



APPLICATION ACCEPTED: April 11, 2014
ADMINISTRATIVELY MOVED AT APPLICANTS REQUEST
BOARD OF ZONING APPEALS: September 17, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

September 10, 2014

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-LE-040

LEE DISTRICT

APPLICANT: Muhammad Tanveer Butt
Sunny Day Care Two, LLC

OWNERS: Muhammad T. Butt
Uzma T. Butt

SUBDIVISION: Pinewood Lake, Section 2

STREET ADDRESS: 4311 Birchlake Court, Alexandria, 22309

TAX MAP REFERENCE: 101-1 ((6)) 187

LOT SIZE: 4,394 square feet

ZONING DISTRICT: R-8

ZONING ORDINANCE PROVISIONS: 8-305

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

STAFF RECOMMENDATION: Staff recommends approval of SP 2014-LE-040 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.**

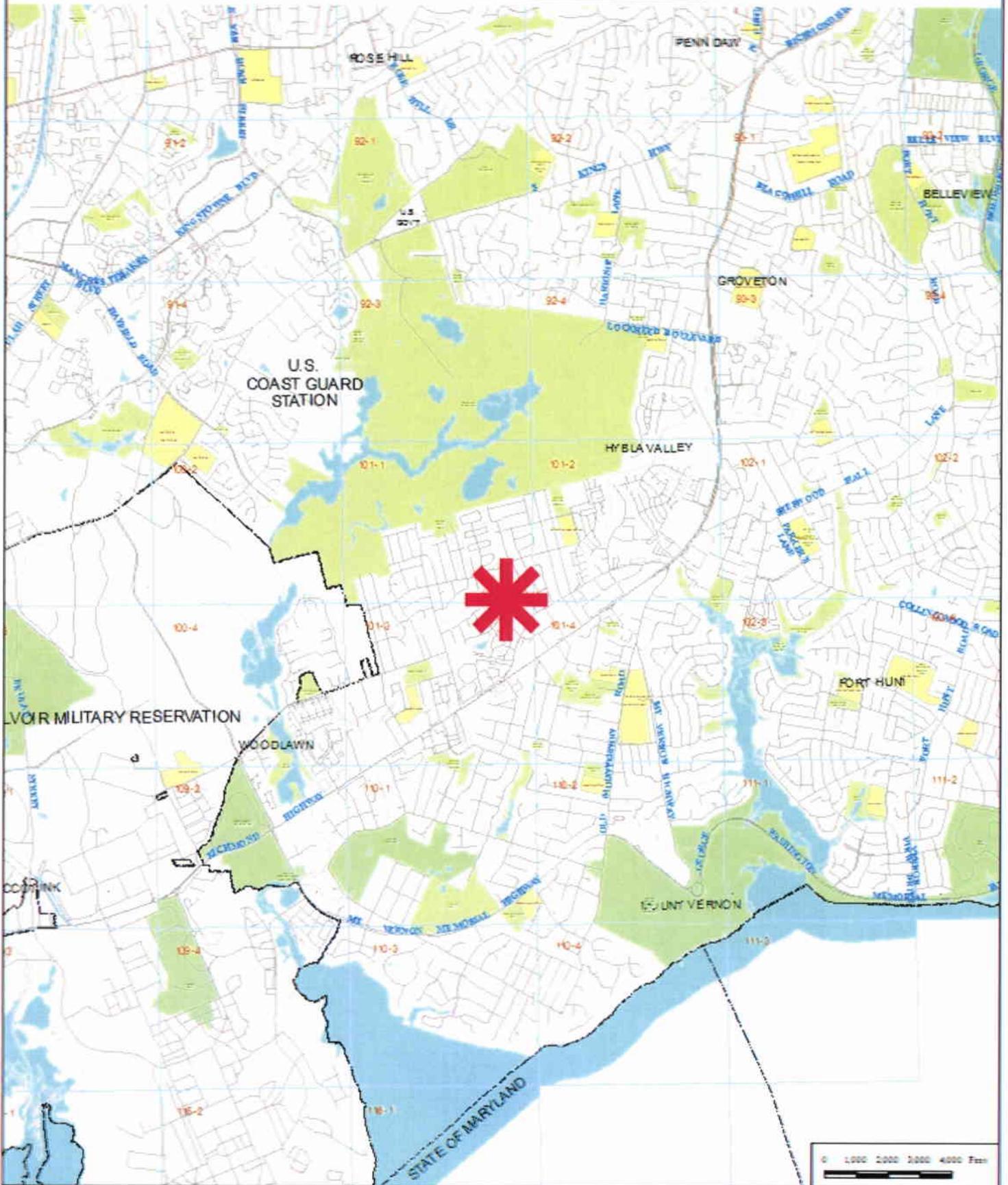


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-LE-040

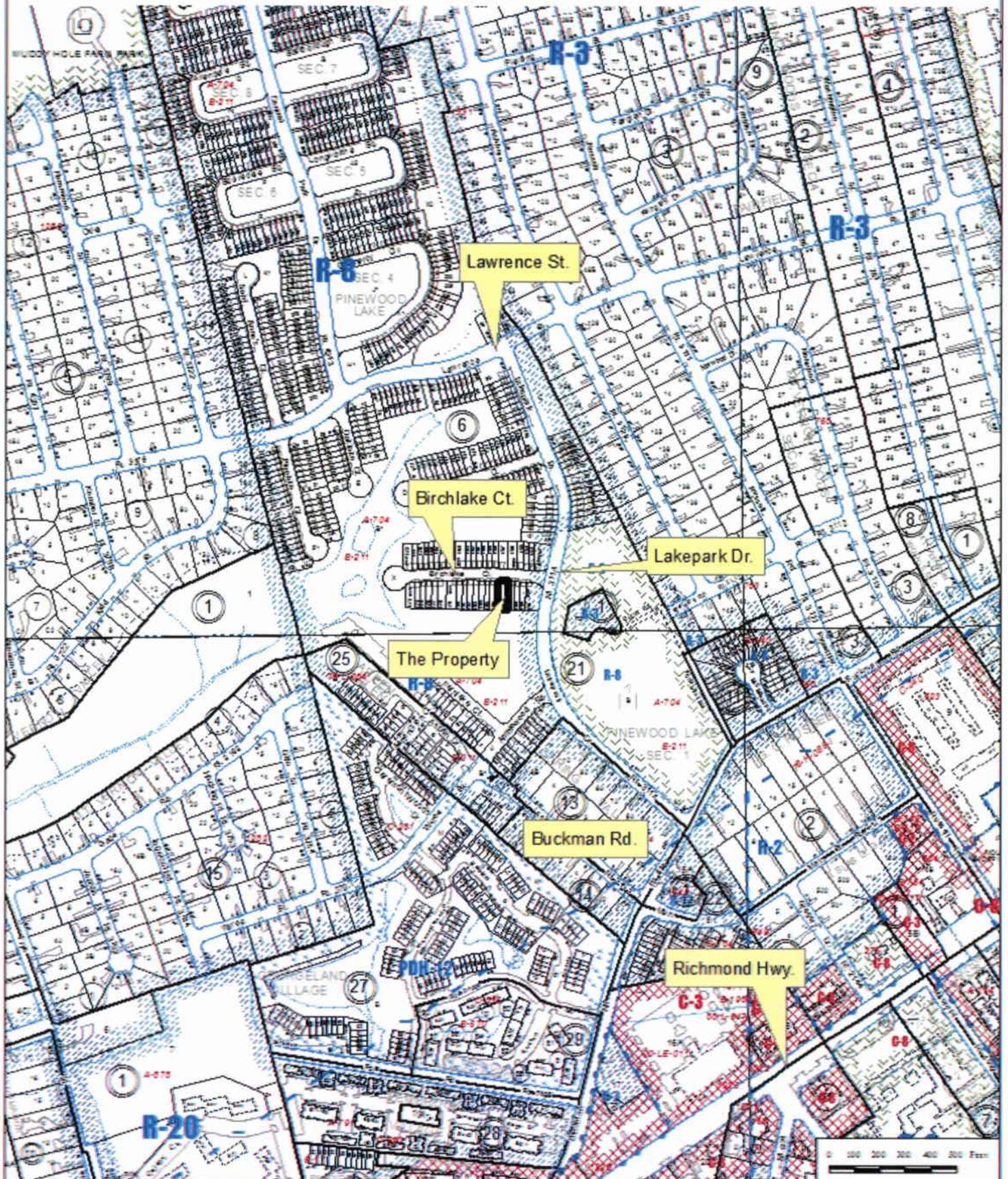
MUHAMMAD TANVEER BUTT SUNNY DAY CARE
TWO LLC



