



APPLICATION ACCEPTED: April 24, 2014
BOARD OF ZONING APPEALS: July 30, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

July 23, 2014

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-MA-048

MASON DISTRICT

APPLICANT: Alicia Marlene Villagra
Marlene's Home Day Care

OWNERS: Alicia M. Villagra
Alvaro Villagra

SUBDIVISION: Parklawn, Section 6

STREET ADDRESS: 4102 Dakota Court, Alexandria, 22312

TAX MAP REFERENCE: 61-3 ((16)) 2

LOT SIZE: 10, 622 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISIONS: 8-305

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

STAFF RECOMMENDATION: Staff recommends approval of SP 2014-MA-048 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.

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

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

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

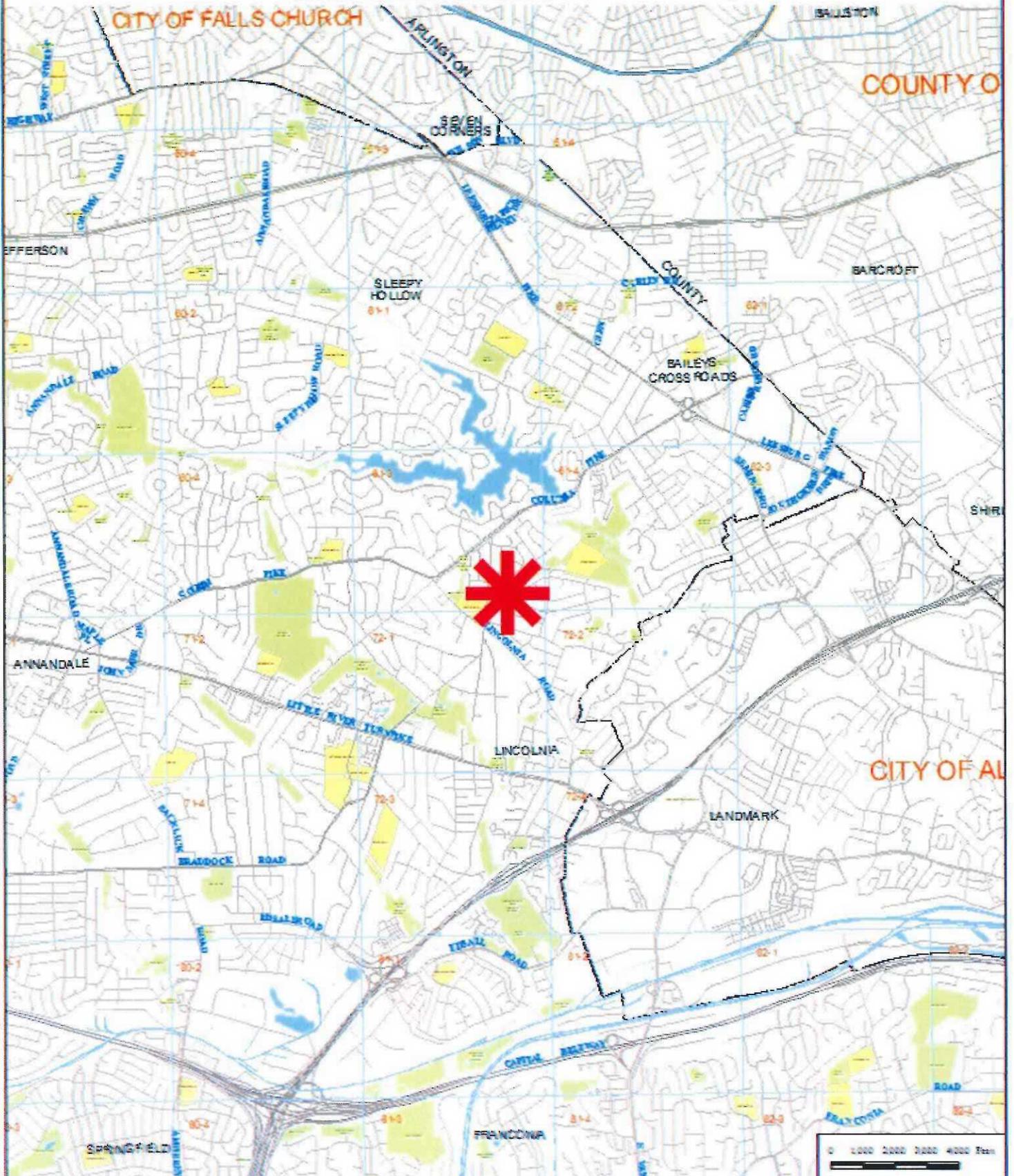


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-MA-048

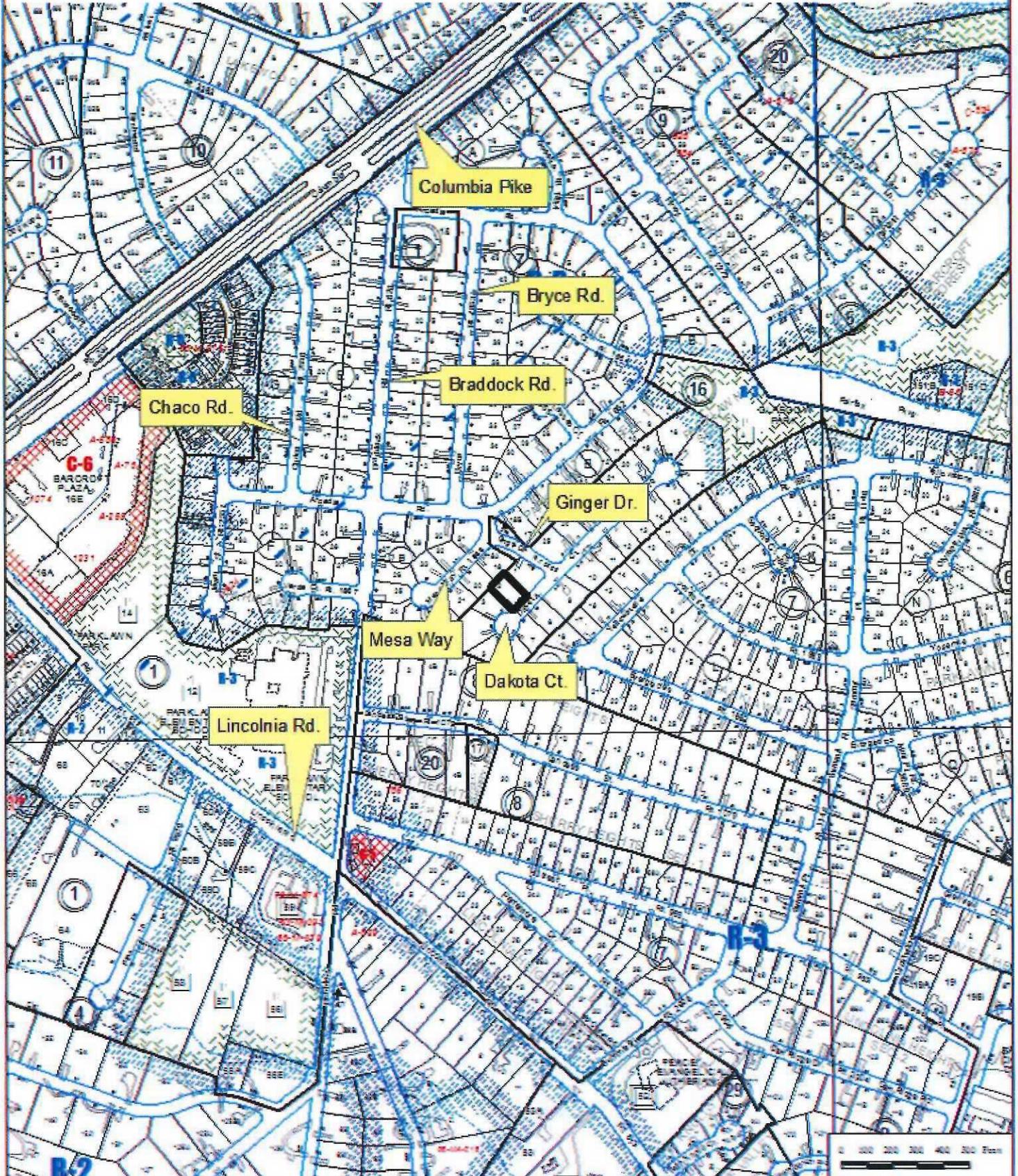
ALICIA MARLENE VILLAGRA / MARLENE'S HOME DAY CARE



Special Permit

SP 2014-MA-048

ALICIA MARLENE VILLAGRA / MARLENE'S HOME DAY CARE

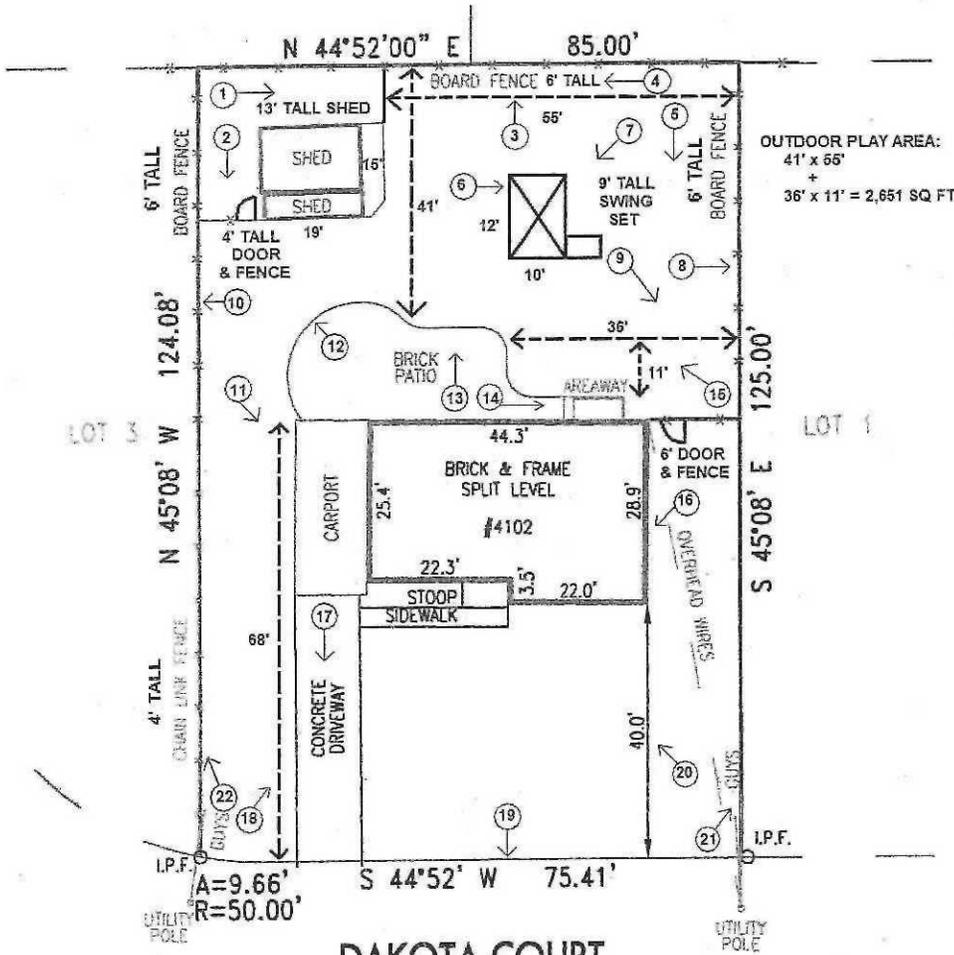


Alvaro Villagra 3-6-14

SECTION 1
 BLOCK "B"

