



APPLICATION ACCEPTED: May 28, 2014  
BOARD OF ZONING APPEALS: October 22, 2014  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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October 15, 2014

## STAFF REPORT

**SPECIAL PERMIT NO. SP 2014-MA-084**

### MASON DISTRICT

**APPLICANT:** Jovana Velasco Lopez

**OWNERS:** Jovana Velasco Lopez  
Oscar F. Velasco

**SUBDIVISION:** Bren Mar Park, Section 2

**STREET ADDRESS:** 5518 Harvey Lane, Alexandria, 22312

**TAX MAP REFERENCE:** 81-1 ((4)) (D) 30

**LOT SIZE:** 8,750 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-MA-084 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.

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Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, Virginia 22035-5509  
Phone 703-324-1290 FAX 703-324-3924  
[www.fairfaxcounty.gov/dpz/](http://www.fairfaxcounty.gov/dpz/)



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.

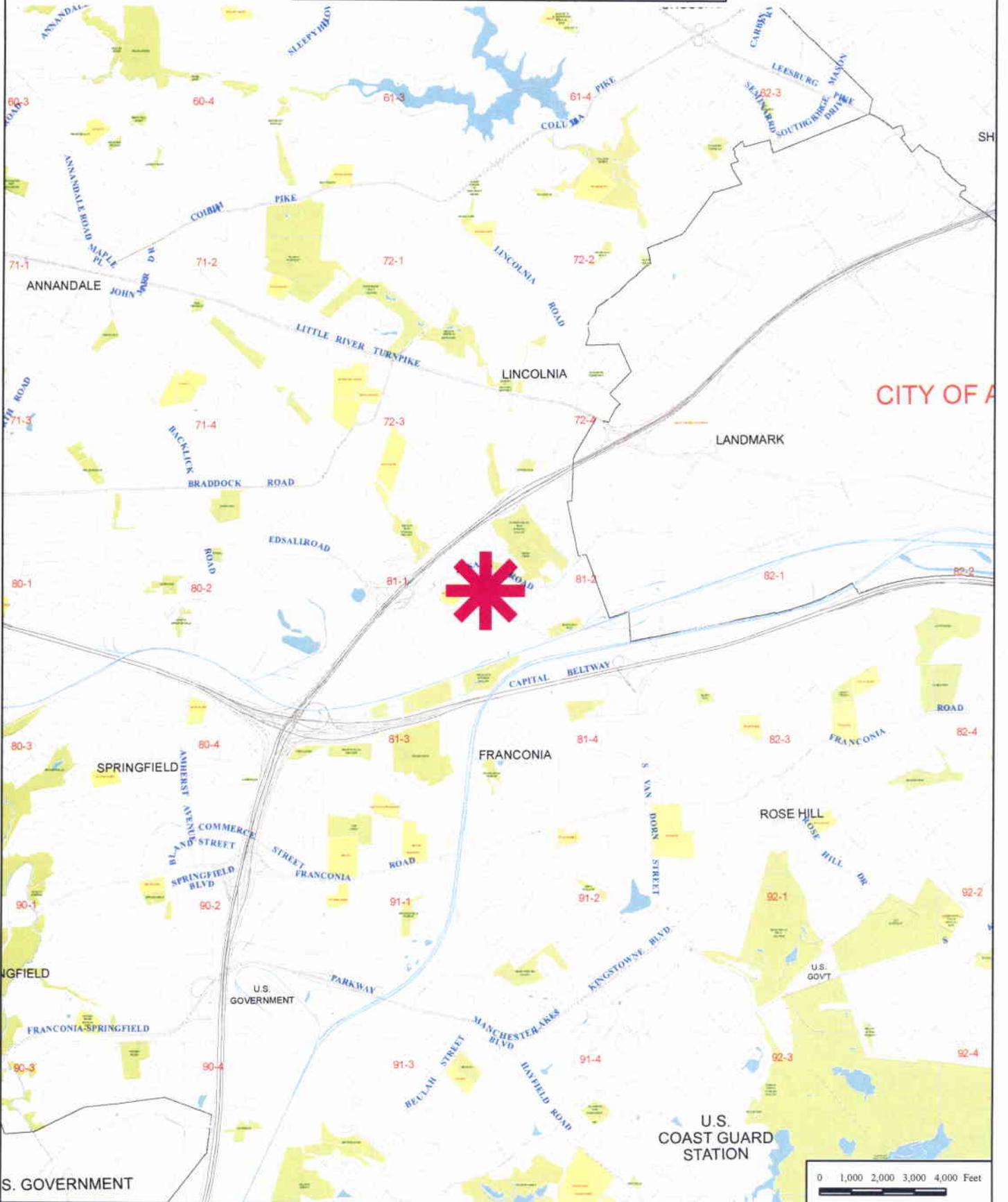
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**