Special Permit

SP 2014-LE-040

MUHAMMAD TANVEER BUTTSUNNY DAY CARE TWO LLC

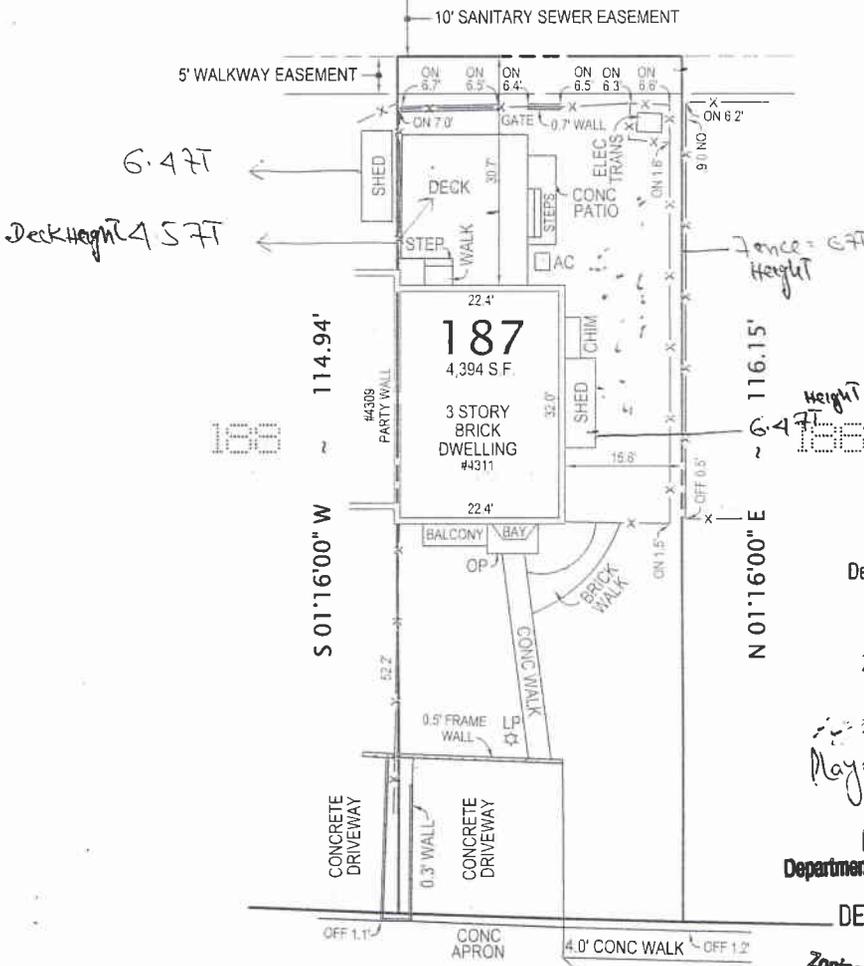


SP 2013-037D

- NOTES: 1. FENCES ARE FRAME.
- 2. UTILITIES ARE UNDERGROUND.
- 3. BUILDING HEIGHT = 30.1'

PARCEL B
SECTION 3

N 88°44'00" W ~ 38.00'

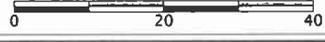


RECEIVED
Department of Planning & Zoning
MAR 04 2014
Zoning Evaluation Division

RECEIVED
Department of Planning & Zoning
DEC 27 2013
Zoning Evaluation Division

A = 38.02' R = 2975.00'
BIRCHLAKE COURT
50' R/W
PARCEL "A"

PLAT
SHOWING HOUSE LOCATION ON
LOT 187, SECTION 2
PINWOOD LAKE
(DEED BOOK 3044, PAGE 127)
FAIRFAX COUNTY, VIRGINIA
LEE DISTRICT
SCALE: 1" = 20' AUGUST 9, 2013
GRAPHIC SCALE