LOT 20

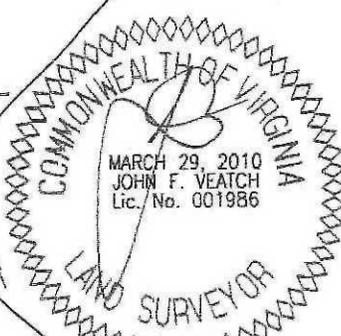
LOT 19



I hereby certify that the position of all existing improvements have been carefully located by a transit and/or tape or electronic measuring device and, unless otherwise shown, there are no encroachments. This plat has been provided for a transaction on or about the date of this plat. This certification is limited to the parties of this transaction. This plat is furnished for informational purposes in the issuance of title insurance and is not to be used for any design or construction or to set property corners. The fence locations shown on this plat are approximate and are not certified as to relation to the property boundaries or ownership. The settlement agent has requested this survey pursuant to the terms of a contract of sale or in conjunction with a re-finance of the subject property at the owner's, prospective purchaser's, and/or lender's direction. The settlement agent has requested that only that information required for title insurance purposes be shown and does not certify to the accuracy of any of the information shown hereon. No title report has been furnished. This plat is subject to restrictions and easements of record. Boundary and other site information has been provided by others. o IPF indicates monuments used for location purposes. If no monuments were found the existing improvements were located from the occupation of existing features. Any reproduction of this document that does not bear an original signature is an unauthorized copy and may violate U.S. copyright laws. Unauthorized copies may not be in conformance with current survey requirements under Virginia State law and shall not be used for insurance and/or mortgage underwriting

DAKOTA COURT
 50' R/W
LOT 2
 10,622 S.F.

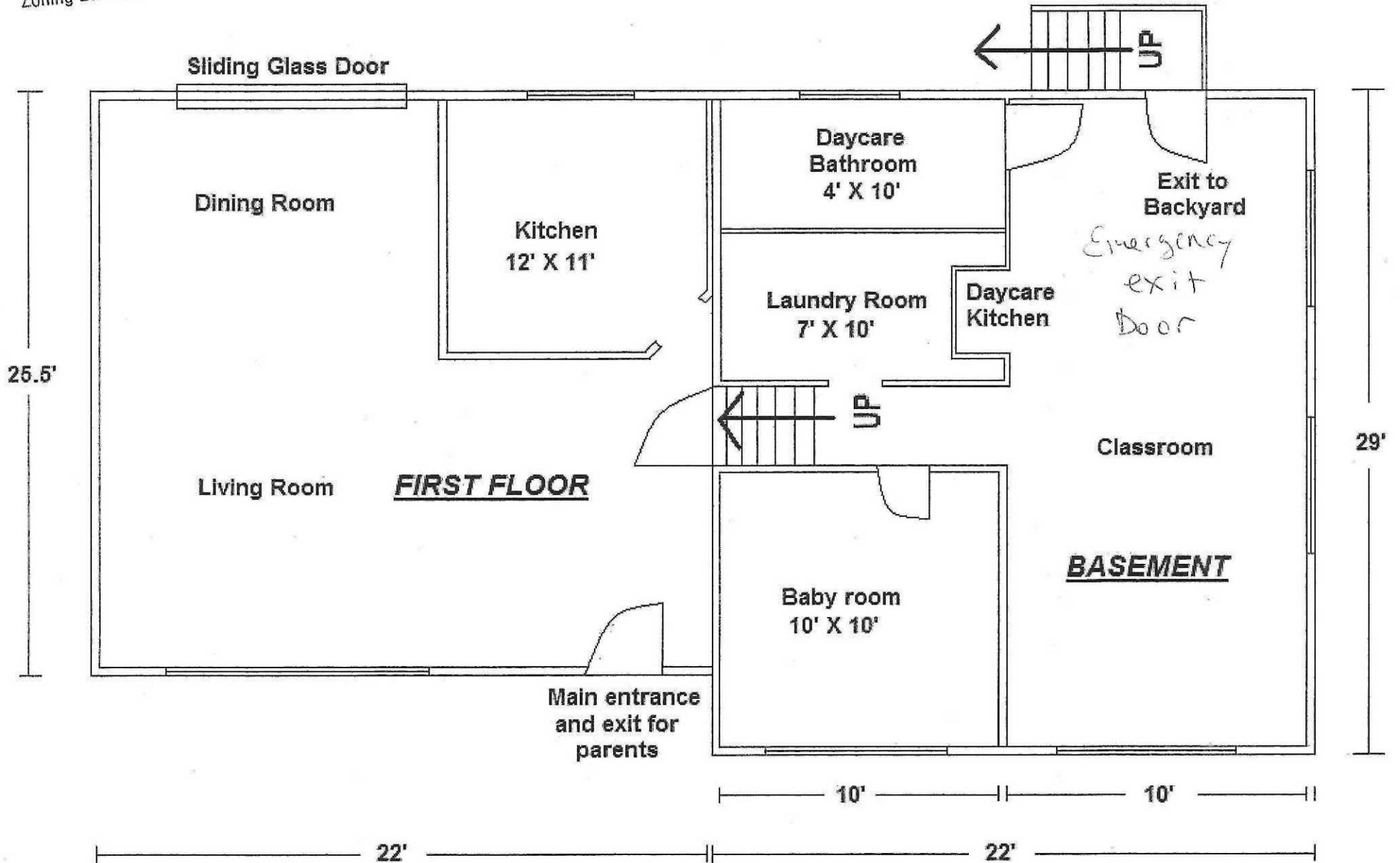
CRES II, Ltd.
 CERTIFIED REAL ESTATE SERVICES
 1831 WIEHLE AVENUE, SUITE 105
 RESTON, VA 20190
 OFFICE: 703.742.9105
 FAX: 703.742.9104