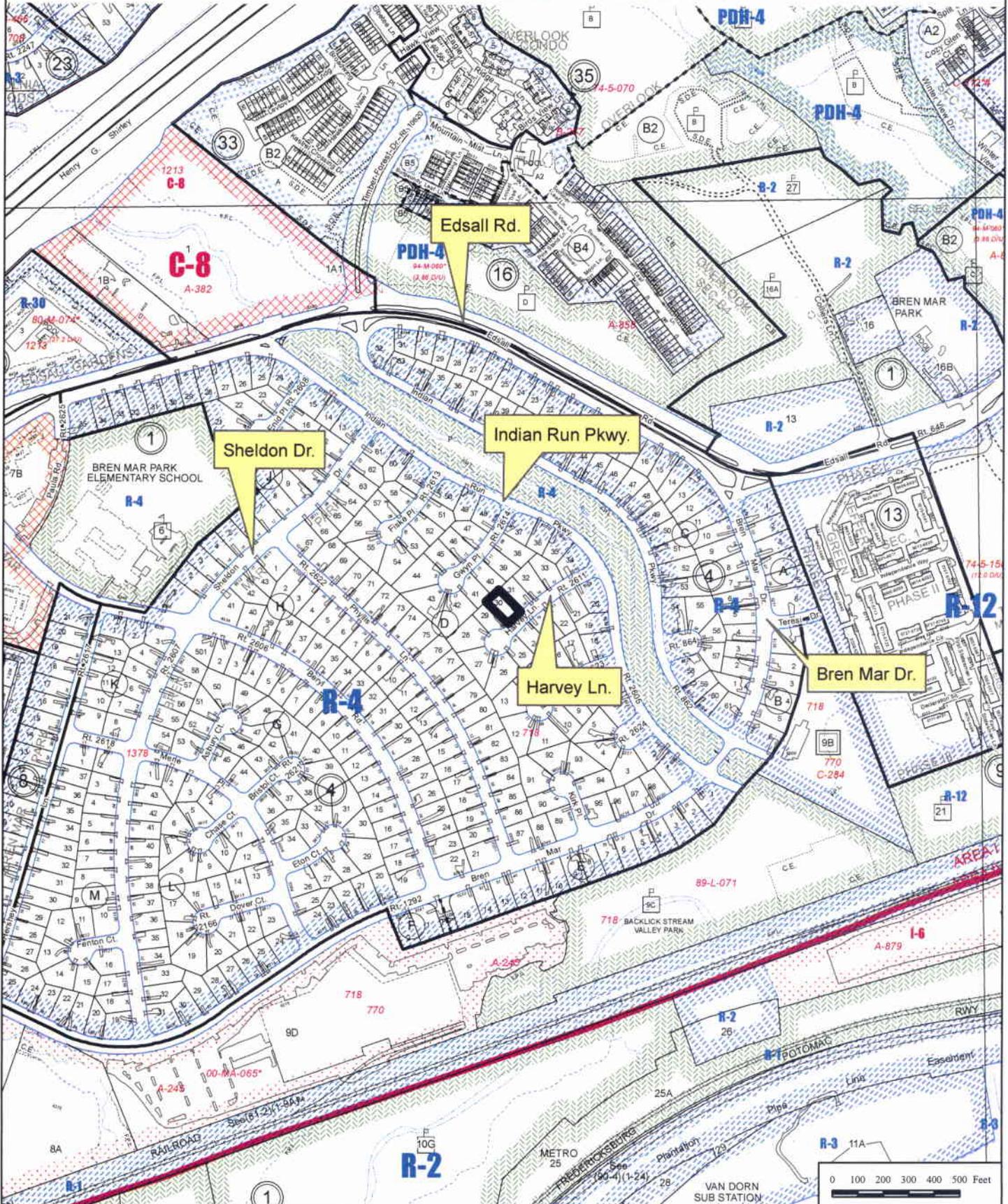


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

**Special Permit**  
**SP 2014-MA-084**  
**JOVANA VELASCO LOPEZ**

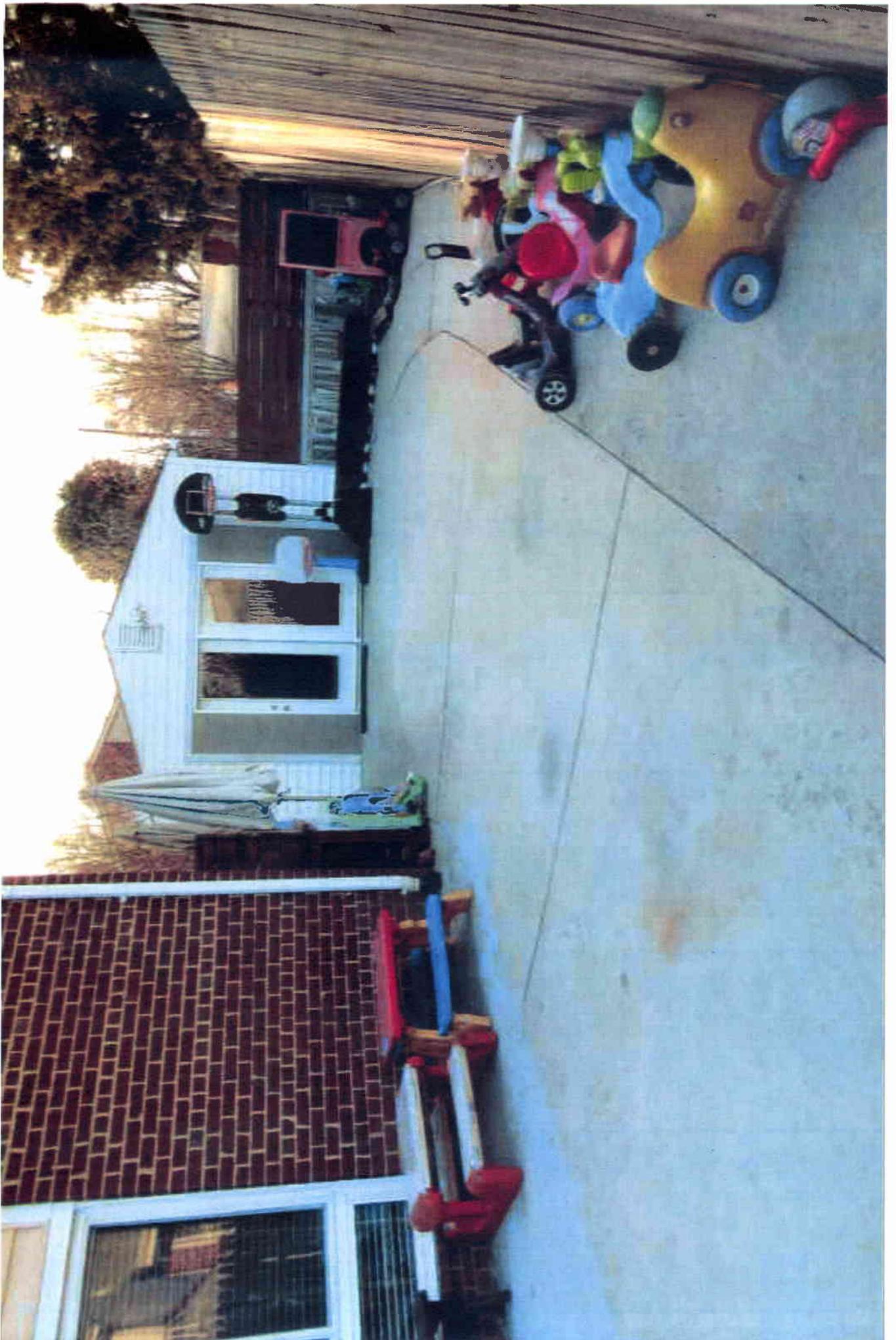


**Special Permit**  
**SP 2014-MA-084**  
**JOVANA VELASCO LOPEZ**







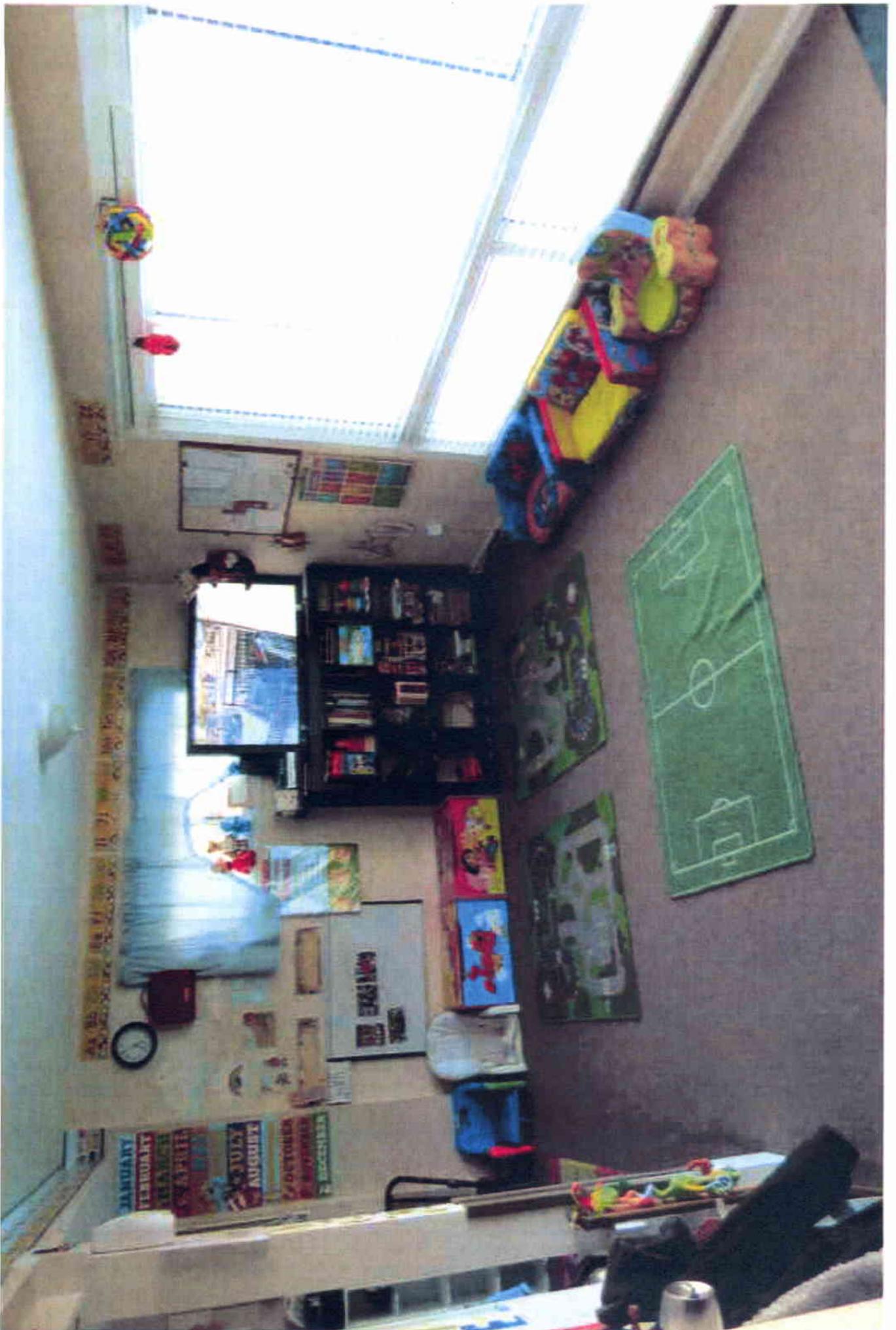


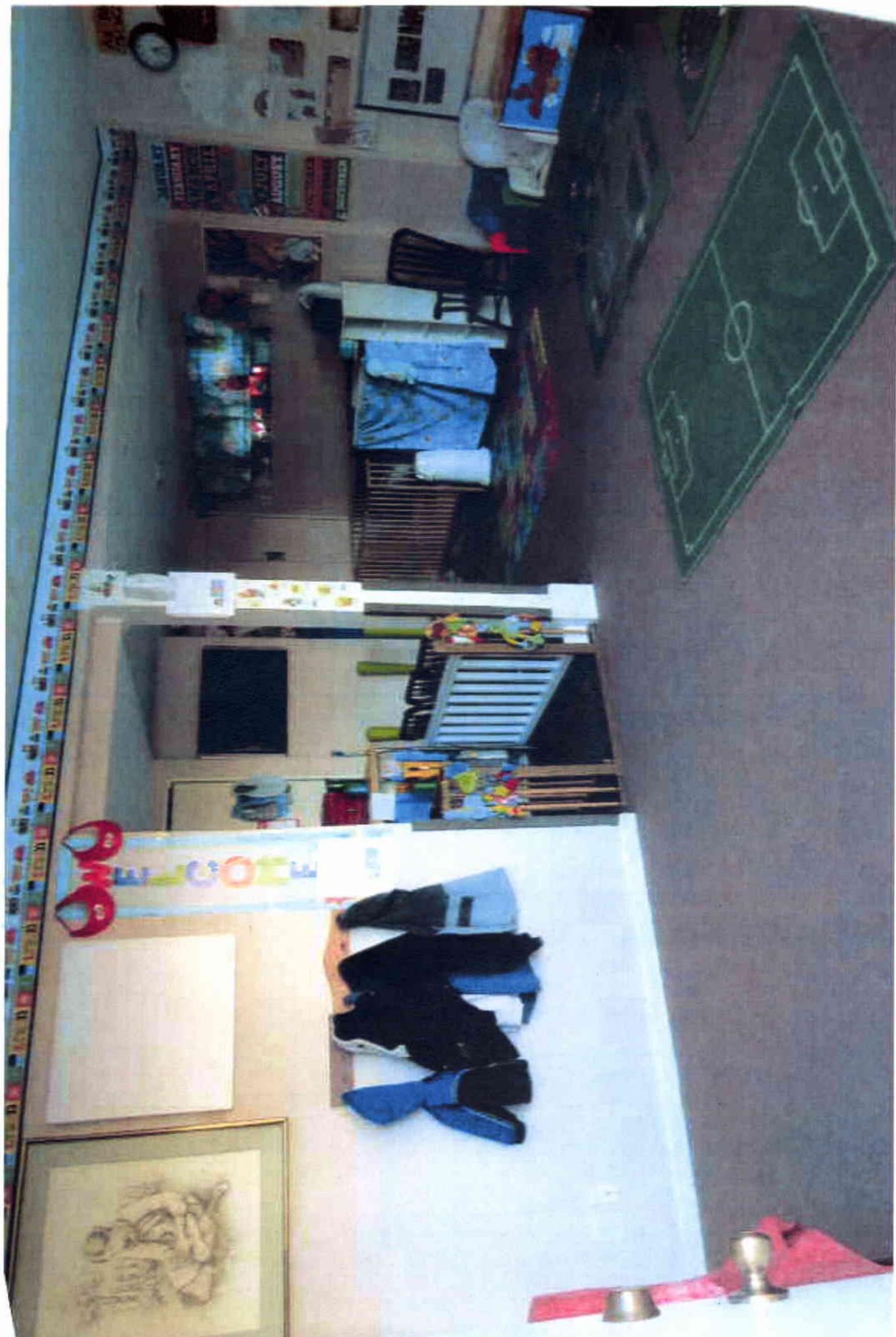




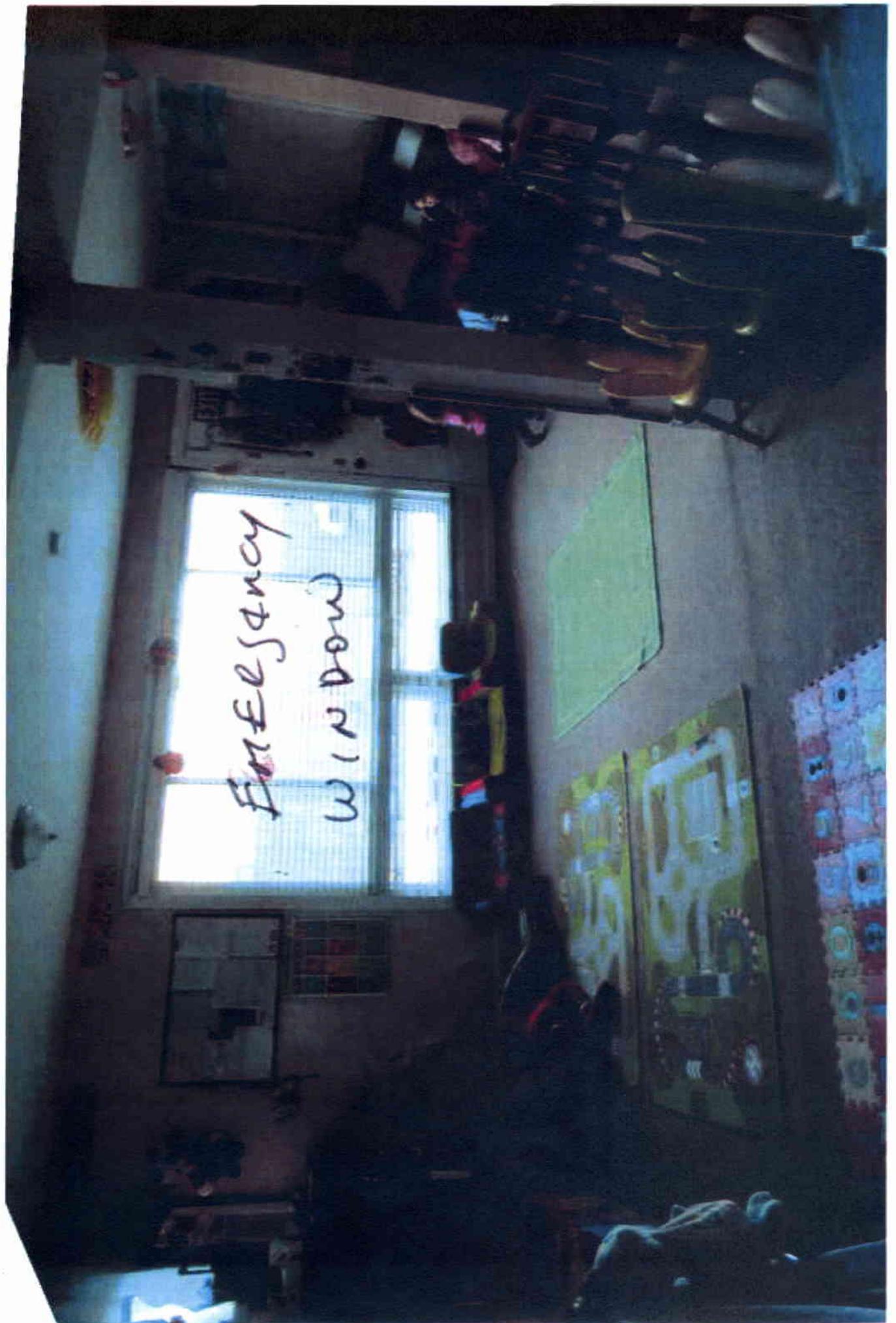


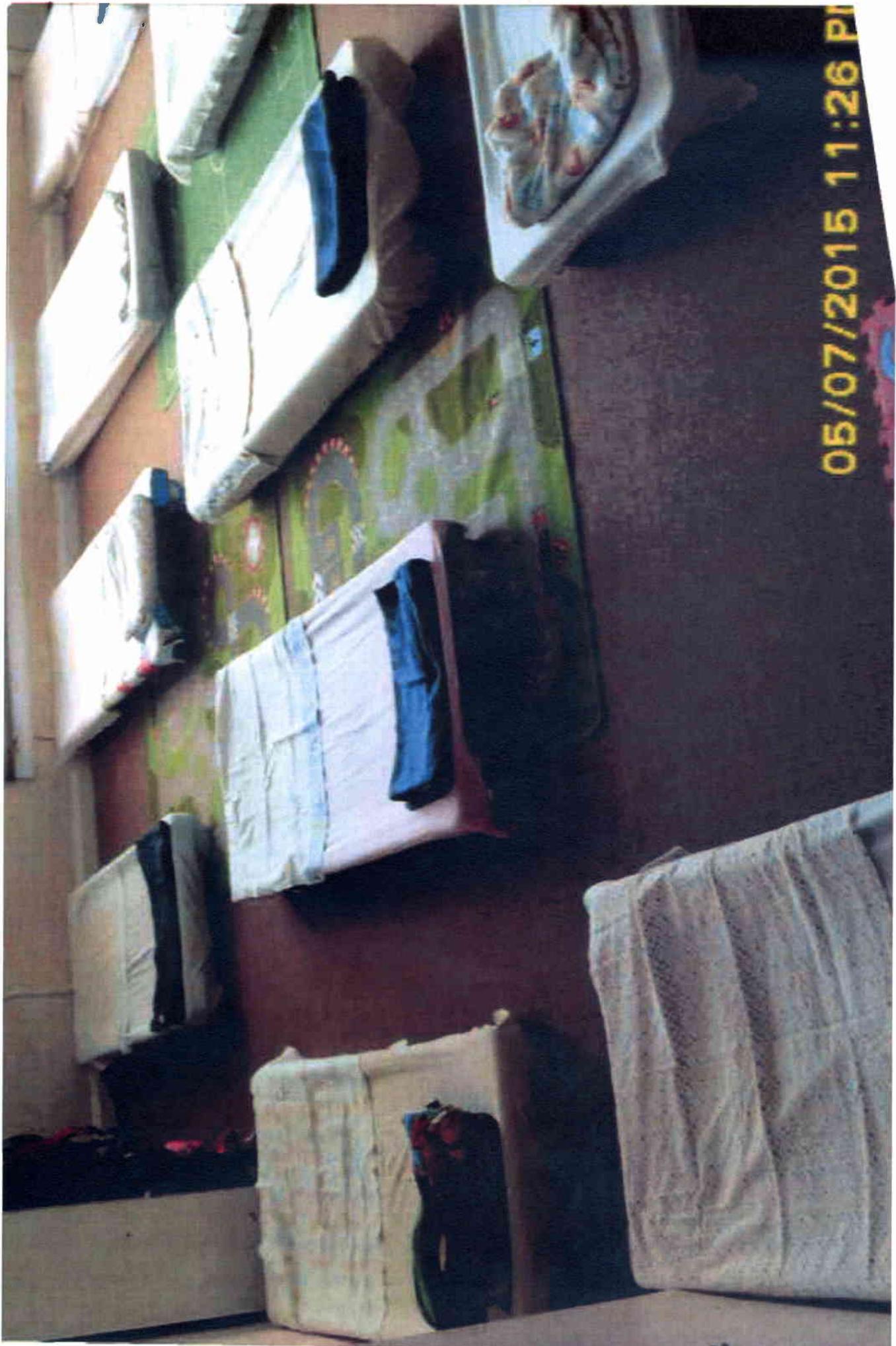




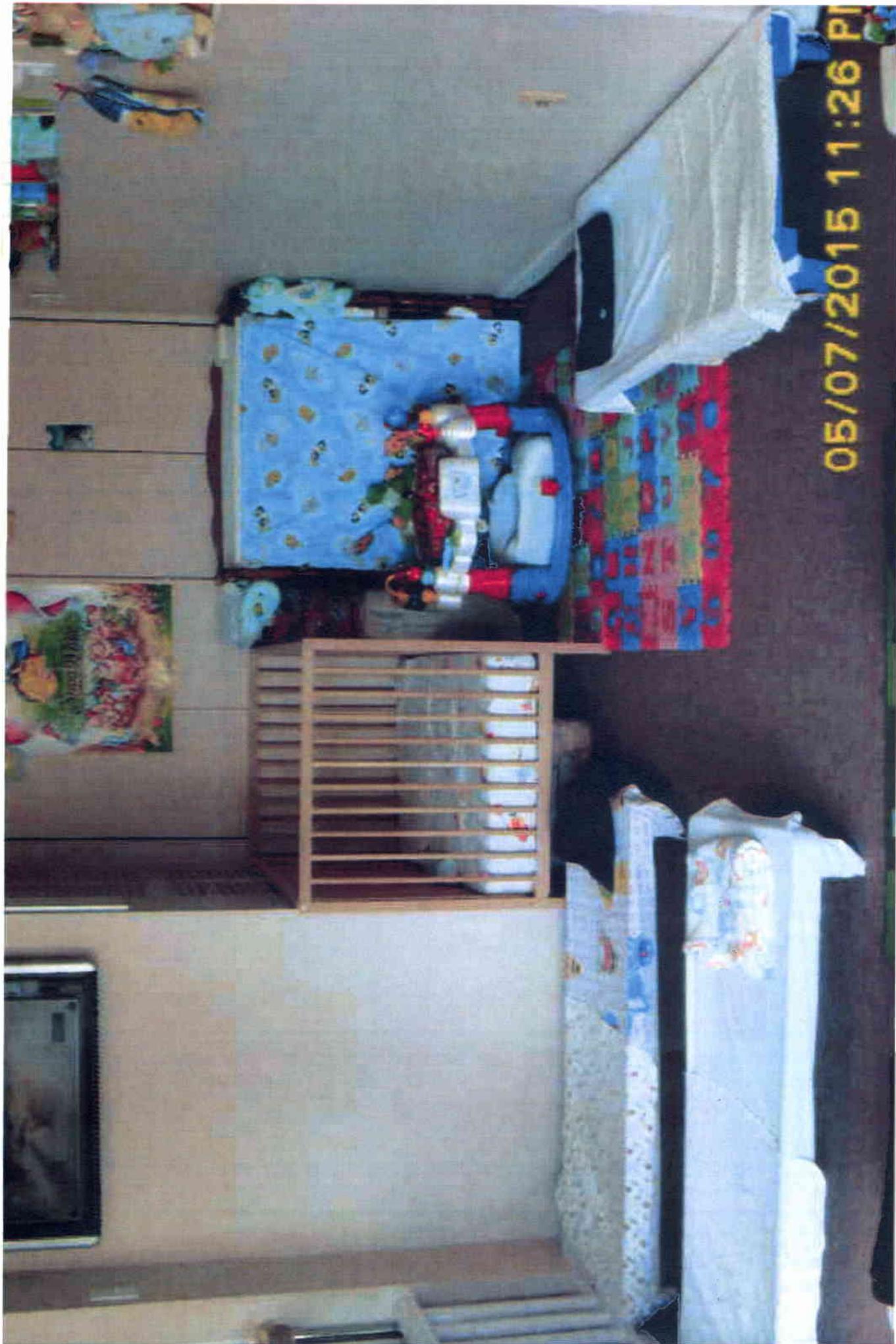


Emergency  
Window



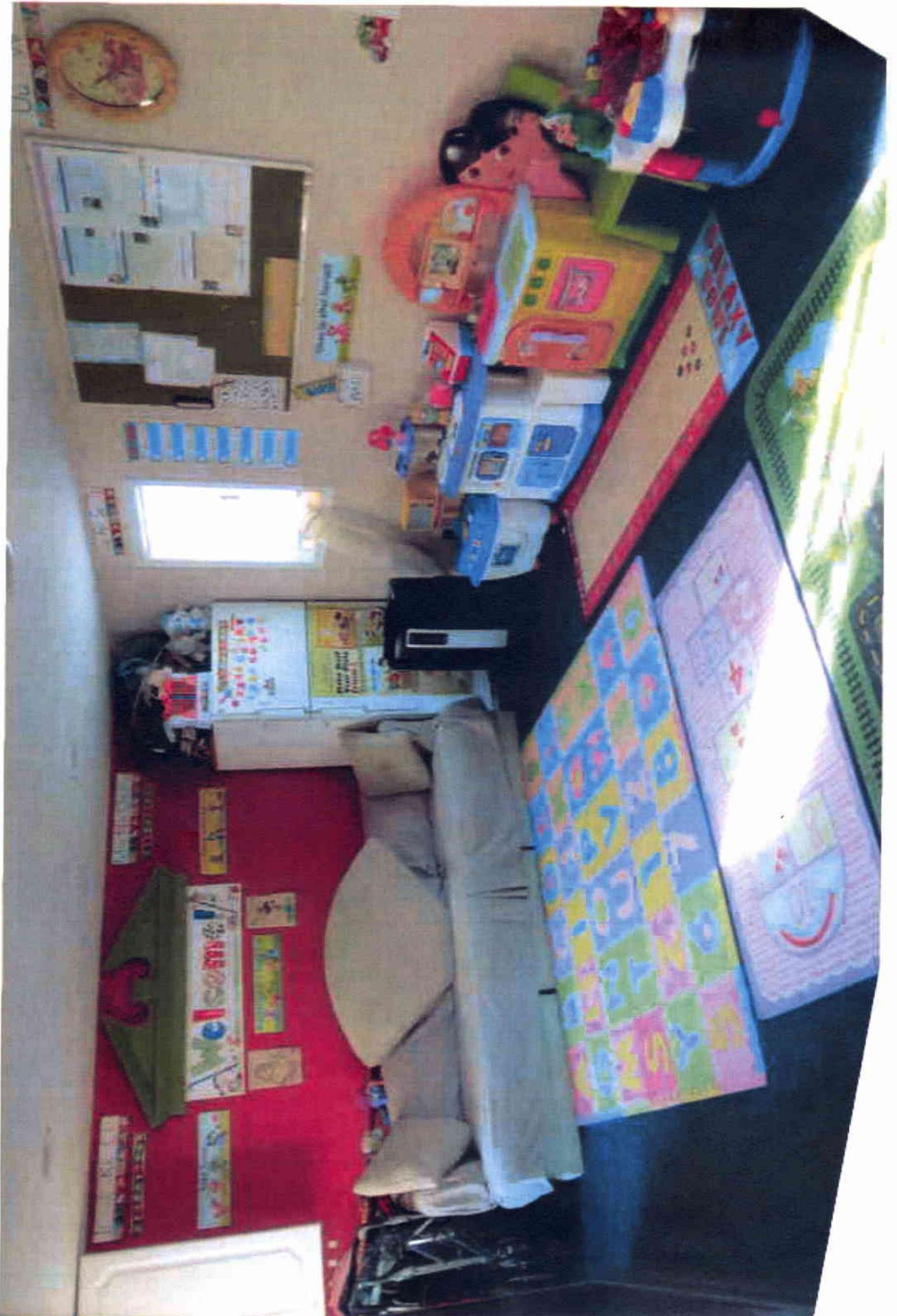


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## **SPECIAL PERMIT REQUEST**

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, "Fences, Lot 30, Block "D," Section 2, Bren Mar Park," as revised by the applicant on May 12, 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 