MTB
3/4/2014

I HEREBY CERTIFY THAT THE LOCATIONS OF ALL EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS

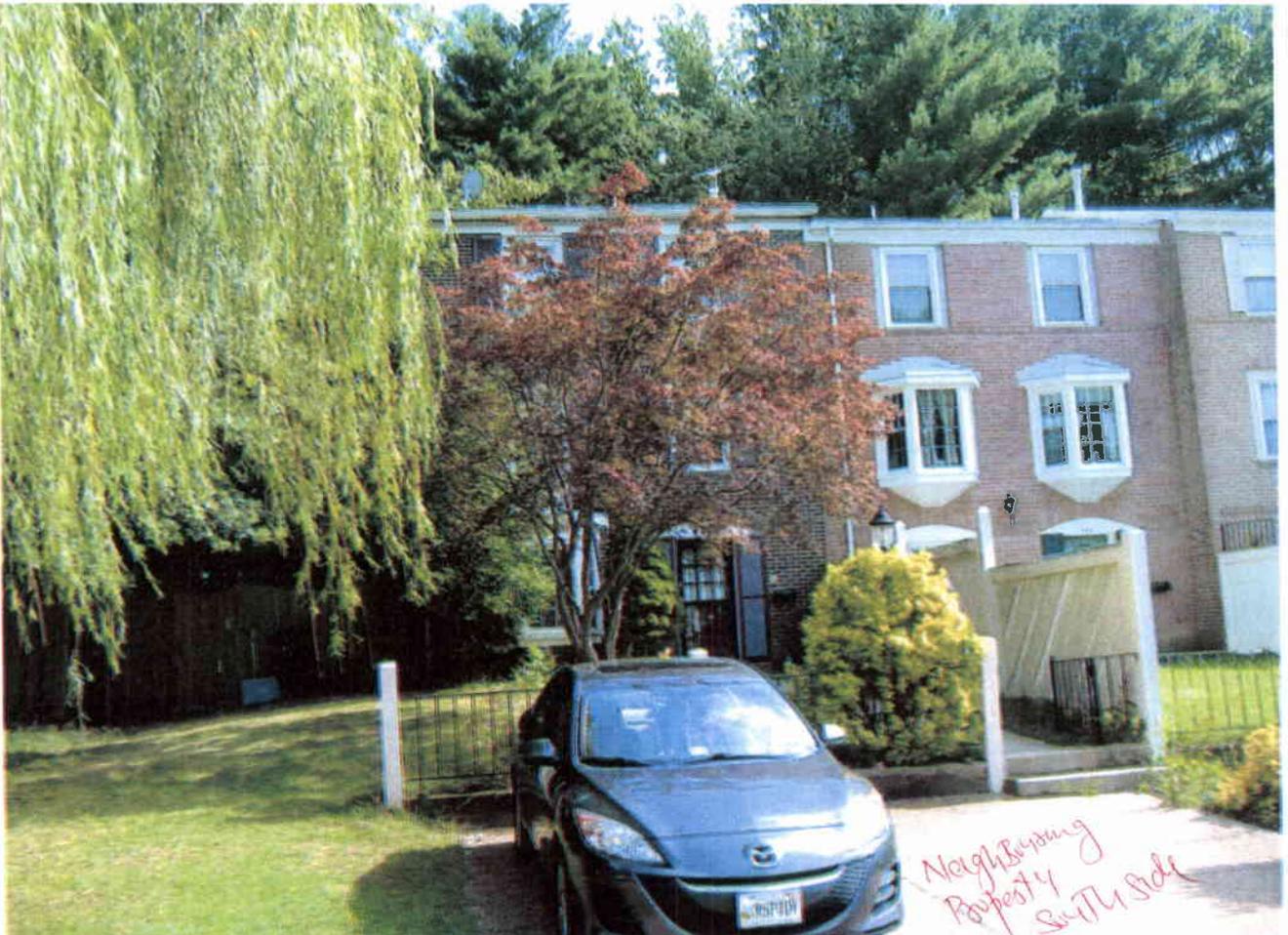
COMMONWEALTH OF VIRGINIA
08/09/2013
THOMAS G. LUTKE
LAND SURVEYOR
LICENSE NO. 3066

ORDERED BY:
MUHAMMAD BUTT

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD
A TITLE REPORT WAS NOT FURNISHED.
NO CORNER MARKERS SET.

NOVA SURVEYS
6655 ROCKLEIGH WAY
ALEXANDRIA, VA 22315
703-688-4038
FAX: 703-649-6038
WWW.NOVA-SURVEYS.COM

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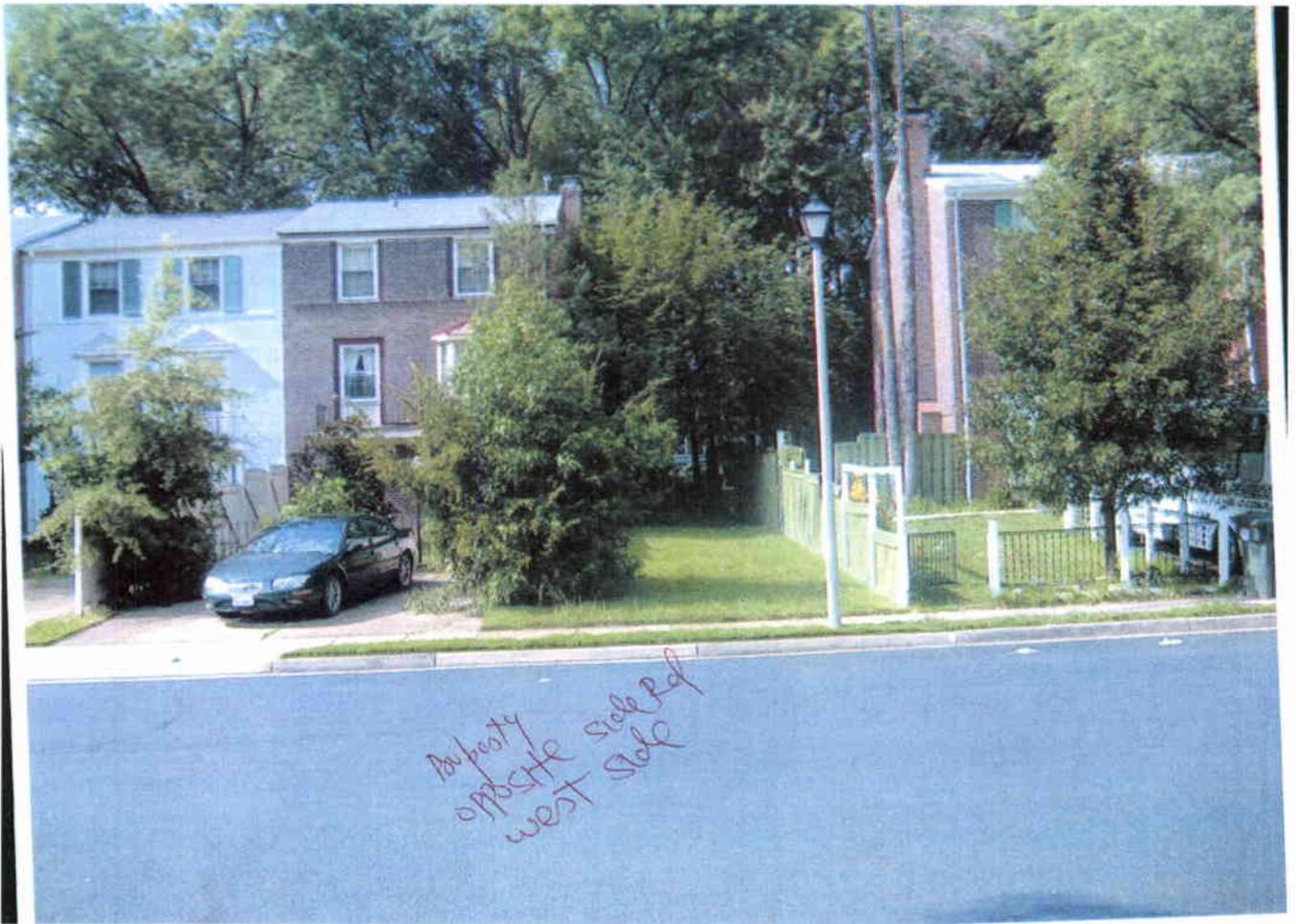