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 Department of Planning & Zoning
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 Zoning Evaluation Division

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MAR 06 2014
Zoning Evaluation Division

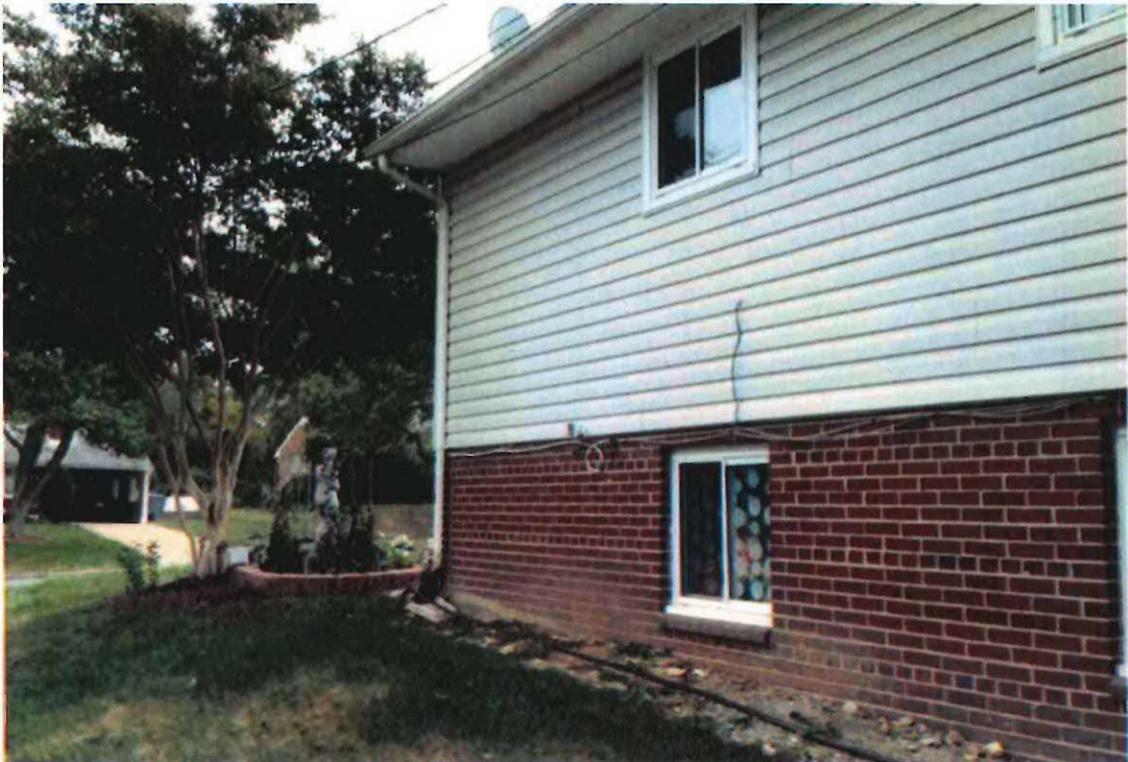
Outdoor Play Area













































SPECIAL PERMIT REQUEST

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

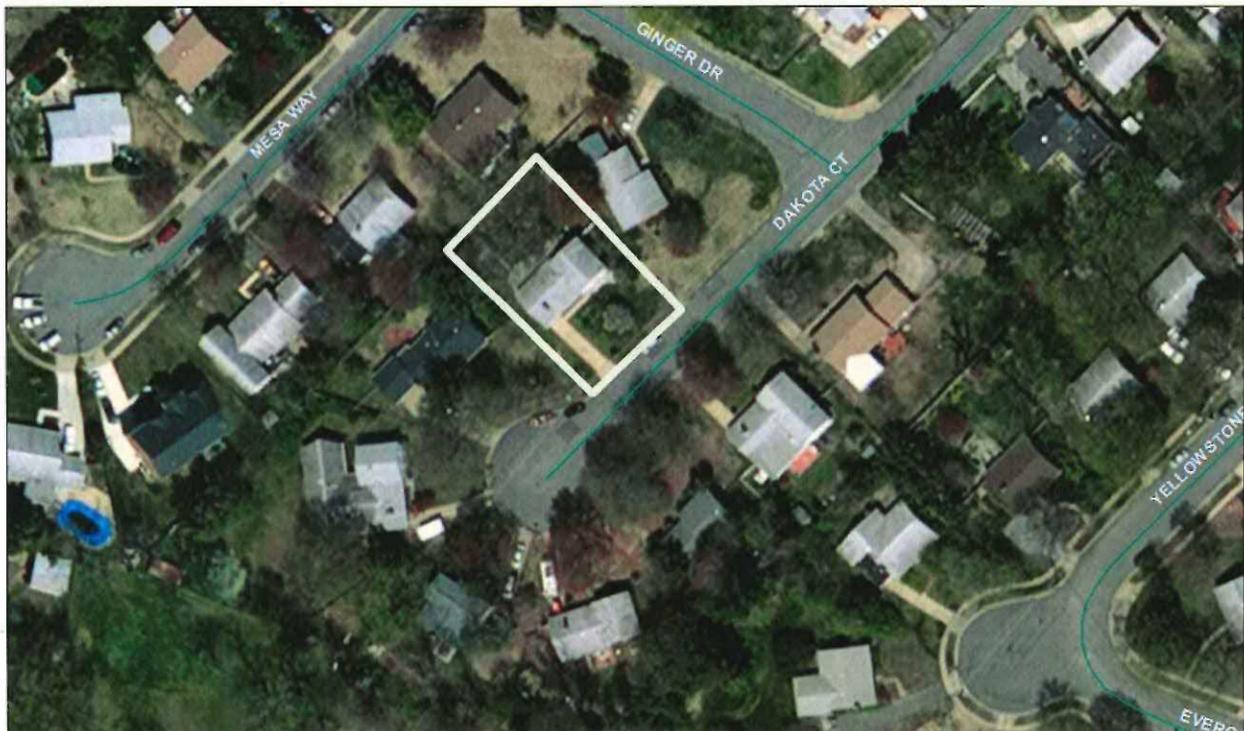
A copy of the special permit plat titled, "Property Report, Lot 2, Section 6, Parklawn," prepared by John F. Veatch, as revised by Alvaro Villagra on March 6, 2014, is included in the front of the staff report.