detached dwelling. A concrete driveway and walkway are located to the southeast of the dwelling. Two sheds (one eight feet in height and another seven feet in height) and an accessory structure (game room) are located to the north of the dwelling. A wood fence, ranging in height from three to six feet encloses the rear yard. A steel fence four feet tall is located along a portion of the southwestern property line. The property slopes from the southwest property line to the northeast property line and contains decorative landscaping.

The property is south of Edsall Road and west of Indian Run Parkway.

The subject property and surrounding properties are zoned R-4 and are developed with single family detached dwellings.



## **BACKGROUND**

Fairfax County Tax Records indicate that the single family dwelling was constructed in 1955, and remodeled in 1982. The applicant purchased by the property in 2001 and had an addition constructed in 2009.

A building permit for this property was approved on April 28, 1998 for the construction of a detached garage in the rear yard to the north of the dwelling. The garage is approximately 287 square feet and has approved electrical permits from June 1998 (Appendix 4).

A building permit was approved on February 9, 2005 for the construction of a wood deck to the west of the dwelling.

A building permit was approved on July 25, 2005 for the construction of a two story addition to the west of the dwelling and north of the wood deck. Records show that mechanical, gas and electrical permits were obtained and approved (Appendix 4).

A complaint was filed against the property for a business in a residential district. The Department of Code Compliance (DCC) investigated and the claim was unfounded. The complaint was closed by DCC on March 16, 2010 (Appendix 4).

