHONE \_\_\_\_\_  
STATE CONTRACTORS LICENSE # \_\_\_\_\_  
COUNTY BPOL # \_\_\_\_\_

**APPLICANT**  
Stephen Brankis

**DESCRIPTION OF WORK**  
Rm 16x32 2 story  
with 1 bath

HOUSE TYPE Rambler 5000  
ESTIMATED COST OF CONSTRUCTION 6500  
BLDG AREA (SQ FT OF FOOTPRINT) \_\_\_\_\_  
USE GROUP OF BUILDING \_\_\_\_\_  
TYPE OF CONSTRUCTION \_\_\_\_\_  
SEWER SERVICE PUBLIC  SEPTIC  OTHER   
WATER SERVICE PUBLIC  WELL  OTHER

**DESIGNATED MECHANICS' LIEN AGENT**  
(Residential Construction Only)  
NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

NONE DESIGNATED  PHONE \_\_\_\_\_

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS	
# KITCHENS	EXTER. WALLS
# BATHS	INTER. WALLS
# HALF BATHS	ROOF MATERIAL
# BEDROOMS	FLOOR MATERIAL
# OF ROOMS	FIN. BASEMENT
# STORIES	HEATING FUEL
BUILDING HEIGHT <u>20'</u>	HEATING SYSTEM
BUILDING AREA	# FIREPLACES
BASEMENT	

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>9-9-02</u>	<u>Jem</u>
SITE PERMITS	<u>9-12-02</u>	<u>Jim</u>
HEALTH DEPT.		
BUILDING REVIEW		
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \_\_\_\_\_  
FILING FEE \$ 56.00  
AMOUNT DUE \$ 82.90

**BUILDING PLAN REVIEW**  
REVIEWER V # OF HOURS \_\_\_\_\_  
REVISION FEES \$ \_\_\_\_\_  
FIRE MARSHAL FEES \$ \_\_\_\_\_  
FIXTURE UNITS \_\_\_\_\_ PLAN LOC: T  R

**APPROVED FOR ISSUANCE OF BUILDING PERMIT**  
(LOG OUT)  
BY \_\_\_\_\_ DATE 1/9/02

**ZONING REVIEW** ZONING CLASS R-4  
USE SFD  
ZONING CASE # \_\_\_\_\_

GROSS FLOOR AREA OF TENANT SPACE  
YARDS: FRONT 31 REAR 44  
L SIDE Ne  
R SIDE 10  
GARAGE  1  2  3   
OPTIONS YES  NO   
REMARKS \_\_\_\_\_

**GRADING AND DRAINAGE REVIEW**  
SOILS # 2000 A  B  C   
HISTORICAL DISTRICT \_\_\_\_\_  
AREA TO BE DISTURBED (TOTAL SQ FT) 1320  
ADD'L IMPERVIOUS AREA (ADDED SQ FT) 5120  
PLAN # \_\_\_\_\_ APPR. DATE \_\_\_\_\_

**STAMPS** R, 2500, EXMAT  
(See reverse side of application) (over)

**REMARKS** see soil Id Attached  
The driveway is existing

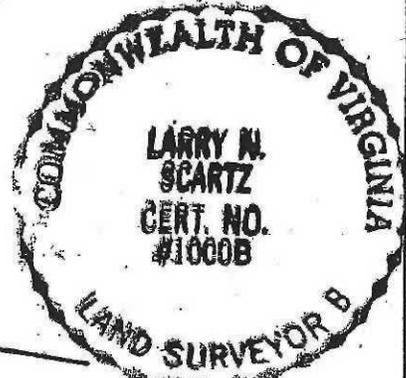
Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner or Agent [Signature] Date 8/9/02

Printed Name and Title Stephen Brankis

(Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

**NOTARIZATION - (if required)**  
State (or territory or district) of \_\_\_\_\_  
County (or city) of \_\_\_\_\_ to wit:  
I, \_\_\_\_\_  
a Notary Public in the State and County aforesaid, do certify that  
whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.  
Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
(Notary Signature)



Office of Building Code Services  
 Approved for  
 By: [Signature]  
 Date: 9-12-02

**LISLE AVENUE**

60' R/W FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL.