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 split level single family detached dwelling. A stoop, sidewalk and concrete driveway exist to the southeast of the dwelling. A carport exists on the southwestern side of the dwelling. A brick patio, shed and swing set are located in the rear yard. A six foot tall wood fence extends from the northern corner of the dwelling, along a portion of the northeastern property line and continues parallel to the northwestern property line enclosing the rear yard. The property is relatively flat and contains decorative landscaping.

The subject property and surrounding properties are zoned R-3 and are developed with single family detached dwellings. The property is east of Braddock Road and south of Columbia Pike.



BACKGROUND

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1960 and purchased by the applicant in 2010. The carport was constructed with the original construction of the dwelling (Appendix 4).

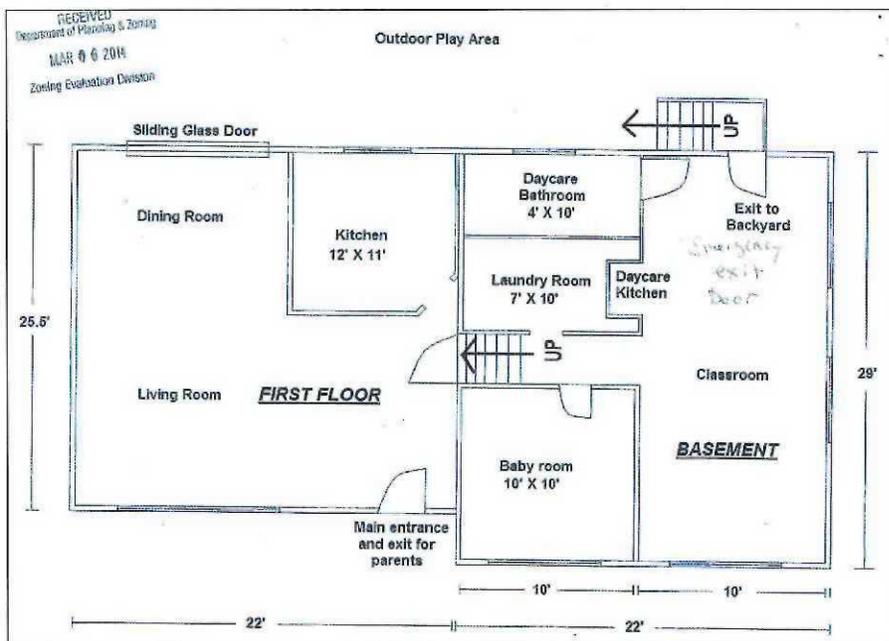
Records indicate that no other special permit or variance applications relating to a home child care facility have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

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 is one part-time assistant.

The applicant holds a current Family Day Home License, approved for one year and valid through October 2, 2014, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of 12 children, birth through 13 years of age and is included in Appendix 5.

The home child care facility is operated on the basement of the dwelling which includes a baby room, classroom, daycare bathroom and exit to the rear yard. The play area for the children is currently in the rear yard, as shown on the special permit plat. Pictures provided by the applicant show toys and a play-set located in this area.



ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area I, Baileys Planning District
Planning Sector: Glasgow Community Planning Sector (B-4)
Plan Map: Residential 2-3 dwelling units/acre

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 Location Regulations

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.

Emergency Egress

The baby room depicted on the interior floor layout, which serves as the nap room, does not have adequate emergency egress. The applicant has committed to remove the cribs from the baby room into the main classroom area of the basement to serve as the new nap area. Staff has included a development condition to address this concern.

On-site Parking and Site Circulation

Vehicular access to the site is provided from Dakota Court. The parents and children use the driveway and front entrance of the dwelling to access the home child care center in the basement.

The existing driveway and carport appear to be able to accommodate four vehicles. The applicant parks her personal car in the carport during the day care hours. The applicant currently has one assistant who parks on the street. Therefore, the driveway has approximately three 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 carport and the driveway. Staff believes sufficient parking exists in the driveway 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 Zoning Inspection staff found a number of issues. The list of comments from the site inspection is in Appendix 6. Comments

included the need to install a smoke detector in the sleeping area and creating a clear pathway to egress/exit doors. Staff also found an accessory storage structure and excessive rear yard coverage that are not in compliance with the zoning ordinance. This issue is in violation of the Zoning Ordinance and will need to be addressed by the applicant in the future should the property be sold or other permits are requested. 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.