An additional complaint was filed against the property for a junk yard/outdoor storage. The complaint was investigated by DCC and a Notice of Violation was issued for outdoor storage and for the accessory storage structure location (Appendix 5). The applicant cleared the violation and the complaint was closed on January 10, 2013 (Appendix 5).

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.

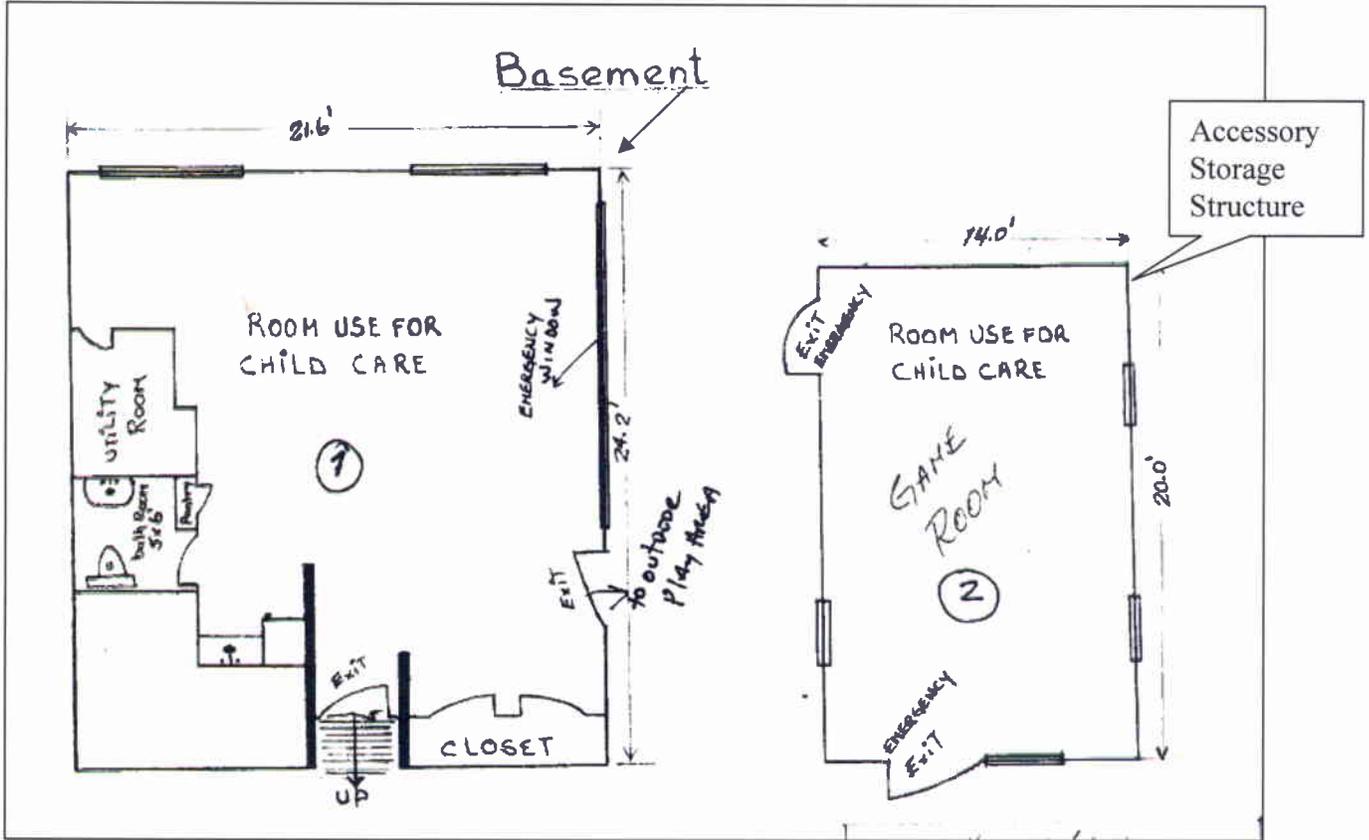
## **DESCRIPTION OF THE PROPOSED USE**

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 5:30 p.m., Monday through Friday. The children arrive between 7:00 a.m. and 9:30 a.m. and depart between 2:45 p.m. and 5:30 p.m. The applicant has one full-time assistant and one part-time assistant.