**HOUSE LOCATION SURVEY**

LOT 238, SECTION 6

**PIMMIT HILLS**

DRANESVILLE DISTRICT  
 FAIRFAX COUNTY, VIRGINIA

APPROVED

9-9-02

[Signature]  
 Zoning Administrator

SCALE: 1" = 30' DATE: MAY 3, 1993

THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE: X AS PER F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 51525 0100 D EFFECTIVE DATE: MARCH 5, 1990

NO TITLE REPORT FURNISHED  
 PLAT SUBJECT TO RESTRICTIONS & EASEMENTS OF RECORD OR OTHERWISE  
 FENCE LOCATIONS IF SHOWN ARE APPROXIMATE ONLY AND DO NOT CERTIFY AS TO OWNERSHIP

CASE NAME  
**TRITSIS TO ALBARRACIN  
 MARTINEZ & ASSOCIATES (MM-451)**

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINE

**LARRY N. SCARTZ**  
 CERTIFIED LAND SURVEYOR  
 WOODBRIDGE, VIRGINIA  
 TELEPHONE: WOODBRIDGE 494 4181  
 STAFFORD 659-2158  
 METRO 690-4955  
 FAX 690-3999

[Signature]  
 CERTIFIED LAND SURVEYOR

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 VIRGINIA DEPARTMENT OF SOCIAL SERVICES

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### **Lucia Albarracin**

7603 Lisle Ave

FALLS CHURCH, VA 22043

(703) 847-6069

Facility Type: Family Day Home

License Type: Two Year

Expiration Date: Aug. 1, 2014

Business Hours: 7:00 AM - 6:00 PM  
Monday - Friday

Capacity: 12

Ages: 2 months - 8 years 11 months

Inspector: Cynthia Ford  
(703) 359-1209





# County of Fairfax, Virginia

## MEMORANDUM

Date: July 14, 2014

To: Erin Haley, Staff Coordinator  
Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning

From: Bruce Miller *BM*  
Zoning/Property Maintenance Inspector  
Zoning Inspection Branch

Subject: Home Child Care Facility

Applicant: Lucia Albarracin  
7603 Lisle Avenue, Falls Church, Virginia 22043  
Pimmit Hills, Sec. 6, Lot 238  
Tax Map#40-1 ((3)) 238  
Zoning District: R-4  
Magisterial District: Dranesville  
Mail Log # 2014-DR-0211

The following findings were made by Inspector Bruce Miller during an inspection of the property on June 12, 2014.

*KEY: An "X" mark in a box indicates that the item was deficient. An unmarked box indicates that no violation was found.*

- Rooms used for sleeping must provide two means of exit, one which leads directly to the outside, as required by the Virginia Uniform Statewide Building Code. (32-12-30.)
- An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
- All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.

Lucia Albarracin

7603 Lisle Avenue, Falls Church, Virginia 22043

July 14, 2014

Page 2

Comment: The exterior basement stairway retaining wall has buckled.

- All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.

Comment: The front door contains a dead bolt lock that is keyed on the inside.

- Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.

Comment: An outdoor light fixture is improperly installed.

- Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.

Comment: An extension cord is used as permanent wiring.

- A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.

- Structures comply with the Zoning Ordinance.

Comments: The shed contains an area of approximately 199 square feet (16'3" x 12'3") and is 9' 5" in height and is approximately 3' 6" from rear property line and approximately 2' 6" from the side property line.

Play equipment and shed occupy an area that may exceed the 30 % minimum required rear yard.

**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.

## Sect. 10-103 Use Limitations

## 6. The following use limitations shall apply to home child care facilities:

A. The maximum number of children permitted at any one time shall be as follows:

(1) Seven (7) when such facility is located in a single family detached dwelling.

(2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.

C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.

D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.

E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.

F. 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.

G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.