The applicant has been made aware of these comments. The comments submitted by the Zoning Inspection Branch are addressed in the development conditions, which require satisfactory completion of all inspections and permits prior to establishing the use.

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-MA-048 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. State Home Child Care License
6. Zoning Inspection Branch Site Visit Comments
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-MA-048****July 23, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MA-048 located at Tax Map 61-3 ((16)) 2 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, Alicia Marlene Villagra/ Marlenes Home Day Care, and is not transferable without further action of the Board, and is for the location indicated on the application, 4102 Dakota Court, 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, "Property Report, Lot 2, Section 6, Parklawn," prepared by John F. Veatch, as revised by Alvaro Villagra on March 6, 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 area identified as the "baby room" in the floor layout in Attachment 1, shall no longer be used as a sleeping area without proper emergency egress. The children's sleeping area shall take place in the "main classroom area" of the basement.
7. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
8. The maximum number of assistants for the home child care shall be one.
9. All pick-up and drop-off of children shall take place in the driveway.

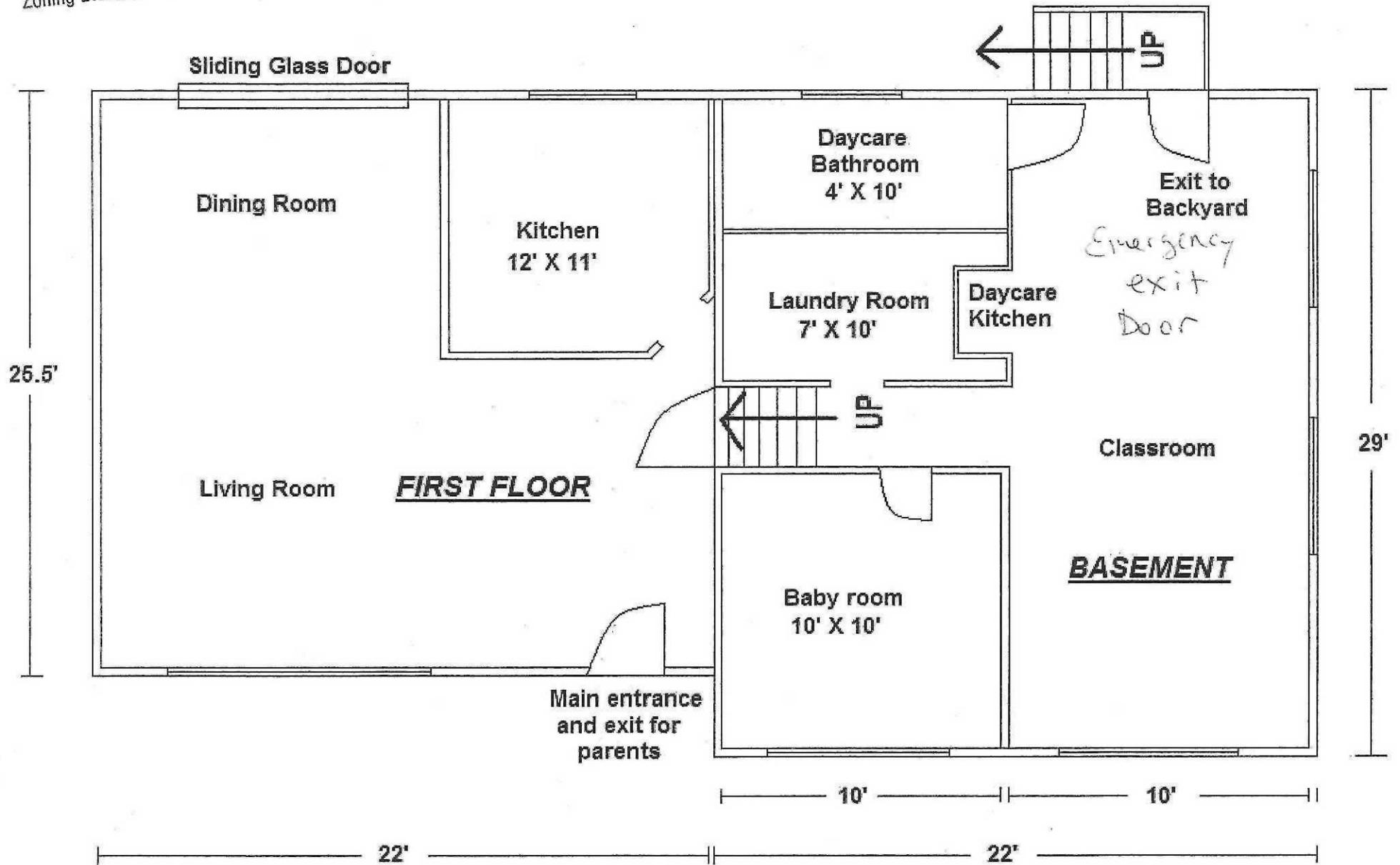
10. A minimum of four parking spaces shall be provided on the subject parcel with one in the existing carport and three within the areas of existing paving.
11. There shall be no signage associated with the home child care facility.
12. All applicable permits and inspections shall be obtained prior to 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.