The applicant holds a current Family Day Home License, approved for one year and valid through December 27, 2014, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of 12 children, birth through 12 years of age and is included in Appendix 6.

The home child care facility is operated in the basement of the single family dwelling in one large open room and in an accessory structure labeled on the special permit plat as a game room. The interior play room provides access to the 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 located in this area. On the first level of the home is a kitchen which is also used for the day care. Both areas for the home child care have proper emergency egress.



**ANALYSIS**

**Comprehensive Plan Provisions**

**Plan Area:** Area I, Lincolnia Planning District  
**Planning Sector:** Bren Mar Park Community Planning Sector (L3)  
**Plan Map:** Residential, 3-4 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 Harvey Lane. The parents and children use the driveway and side entrance of the dwelling to access the home child care portion in the basement.

The existing driveway appears to be able to accommodate three vehicles. The applicant parks her personal car in the driveway during home child care hours. The applicant currently has two assistant who take public transit. Therefore, the driveway has approximately two spaces available to be used for drop-off and pick-up of children.

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. However, staff notes that the accessory structure/game room appears to have been altered since it was constructed to accommodate the home child care use. A development condition has been added to ensure that all applicable building permits are obtained for the game room before it can continue to be used as a part of the home child care operation.

### **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-084 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 and Complaint History
5. Notice of Violation
6. State Home Child Care License
7. Zoning Inspection Branch Site Visit Comments
8. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2014-MA-084****October 15, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MA-084 located at Tax Map 81-1 ((4))(D) 30 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, Jovana Velasco Lopez, and is not transferable without further action of the Board, is for the location indicated on the application, 5518 Harvey Lane, 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, "Fences, Lot 30, Block "D," Section 2, Bren Mar Park," as revised by the applicant on May 12, 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 5:30 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 two.
8. All pick-up and drop-off of children shall take place in the driveway.
9. A minimum of three 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.

11. All applicable building permits shall be obtained for the detached accessory structure used for the home child care and labeled as the "game room" on the special permit plat.

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-MA-084  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

124797

DATE: 5/5/14  
 (enter date affidavit is notarized)

I, Jovana Velasco Lopez, 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)
Jovana Velasco Lopez	5518 HARVEY LANE ALEXANDRIA, VA 22312	<b>APPLICANT/TITLE OWNER</b>
OSCAR F. Velasco	5518 HARVEY LANE ALEXANDRIA, VA 22312	<b>CO-TITLE OWNER</b>

(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-MA-084  
(county-assigned application number(s), to be entered by County Staff)

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**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

124797

DATE: 5/5/14  
(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)

**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)

(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-MA-084

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

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

124797

DATE:

5/5/14

(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)

(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-MA-084

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

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE:

5/5/14

(enter date affidavit is notarized)

12477

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-MA-084

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

Page Five

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5/5/14 (enter date affidavit is notarized)

124797

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

Velasco-Lopez Jovana

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

Subscribed and sworn to before me this 5 day of May 2014, in the State/Comm. of Fairfax, County/City of VA.

My commission expires:

9/30/15

[Signature] Notary Public



**STATEMENT OF JUSTIFICATION  
FOR A HOME CHILD CARE FACILITY**

March 12, 2014

Fairfax County Department of Planning & Zoning

Zoning Evaluation Division

12055 Government Center Parkway, Suite 801

Fairfax, Virginia 22035

RE: Special Permit Application

Applicant: Velasco Lopez Jovana

Zoning Ordinance Section 8-305 for Home Child Care Facility and

Section 8-004 of general Standards

Tax Map # 0811 04D 0030

Zoning District: Mason

Lot Size: 8750 sq ft.

To whom it may concern,

Please accept the following as my statement of justification for a special permit for home child care facility in my house. I own and live in attached dwelling at 5518 Harvey lane Alexandria Virginia 22312, with my husband and one 12 years old child. The property is zoned R-4 and I understand I need to seek approval of 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 facilities operation:

**Hours:** 7:00 AM to 5:30 PM Monday through Friday. The day care is closed all government holidays.

**Number of Children:** I care for up to 12 children's at any one time. This number does not include my own one child.

**Employees:** I have one assistant who work full time. Another assistant part time both of my assistant use a metro & bus to cam to work.

RECEIVED  
Department of Planning & Zoning  
MAR 14 2014  
Zoning Evaluation Division

**Arrival Schedule:** Seven of the children arrive between 7:00AM to 8: 00AM.Four children's arrive between 8:00 AM to 9:30AM.Three of the children walk across the street with their parents to our house. At the summer time three of the parents walk to the day care because they live two blocks away.

**Departure Schedule:** Four children's are picked up between 2:45 PM to 4:15 PM. Four of the children's leave between 4:15 PM to 5:00PM.Four leaves between 5:00PM to 5:30PM.

**Area served:** Currently 70% of the children live at Bren Mar Park Neighborhood and the 30% live at Alexandria city and Springfield.

**Operations:** As I stated, my house is a Single-family attached dwelling .it has a walk-out basement, which is where the children's spend most of their time. I use the kitchen, game room and the basement to take care the kids. Attached is the floor plan that indicates the areas where the day care is located. I use approximate 1004 sq ft for day care proposed. I use the kitchen for meals, the basement room for sleep and learning and the game room to play.

**Hazardous or Toxic Substances:** My house and yards are free from hazardous or toxic substances.

**Zoning Ordinance Compliance:** The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, 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 side way for outdoor play for the children's and the game room. The total area is approximately 1000 to 1300 sq ft the side way and 300 sq ft the game room. All the side way is complete fenced .the photos is attached. All the small and big toys are made with special PVC or plastic material (basketball hoops, tricycles, kitchen set, soccer nets, etc).

**Parking:** I use my drive way to park my car; also the parents use the drive way for pick up their kids because in my drive way easy fit two cars. Parking is available along the streets in front my house for the parents.