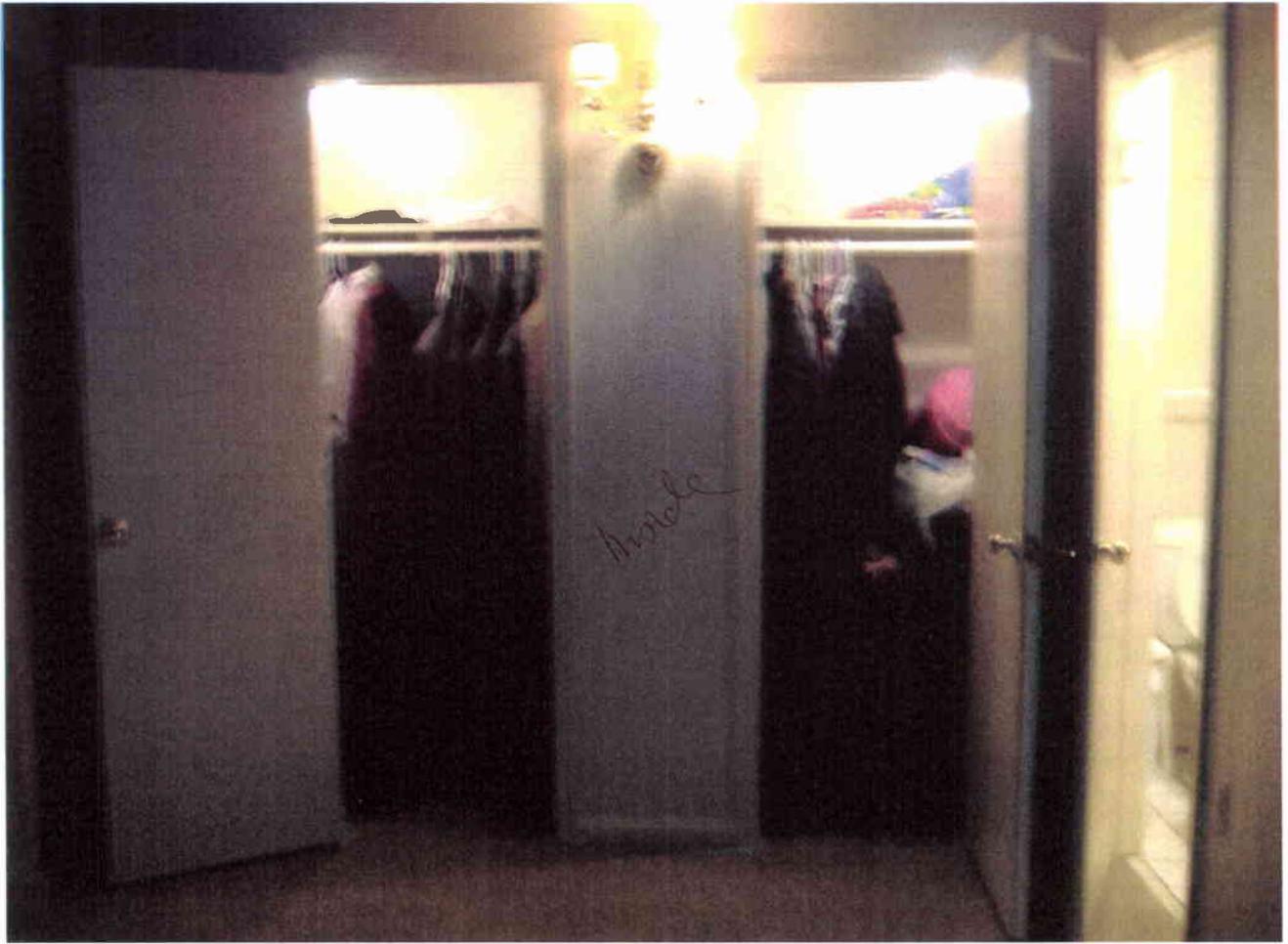


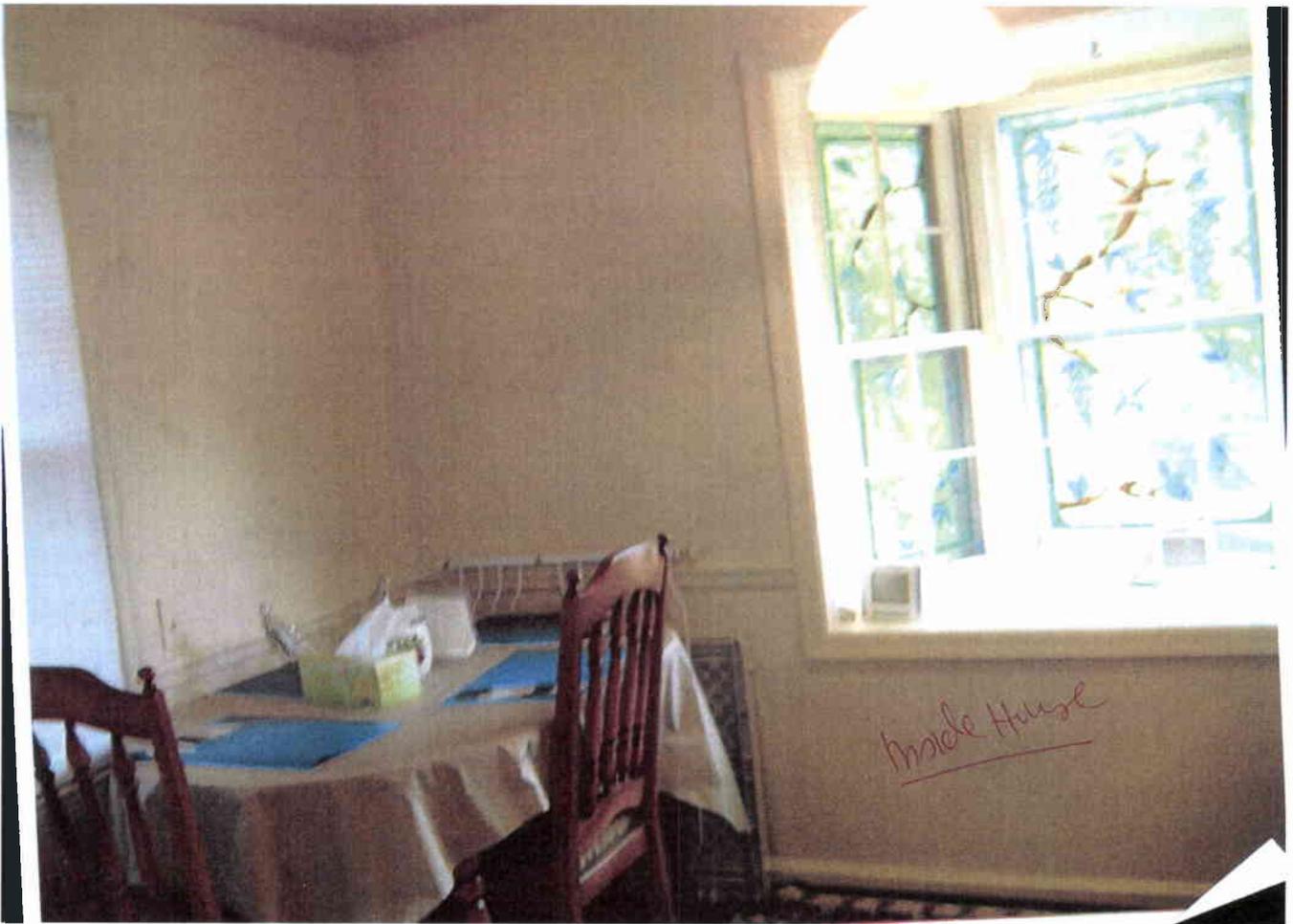


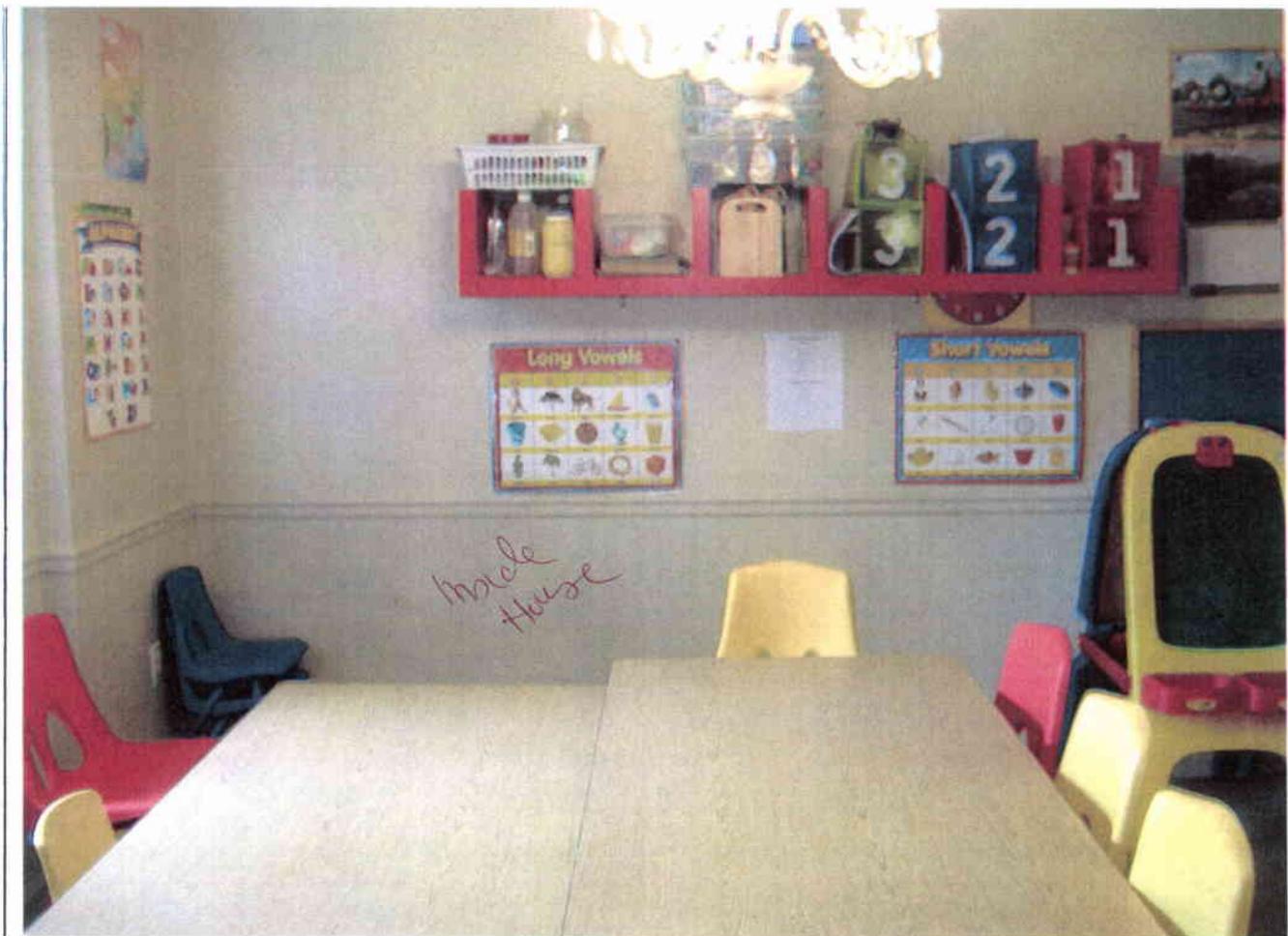




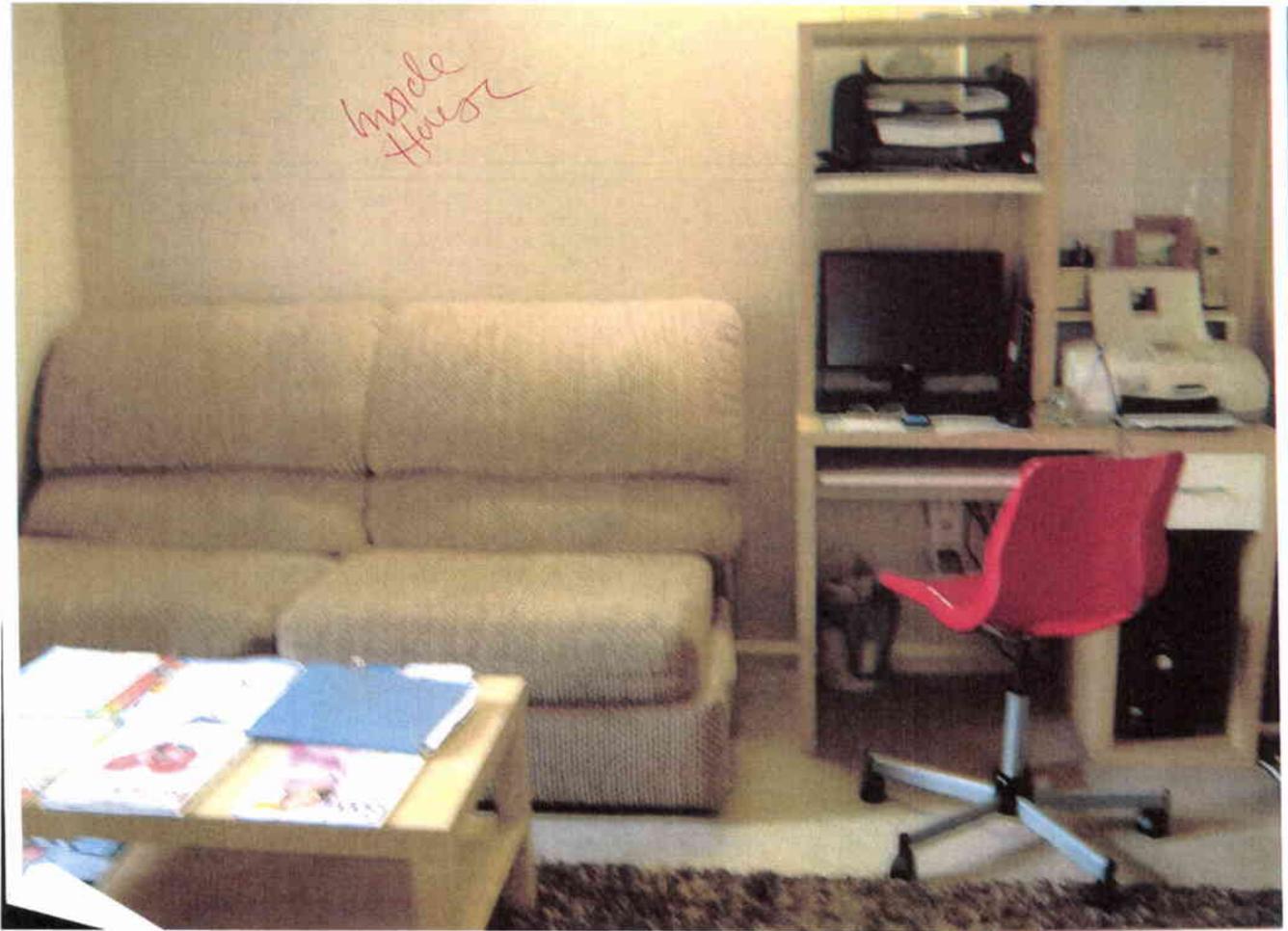


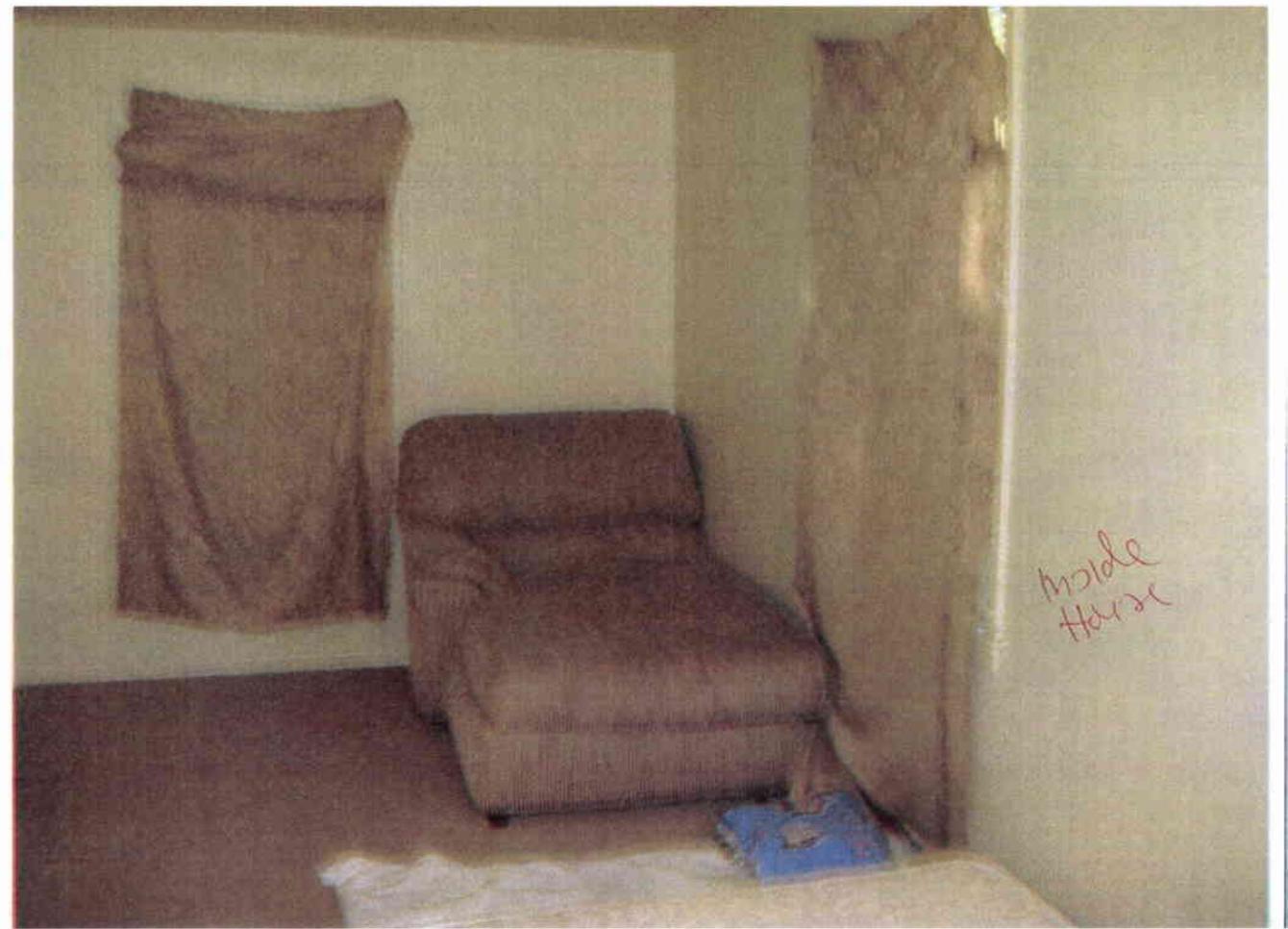


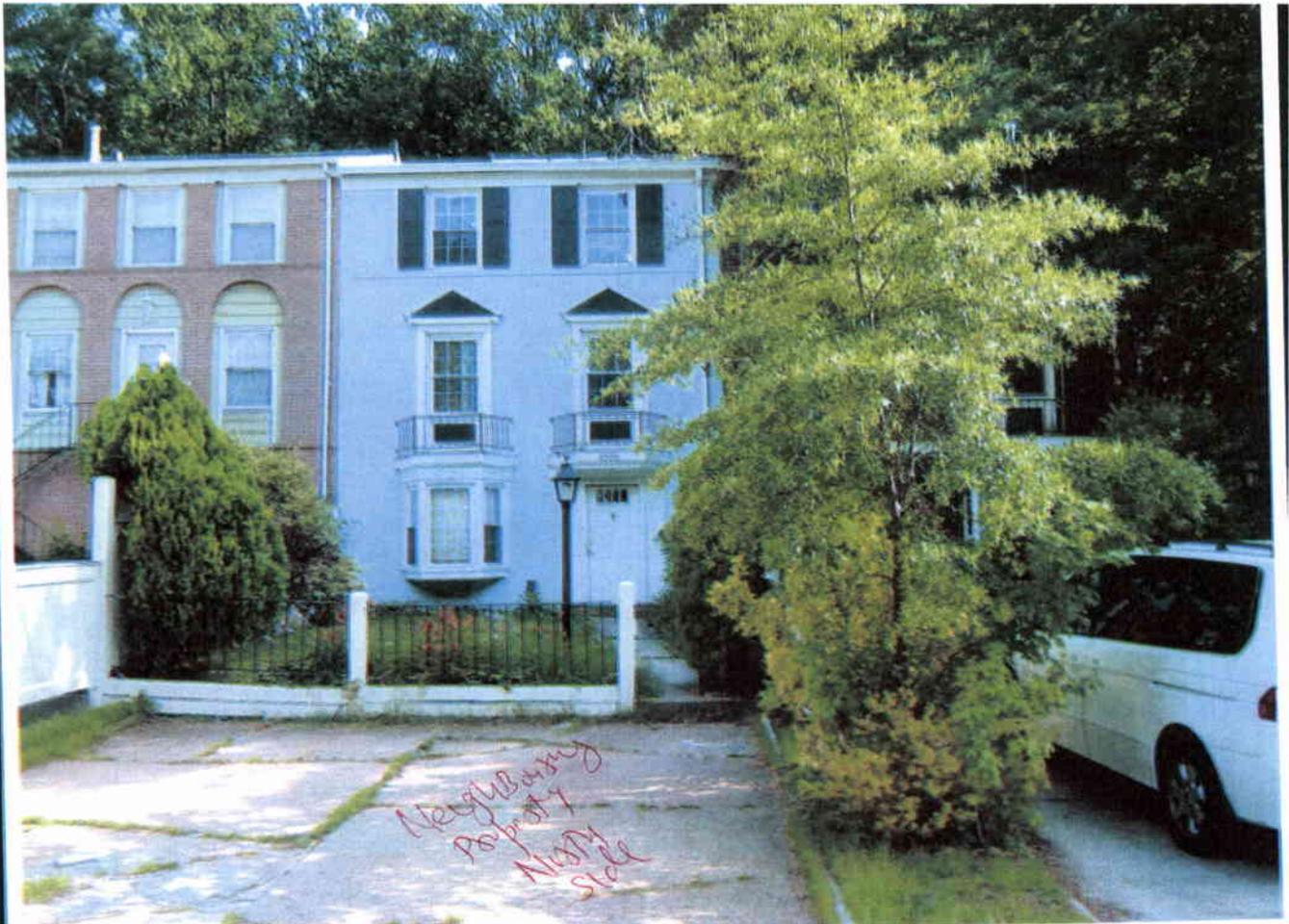












SPECIAL PERMIT REQUEST

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, "Plat, Showing House Location on Lot 187, Section 2, Pinewood Lake," prepared by Thomas G. Lutke, as revised by the applicant Muhammad Tanveer Butt on March 4, 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 single family attached dwelling (townhouse). A concrete driveway and two walkways are located to the north of the dwelling. A wood deck and concrete patio are located to the south of the dwelling. A 6.4 foot tall shed is located to the west of the dwelling. A six foot tall wooden fence encloses a portion the western side yard and the rear yard of the property. A five foot wide walkway easement is located along the southern property line. The property is relatively flat and contains decorative landscaping.

The property is north of Richmond Highway and is west of Lakepark Drive.

The subject property and surrounding properties to the north, east and west are zoned R-8 and are developed with single family detached dwellings. The property to the south is open space and owned by the Pinewood Lake Homeowners Association.



BACKGROUND

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1968 and purchased by the applicant in 2005.