RECEIVED
Department of Planning & Zoning
MAR 06 2014
Zoning Evaluation Division

Outdoor Play Area



Application No.(s): SP 2014-MA-048
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 04-10-2014 124673
 (enter date affidavit is notarized)

I, Alvaro Villagra, 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 BOLD above)
Alvaro Villagra	4102 Dakota CT Alexandria VA, 22312	Agent
Alicia M. Villagra	4102 Dakota CT Alexandria VA, 22312	Applicant / Title owner
Marlene's Home Daycare Inc.	4102 Dakota CT Alexandria VA, 22312	Applicant

(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).

CTB 124673

Application No.(s): SP 2014-MA-048
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 04-10-2014 124673
(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)

Marlene's Home Day Care Inc.
4102 Dakota CT, Alexandria VA, 22312

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)

Alicia M. Villagra

(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.

124673

Application No.(s):

SP 2014-MA-048

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 04-10-2014
(enter date affidavit is notarized)

124673

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.

124673

Application No.(s): SP 2014-MA-048
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 04-10-2014
(enter date affidavit is notarized)

124673

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:

N/A

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~~
A.V.

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.

124673

Application No.(s): SP 2014-MA-048
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 04-10-2014 124673
(enter date affidavit is notarized)

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

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

NONE

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

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

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

WITNESS the following signature:

(check one) Applicant Applicant's Authorized Agent
Alvaro Villagra
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 10th day of April 2014, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]
Notary Public

My commission expires: Aug 31, 2017

AMAR IJAZ BHATTI
NOTARY PUBLIC
REG 7523786
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES AUG 31, 2017

AB 124673

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

RECEIVED
Department of Planning & Zoning

MAR 06 2014

Name: Alicia M. Villagra
 Address: 4102 Dakota CT
Alexandria, VA 22312
 Phone #: 703-914-4923
 E-mail: ALIMARVILLA@GMAIL.COM

Zoning Evaluation Division

Date 3-6-14

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

Re: Special Permit Application

Applicant: Alicia M. Villagra
 Zoning Ordinance Section 8-305 for Home Child Care Facility
 Section 8-004 of General Standards

Tax Map #: 0613-16-0002
 Zoning District: R-3
 Lot Size: 10,622 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 4102 Dakota CT, Alexandria VA, 22312 (your address). The property is zoned R-3 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 7am to 6pm Monday through Friday
and from 8am to 4pm Saturdays.

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 0 assistant(s) who work part-time and 1 assistant(s) who work full-time.

Arrival Schedule. 7 of the children arrive between 7 AM and 8 AM.
5 of the children arrive between 8am and 9:15 am.

Departure Schedule. 4 of the children are picked up between 4:30 pm and 5 pm.
5 of the children are picked up between 5 pm and 5:30 pm.
Finally, 3 children are picked up between 2:45 pm and 4:30 pm.
Area Served. Currently, most of the children live in Alexandria
and Fairfax (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):

3 levels and currently the entire basement is used
for the day care. The basement has a separate exit to the
Backyard. A.V.

The house has 1,210 square feet. The following rooms are where I conduct the day care:
Most of the basement including a 10' X 10' room and bathroom.
These rooms are 580 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 back yard for outdoor play for the children. The area is approximately 2,651 square feet. The outdoor play area consists of: A wooden
swing set, play houses, a sand box, and activity
stations. I have drawn the swing set and its
dimensions on the house location plat which is included.

Parking. I use my carport to park my family car(s). My parents park in my
driveway which can accommodate up to 3 cars. In addition,
ample parking is available along the streets in front of
my house for the parents and my employee.
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 no changes to the outside appearance
of my brick and vinyl sided home. Adequate
parking is available for my parents, employees
and my family. For these reasons, I believe my proposed
home day care will not impact my neighbors in
any negative way.