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

In conclusion, I am proposing no changes to the outside appearance of my brick and vinyl siding home. I propose no addition and no signs regarding the day care. Adequate parking is available for my parents, future employees and my family. For all these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

Sincerely,

Velasco Lopez Jovana

  
OWNER of 5518 HARVEY Lane Alexandria, Va 22312



### Land Development Information History: ISIS - Building Permit - 98118B0340

#### Permit Information

<b>Permit Id:</b>	98118B0340	<b>Application Date:</b>	1998-04-28	<b>Time:</b>	08:54:34
<b>Job Address:</b>	005518 HARVEY LA	<b>Tax Map:</b>	081-1 ((04)) (D) 0030		
<b>Subdivision:</b>	BREN MAR PARK	<b>Permit Status:</b>	Initial/Approved (IA)		
<b>Trade Name:</b>	NA	<b>Subobj:</b>	181 R/C: R		
<b>Applicant Name:</b>	PAUL GRANT	<b>Bldg:</b>	NA	<b>Floor:</b>	NA
				<b>Suite:</b>	NA

<b>Work Description:</b>	SFD-BUILD DETACHED GARAGE PER CNTY DETAILS
<b>Type Work:</b>	Accessory Building (O15)
<b>Building Use:</b>	Single-Family, Detached Or Semi-Detached (010)
<b>Standard:</b>	0295
<b>Plan Number:</b>	0000 Use Group: R4 Bldg Permit: NA
<b>Permit Hold Date:</b>	By: QNO: N-98-06694 POF:
<b>Hold Release Date:</b>	By: Proffer: Pre-Const Meeting: Date:
<b>Comments:</b>	PEI

#### Permit Status Summary

<b>Permit Status:</b>	Initial/Approved (IA)	<b>Building Plan Review:</b>	1998-04-28	<b>RSLT:</b>	NRQ
				<b>BY:</b>	DVS
<b>Applied Date:</b>	1998-04-28	<b>Real Estate:</b>	1998-04-28	<b>RSLT:</b>	APP
<b>Issued Date:</b>	1998-04-30			<b>BY:</b>	GS
<b>Paid Date:</b>	1998-04-30	<b>Business Licensing:</b>	1998-04-28	<b>RSLT:</b>	APP
<b>Inspection Date:</b>	1998-07-01			<b>BY:</b>	AP
<b>Expiry Date:</b>	1998-10-30	<b>Zoning:</b>	1998-04-28	<b>RSLT:</b>	APP
				<b>BY:</b>	EMT
		<b>Grading / Drainage:</b>	1998-04-28	<b>RSLT:</b>	APP
				<b>BY:</b>	XDM
		<b>Licensing:</b>	1998-04-28	<b>RSLT:</b>	APP
				<b>BY:</b>	AP
		<b>Final Inspection:</b>	1998-07-01	<b>RSLT:</b>	A
				<b>BY:</b>	GLF

#### Owner Information

Leasee:

Owner:

Address:

City:

Phone:

Corp:

Job Magisterial Dist: Mason

Planning Dist: Lincolnia

Subcensus Tract: 526.01

**Contractor Information**

Name: HANOVER CUSTOM BLDRS,INC. Master: BPOL Licnese: 5883  
 Address: 04011 KLOMAN ST State License: 27922  
 City: ANNANDALE State: VA Trade Reg.: 0  
 Zip: 22003

Phone:

**Building Permit**

**Building Plan Review**

Estimated Cost: 8000 Sewer Water Code: 1  
 Use Group: (01) R4 Sewer Shed: N1  
 Type Const: (01) Combustible/Unprotected (5B)  
 Model Group:  
 Plan Received: 1998-04-28 Review Time: 00:00:00  
 Review Started: 1998-04-28 Results: NRQ  
 Review Completed: 1998-04-28 Engineer: DVS

Comments:

**Totals Fee Area**

Type of Construction	Fee	Fee Rate
----------------------	-----	----------

Type of Construction	Fee	Fee Rate
Combustible/Unprotected (5B)	560	0.054

Total	560
Filing Fee	56.00
Total Fee	56.00
Amount paid	56.00

**Real Estate Review**

<b>Building</b>		<b>Basement:</b>	
<b>Units:</b>	0	<b>Ext Walls:</b>	
<b>Kitchens:</b>	0	<b>Int Walls:</b>	
<b>Baths:</b>	0	<b>Roofing:</b>	
<b>Half Baths:</b>	0	<b>Flooring:</b>	
<b>Bedrooms:</b>	0	<b>Base Fin:</b>	
<b>Rooms:</b>	0	<b>Fuel/Heat:</b>	
<b>Stories:</b>		<b>Fuel System:</b>	
<b>Building Height:</b>	0	<b>Fireplace:</b>	0
<b>Building Area:</b>	0		

**Owner of Record:** GRANT PAUL F

**Review Data**

**Date To:** 1998-04-28  
**Date From:** 1998-04-28  
**Results:** APP  
**Reviewer:** GS  
**Comments:**

**Business Licensing Review**

**Review Data**

**Date To:** 1998-04-28  
**Date From:** 1998-04-28  
**Results:** APP  
**Reviewer:** AP  
**Comments:**

**Zoning Review**

**Review Data**

**Date To:** 1998-04-28

Date From: 1998-04-28  
 Results: APP  
 Reviewer: EMT  
 Comments:

**Grading / Drainage Review**

Review Data  
 Date To: 1998-04-28  
 Date From: 1998-04-28  
 Results: APP  
 Reviewer: XDM  
 Comments: SEE PAGE 1

**Licensing Review**

Review Data  
 Date To: 1998-04-28  
 Date From: 1998-04-28  
 Results: APP  
 Reviewer: AP  
 Comments:

**Inspections**

**Inspection - FTGG - 999998**

Req Taken: 1998-05-14 Phone:  
 Time: 09:12:42 Floor: NA  
 Sched For: 1998-05-15 Suite/Area: NA  
 Assigned To: A56 Comments:  
 Branch: 4 Req Taken By: VR2  
 Requested By: FROM VRU Ovr:  
 Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FTGG		1998-05-15	GLF	C	A	N					00:00:00	00:00:00	00:00:00	2

**Inspection - FINB - 999997**

**Req Taken:** 1998-06-30 **Phone:**  
**Time:** 11:00:34 **Floor:** NA  
**Sched For:** 1998-07-01 **Suite/Area:** NA  
**Assigned To:** A56 **Comments:**  
**Branch:** 4 **Req Taken By:** JB  
**Requested By:** PAUL **Ovrd:**  
**Rpt Br:** 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FINB		1998-07-01	GLF	C	A	N					00:00:00	00:00:00	00:00:00	1

**Contact Us:** [General \(Office of Public Affairs\)](#) | [Technical \(Web Administrator\)](#) | [Directed Inquiries \(County Agencies\)](#)  
**Phone:** County Main Number - 703-FAIRFAX (703-324-7329), TTY 711 | [County Phone Listing](#)

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# BUILDING PERMIT AMENDMENT APPLICATION

## FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES PERMIT APPLICATION CENTER

12055 Government Center Parkway, 2nd Floor  
Fairfax, Virginia 22035-5504

Telephone: 703-222-0001  
Web site: <http://www.co.fairfax.va.us/dpwvc>

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

**JOB LOCATION** PERMIT # 052062212  
**ADDRESS** 5518 Harvey Ln  
**LOT #** 30 **BUILDING** \_\_\_\_\_  
**FLOOR** \_\_\_\_\_ **SUITE** \_\_\_\_\_  
**SUBDIVISION** Bren Mol Park Sec 2  
**TENANT'S NAME** \_\_\_\_\_ BLD

**OWNER INFORMATION** OWNER  TENANT   
**NAME** VELTASO FERNAN DO  
**ADDRESS** 5518 Harvey Ln  
**CITY** Alexandria **STATE** VA **ZIP** 22312  
**TELEPHONE** 571-259-2061

**APPLICANT** Fern

**ESTIMATED COST OF CONSTRUCTION** \$ 500  
 (Cost of change, not total construction costs)

**AMENDMENT REQUESTED**

CHANGE HOUSE TYPE FROM \_\_\_\_\_ TO \_\_\_\_\_

RELOCATE HOUSE ON LOT \_\_\_\_\_

FINISH BASEMENT \_\_\_\_\_

ADD DECK/PORCH/SUNROOM \_\_\_\_\_

ADD GARAGE \_\_\_\_\_

ADD CARPORT \_\_\_\_\_

DELETE \_\_\_\_\_

CHANGE MECHANICS' LIEN INFORMATION

**DESIGNATED MECHANICS' LIEN AGENT:**  
**NAME** \_\_\_\_\_  
**ADDRESS** \_\_\_\_\_

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

OTHER (PLEASE SPECIFY)  
Add Front Porch  
Add overhang in front/rear

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] 4/25/06  
 Signature of Owner or Agent Date  
VELTASO FERNAN DO  
 Printed Name and Title

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

## AMENDED PERMIT # 052062212

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

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY  
**PLAN #** R-05-01175  
**TAX MAP #** 0811 04B 0030