The Zoning Ordinance requires that the applicant resides at the home in order to operate a home child care facility. During the site visit, it was brought up that the applicant may reside at another site as only one room in the house was dedicated to the applicants living quarters and that the applicant only stays at the home child care location five days a week. The applicant owns another home in the Alexandria area in which a home child care is operated by his wife. The application for the other property and home child care is currently in process as Special Exception Application SEA 2011-MV-002. Staff verified, however, that the applicant did indeed reside at the site though the Department of Code Compliance.

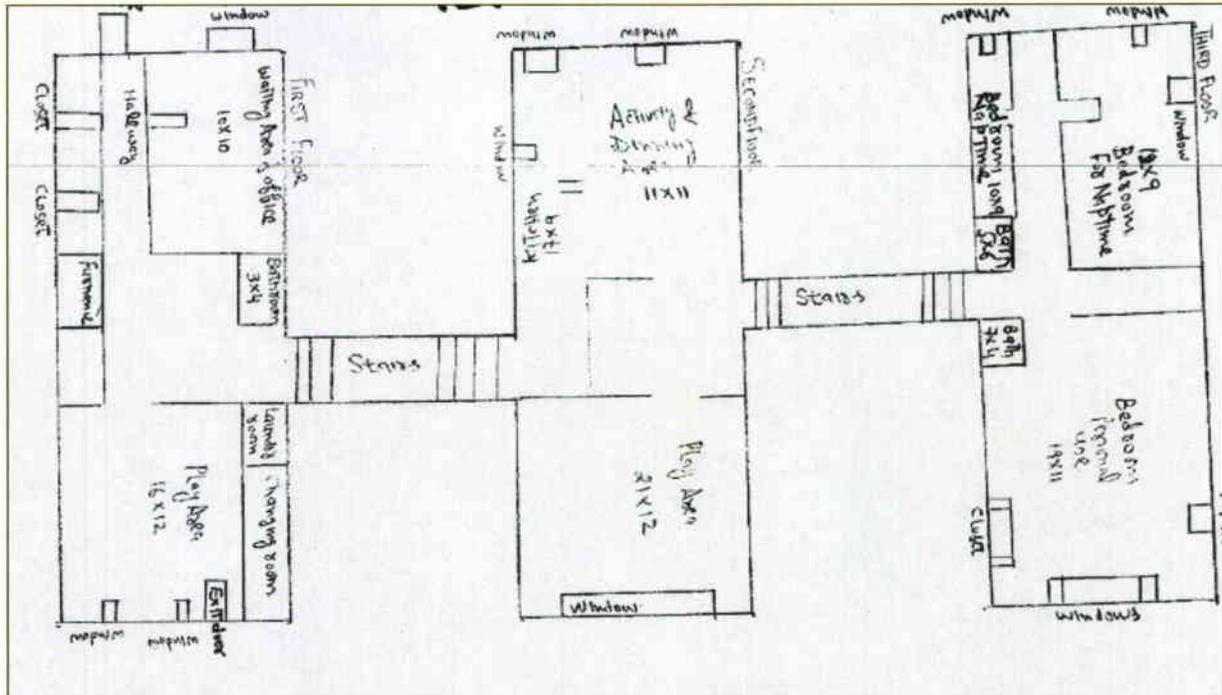
Records indicate that no other special permit or variance applications relating to a home child care facility have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

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 8:00 a.m. and 6:00 p.m., Monday through Friday. The children arrive between 8:00 a.m. and 9:30 a.m. and depart between 3:15 p.m. and 6:00 p.m. The applicant picks up five children off-site and brings them to the property in the morning and drops-off the children in the afternoon. There is one full-time assistant.