Sincerely,

Alicia Marlene Villagra
Owner of Marlene's Home Day Care

Arrival Schedule and Departure Schedule

RECEIVED
Department of Planning & Zoning

MAR 06 2014

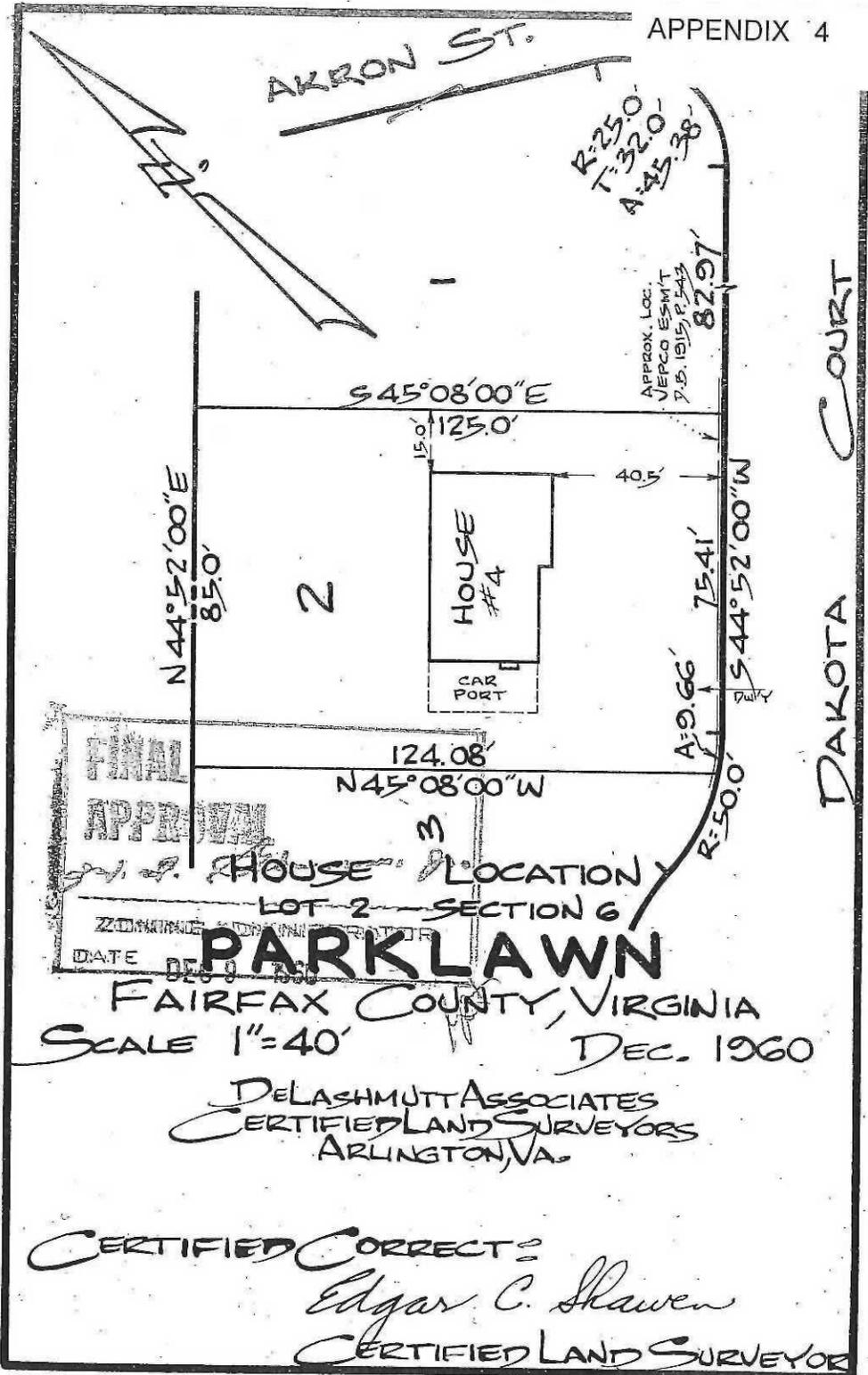
Zoning Evaluation Division

Arrival Schedule

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

Departure Schedule

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



Map Reference -- Sheet No. 61-3, Property Identification No. A-3128

FORM ZA

COUNTY OF FAIRFAX, VIRGINIA
Office of the Zoning Administrator

APPLICATION FOR CERTIFICATE OF OCCUPANCY

For Use In Connection with a New Building Or For Change In The Exterior
Outline of An Existing Building

(WRITE WITH INK)

Date May 27, 1960

Name of Proposed Occupant or Trade Name Applicant Mary Bullock, Inc.

Premises number _____

Lot number 2 Block _____ Section 4

Subdivision or Acreage Description Parklawn

To be used as See Family Dwellings

Last used as New

Non-Conforming Use _____

TO BE FILLED IN BY CLERK

Material of building _____ Zone R-12.5

No. of stories high Split level Height Split level

Which floor do you propose to use? _____ Fire Zone _____

Owner of Building (or agent) _____ Building Permit No. P-2030

Memo A. Mason Jr. Date 5/27/60 Initials JB

Address 3853 Wilson Blvd
Arlington, VA 4 Dakota Court

This Application Constitutes A Written Request For a Certificate of Occupancy Upon Compliance By the Applicant With Provisions of Section 13.4.3 Of Chapter 6 Volume II of The Code

It is understood that the Certificate of Occupancy does not take the place of any license that may be required by law, and also that it does not confer the right to erect or maintain any kind of signs.

Signature of Proposed occupant Applicant Memo A. Mason Jr.

Address 3853 Wilson Blvd, Arl, Va

Telephone number JA 5-6600

ZONING SECTION
No. 11-1048
Issued 1/25/61
Date _____
DEC 7 1960

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 VIRGINIA DEPARTMENT OF SOCIAL SERVICES

HOME ABOUT US ABUSE & NEGLECT ADOPTION & FOSTER CARE ADULT & CHILD CARE ASSISTANCE CHILD SUPPORT COMMUNITY SUPPORT CAREERS

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Alicia Villagra

4102 Dakota Court

ALEXANDRIA, VA 22312

(703) 914-4923

Facility Type: Family Day Home

License Type: One Year

Expiration Date: Oct. 2, 2014

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

Capacity: 12

Ages: Birth - 12 years 11 months

Inspector: Brenda Kuhlman
(703) 359-6777



County of Fairfax, Virginia

MEMORANDUM

DATE: July 21, 2014

TO: Laura Gumkowski, Staff Coordinator
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning

FROM: Chuck Cohenour
Senior Zoning Inspector
Zoning Inspections Branch

SUBJECT: Home Child Care Application Amended

APPLICANT: Alicia Marleve Villagra
4102 Dakota Court, Alexandria, VA
Parklawn Lot 2, Section 6
Tax Map Ref #: 61-3 ((16)) 2
Zoning District: R-3
Mail Log Assignment: 2014-MA-0170

*KEY: A "✓" 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.
 - *One smoke alarm in stairway to the basement. None in sleeping area.*
- 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.
- 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.
 - *The pathway to an egress window blocked by changing table, cribs and bed*
- Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.

- 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.
- 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.
 - *Accessory storage structure in left rear yard is 13 feet in height. This structure is 19' x 15' (285 sq. ft. in area). 9' 5" to the rear lot line and 9' 10" to the left side lot line.*
 - *30% of the rear yard is approximately 637.5 square feet. The area covered by the accessory storage structure which alone is approximately 625 square feet. This does not include the children's play equipment that is the 9 foot in height.*

cc: Street File

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.