The applicant holds a current Family Day Home License, approved for one year and valid through January 20, 2015, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of 12 children, 1 year 6 months through 13 years of age and is included in Appendix 6.

The home child care facility is operated on all levels of the townhouse. The children and parents enter on the lower level and use a play room. This play room provides access to the rear and side yard of the house, which is designated as the outdoor play area on the special permit plat. Pictures provided by the applicant show toys and a play-set located in this area. On the second level of the home is a kitchen, an indoor play area, an activity and dining area which are used for the day care. On the third floor of the dwelling there are three bedrooms, two of which are used for as a napping area for the home child care. The last bedroom is the private living space of the applicant and is not used for the day care.



ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Mount Vernon Planning District
Planning Sector: Woodlawn Community Planning (MV-8)
Plan Map: Residential, 8-12 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 8. 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 Birchlake Court. The parents and children use the driveway and front entrance of the dwelling to access the home child care center.

The existing driveway appears to be able to accommodate two vehicles. The applicant parks his personal car off-site during home child care hours. The applicant currently has one assistant who also parks off-site. Therefore, the driveway has approximately two spaces available to be used for drop-off and pick-up of children. As mentioned previously

under the description of the proposed use section, the applicant picks up five children and transports them to and from the property, therefore reducing the amount of car trips daily.

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 no violations or concerns on site. The Zoning Inspection report is included in Appendix 7.

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-LE-040 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. State Home Child Care License
5. Zoning Inspection Branch Site Visit Comments
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-LE-040****September 10, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-LE-040 located at Tax Map 101-1 ((6)) 187 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, Muhammad Tanveer Butt/ Sunny Day Care Two, LLC, , and is not transferable without further action of the Board, and is for the location indicated on the application, 4311 Birchlake 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, " Plat, Showing House Location on Lot 187, Section 2, Pinewood Lake," prepared by Thomas G. Lutke, as revised by the applicant Muhammad Tanveer Butt on March 4, 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 8:00 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 the areas of existing paving.

10. There shall be no signage associated with the home child care facility.

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The 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-LE-040
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2/12/2014
 (enter date affidavit is notarized)

123723

I, Muhammad T Butti / Sunny Day Care Two LLC, 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)
Muhammad T Butti	4311 Birchlake Ct ALEXANDRIA VA 22309	APPLICANT / TITLE OWNER
SUNNY DAY CARE "Two" LLC	4311 BIRCHLAKE CT ALEXANDRIA VA 22309	CO-APPLICANT
UZMA T BUTTI	8740 TALBOT FARM DRIVE Alexandria VA 22309	CO 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).

Application No.(s):

SP 2014 - LE - 040

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2/12/2014

(enter date affidavit is notarized)

123723

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)

SUNNY DAY CARE "Two" LLC, 4311 Birchlake CT, Alexandria VA 22309

DESCRIPTION OF CORPORATION: (check one statement)

- [X] 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)

Muhammad T Butt / Member

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SP 2014-LE-040
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2/12/2014
(enter date affidavit is notarized)

123723

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)

NONE

(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**)

NONE

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

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SP 2014-LE-040
(county-assigned application number(s), to be entered by County Staff)

Page Four
123723

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2/12/2014
(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:

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-LE-040
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

123723

DATE: 2/12/2014
(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

Muhammad T Bell, Member
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 12th day of February, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 12/31/2014

[Signature]
Notary Public

EDGAR R. MENJIVAR
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES DEC. 31, 2014
COMMISSION # 352983

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

RECEIVED
Department of Planning & Zoning

DEC 27 2013

Zoning Evaluation Division

Name: Muhammad Butt
Address: 4311 Birchlake Ct
Alexandria VA 22309
Phone #: 703 780 9460
E-mail: ty3bmm@verizon.net

Date _____

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

Re: Special Permit Application

Applicant: Muhammad Tanveer Butt
Zoning Ordinance Section 8-305 for Home Child Care Facility
Section 8-004 of General Standards

Tax Map #: 1011 060 187
Zoning District: R-8
Lot Size: 4394 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 4311 Birchlake Ct Alexandria VA 22309 (your address). The property is zoned R-8 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 8 a.m To 6.00 P.m

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

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

Arrival Schedule. 100 of the children arrive between 8.00 AM and 9.30 AM.

Departure Schedule. All of the children are picked up at 3:15 PM. 6:00 P.M

Area Served: Most of my customers are coming from Richmond Hwy Route 1, and neighbors around my residence
(what neighborhood/general area do the children live in?)

MTS
2/28/14

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

Three stories, four bedrooms, Three Bathrooms, driveway, Back yard and two exits.

The house has 4394 square feet. The following rooms are where I conduct the day care:

First Floor Second Floor

These rooms are 3000 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 1500 square feet. The outdoor play area consists of: Sand Box, Picnic table, ball games, Golf play, and open area for free sunning.

Parking. I use my driveway to park my family car(s). My parents park in driveway and street parking is available.

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 a family home day care where I can operate with 12 children

Sincerely,

Myhammad Butt
Owner of 4311 Blacklake Ct

DEC 27 2013

Zoning Evaluation Division

SUNNY DAY CARE

4311 BIRCHLAKE CT ALEXANDRIA VA 22309PH:7037809460

From: Muhammad Tanveer Butt

Statement of Justification

Sunny day care is a home based care facility for children aging between eighteen months to twelve years old. I operate between the hours of 8.00 a.m. until 6.00p.m.the purpose use for this application is to provide quality home based child care.

The state of Virginia has licensed my home for twelve children. I am working with children more than ten years now and already have an n early childhood infant and toddler's endorsement and currently I am working to get an endorsement in preschool children. I have one nonresident assistant who do not have a driving license. I am trying my best to provide quality child care with a positive development which can facilitate children toward a healthy schooling.

Children are arriving sporadically through the first two hours of business, thus traffic congestion is kept to a minimum. In the evening the same holds true. There is space for two car parking in my drive way and an open street parking is available through the day. Typical length of pickup/drop off is about five minute. Street congestion to this point has not ever been a problem. A pickup and drop off policy has been implemented to avoid any crowding, copy attached.

The child care is held on the second floor of the house and an ample space is available for free play indoor and outdoor. The home has three bath rooms one on first floor and two on third floor. Third floor is being used used for nap time. The children have access to all three bath rooms when needed. The full kitchen is also on the second floor. The home has two exits on the ground level to the exterior of the house. The main entrance is from ground floor which is approximately thirty feet away from the road. The backyard is fenced and has two gates on both ends with a hatch and look which are out of reach from children for safety.

The child care space is in compliance with VA state licensing regulations. All stairways have rails and stair gates in compliance with state licensing. Two of the bed rooms have cameras to monitor children during nap time.

This town house land area is 4394 sq. ft. and has water, sewer and gas connected and a land line telephone is available. Exterior is brick with some vinyl and roof is shingle composition. There are four bed rooms in the house and heating is Central A/C. No additions are planned. All required ordinance have been met in compliance with the state of Virginia.

DROPOFF & PICK UP POLICY FOR SUNNY DAY CARE

Dear parents:

As you know that I am running my home day care in a residential community, which makes it little different from commercial day care centers. One of the biggest concerns I have while running this operation, and which needs your support and attention is drop off and picking up children. I have designed some policies for this issue which needs to be in compliance by all means all time. These rules are meant for the safety of all and the peaceful coexistence of our day care in community. Your cooperation will be greatly appreciated.

1-At no time there should be any parking, lining up or waiting with your car in front of day care location.

2-two cars can be parked in my drive way. Please park to each side of the drive way so you do not block any car.

3-When backing up from drive way please be extremely attentive to what is behind you Please consider safety first.

4-Feel free to park in street parking there are no sign for no parking if you cannot find a place in drive way.

5-Please make sure that your child is under close supervision all time while you are walking from street toward day care.

6-Please do not wait in such a way that you are interrupting the traffic.

7-During normal drop off and pick up time please do not engage yourself with any other parent or provider if you have any issue to discuss please set a different time for discussion.

8-I will appreciate if you can give me a five minute window call for drop off and pick up so I can keep your child ready or act accordingly.

If you will follow these rules, it will aide me in not creating a problem with my neighbors .It will also provide a safer environment for all children and yourselves.

Thank you.

Muhammad Butt

Sunny Day Care

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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		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

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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

Muhammad Butt
4311 Birchlake Ct.
ALEXANDRIA, VA 22309
(703) 780-9460

Facility Type: Family Day Home
License Type: One Year
Expiration Date: Jan. 20, 2015
Business Hours: 7:00am - 10:00pm
Monday - Friday
Capacity: 12
Ages: 1 year 6 months - 12 years 11 months
Inspector: Pamela Sneed
(703) 934-1507



County of Fairfax, Virginia

MEMORANDUM

DATE: August 22, 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: Amended Home Child Care Application

APPLICANT: Muhammed Butt
4311 Birch Lake Court, Alexandria, VA
Pinewood Lake, Lot 187 Section 2
Tax Map Ref #: 101-1 ((6)) 187
Zoning District: R-8
Mail Log Assignment: 2014-MA-0190

*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.
- 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.
- 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.

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.