ROUTING	DATE	APPROVED BY
ZONING	<u>05/09/06</u>	<u>[Signature]</u>
SITE PERMITS	<u>4/25/06</u>	<u>[Signature] (NRQ)</u>
SANITATION		
HEALTH DEPT.		
BUILDING REVIEW	<u>5-26-06</u>	<u>[Signature]</u>

**AMOUNT DUE** = \$ 65.00

**APPROVED FOR ISSUANCE OF AMENDMENT**  
 (LOG OUT) BY [Signature] DATE \_\_\_\_\_

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

**GROSS FLOOR AREA OF TENANT SPACE**

**YARDS:** GARAGE 1  2  3   
**FRONT** \_\_\_\_\_ **OPTIONS** YES  NO   
**FRONT** NK **REMARKS** Awning to bump out front and rear of 2nd floor addition  
**L SIDE** 10'  
**R SIDE** NK  
**REAR** 33'

**GRADING AND DRAINAGE REVIEW**  
**SOILS #** \_\_\_\_\_ **A**  **B**  **C**   
**AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT)** \_\_\_\_\_  
**IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT)** \_\_\_\_\_  
**PLAN #** \_\_\_\_\_ **APPR. DATE** \_\_\_\_\_

**STAMPS**  
 (See reverse side of application)

**REMARKS**  
Add Front Porch  
Add overhang in front/rear

**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)



# BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES  
 PERMIT APPLICATION CENTER  
 12895 Government Center Parkway, 2nd Floor  
 Fairfax, Virginia 22035-5504 Telephone: 703-222-0801  
 Web site: www.fairfaxcounty.gov/dpwes

PERMIT # 05206 B0140  
 FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

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

**JOB LOCATION**  
 ADDRESS 5518 HARVEY LN  
 LOT # 30 BUILDING \_\_\_\_\_  
 FLOOR \_\_\_\_\_ SUITE \_\_\_\_\_  
 SUBDIVISION GREEN MAR PARK Sec 2  
 TENANT'S NAME \_\_\_\_\_

**OWNER INFORMATION** OWNER  TENANT   
 NAME FERNANDO VELASCO  
 ADDRESS 5518 HARVEY LN  
 CITY Alexandria STATE VA ZIP 22312  
 TELEPHONE 571 259 2061

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

**APPLICANT**  
Fernando Velasco

**DESCRIPTION OF WORK**  
2 story addition: first floor  
back room + family room  
second floor new Master Bedroom

**HOUSE TYPE** \_\_\_\_\_  
 ESTIMATED COST OF CONSTRUCTION 35000  
 BLDG AREA (SQ FT OF FOOTPRINT) 8845F  
 USE GROUP OF BUILDING RS  
 TYPE OF CONSTRUCTION wood  
 SEWER SERVICE PUBLIC  SEPTIC  OTHER   
 WATER SERVICE PUBLIC  WELL  OTHER   
 OTHER PLEASE SPECIFY \_\_\_\_\_

**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>29'</u>	HEATING SYSTEM	_____
BUILDING AREA	_____	# FIREPLACES	_____
BASEMENT	_____		

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY  
 PLAN # 05-0113  
 TAX MAP # 0 871 040 0030

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>7/25/05</u>	<u>[Signature]</u>
SITE PERMITS	<u>7/25/05</u>	<u>[Signature]</u>
HEALTH DEPT.		
BUILDING REVIEW	<u>11-18-05</u>	<u>[Signature]</u>
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE 19.02  
 FILING FEE 65.00  
 AMOUNT DUE = \$ \_\_\_\_\_

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

**APPROVED FOR ISSUANCE OF BUILDING PERMIT**  
 (LOG OUT)  
 BY [Signature] DATE 11-28-05

**ZONING REVIEW**  
 USE Sfd  
 ZONING DISTRICT R4 HISTORICAL DISTRICT No  
 ZONING CASE # \_\_\_\_\_  
 GROSS FLOOR AREA OF TENANT SPACE \_\_\_\_\_  
 YARDS: FRONT N/C GARAGE 1  2  3   
 FRONT \_\_\_\_\_ OPTIONS YES  NO   
 L SIDE 11' REMARKS Build - (2) story  
 R SIDE N/C addition  
 REAR 34' (20.5 x 29')

**GRADING AND DRAINAGE REVIEW**  
 SOILS # 118 A  B  C   
 AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT) 1,249 sq ft  
 IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT) 504 sq ft  
 PLAN # \_\_\_\_\_ APPR. DATE \_\_\_\_\_

**STAMPS**  
NOPE I Eddy Noth  
short 2nd construction involving  
**ALL CONSTRUCTION INVOLVING**  
**SOILS MUST BE PERFORMED UNDER THE**  
**EXAMIN (See reverse side of application) OF A**  
**REGISTERED PROFESSIONAL ENGINEER**  
 REMARKS prev gmt address  
front real - sold +







## Land Development Information History: FIDO - DPZ - Complaint 58284

### Complaint Details

Complaint #	58284
Street Address	005518 HARVEY LA
Magisterial District	Mason
Complaint Description	Business In A Residential District
Agency	DPZ
Status	Closed
Opened Date	2010-03-09
Closed Date	2010-03-16
Disposition	Unfounded (No Problem Found)
Inspector Assigned	Danny Forshee
Notice of Violation and/or Corrective Work Order	No
Litigation	No

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## Land Development Information History: FIDO - DCC - Complaint 80351

### Complaint Details

Complaint #	80351
Street Address	005518 HARVEY LA
Magisterial District	Mason
Complaint Description	Junk Yard
Agency	DCC
Status	Closed
Opened Date	2012-02-24
Closed Date	2013-01-10
Disposition	Compliance
Inspector Assigned	John Comiskey
Notice of Violation and/or Corrective Work Order	Yes
Litigation	Yes

**Contact Us:** [General \(Office of Public Affairs\)](#) | [Technical \(Web Administrator\)](#) | [Directed Inquiries \(County Agencies\)](#)  
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# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County.

## NOTICE OF VIOLATION

**DATE OF ISSUANCE:** March 28, 2012

### SHERIFF'S LETTER

**CASE #:** 201200940 **SR#:** 80351

**SERVE:** Oscar Fernando Velasco  
Ybis Jovana Velasco-Lopez  
5518 Harvey Lane  
Alexandria, Virginia 22312

**LOCATION OF VIOLATION** 5518 Harvey Lane  
Alexandria, Virginia 22312-6431  
Tax Map #: 81-1 ((4)) (D) 30  
Zoning District: R-4

Dear Property Owners:

An inspection of the above referenced property on March 12, 2012 revealed the following violations of the Fairfax County Zoning Ordinance.

**§ 10-102 (24) Outdoor Storage**

**§ 2-302 (6) Accessory Use must comply with Article 10:**

An inspection has determined that you are allowing the storage of items in the side and rear yards and on the front porch of the address listed above. These items consist of, but are not limited to, the following:

Windows, lumber, ladders, wheelbarrows, metal storage racks, appliances, and other miscellaneous items.

This outdoor storage:

Exceeds 100 square feet in area, and  
Is not located in the rear half of the lot, and

---

**Department of Code Compliance**  
12055 Government Center Parkway, Suite 1016  
Fairfax, Virginia 22035-5508  
Phone 703-324-1300 FAX 703-324-9346  
[www.fairfaxcounty.gov/code](http://www.fairfaxcounty.gov/code)

Oscar Fernando Velasco  
Ybis Jovana Velasco-Lopez  
March 28, 2012  
Page 2

Is not screened from view from the first story window of any neighboring dwelling.

This outdoor storage is violation of Par. 24 of Sect. 10-102 of the Fairfax County Zoning Ordinance that states in part:

Storage, outdoor in R districts, provided such storage is located on the rear half of the lot, is screened from the view from the first story window of any neighboring dwelling, and the total area for such outdoor storage does not occupy more than 100 square feet.

Therefore, you are in violation of Par. 6 of Sect. 2-302 of the Zoning Ordinance that states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Part 1 of Article 10.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by the following:

- Removing all outdoor storage from this lot; or
- Relocation of the outdoor storage to the rear half of the lot, and
- Screening it from the view from the first story window of any neighboring dwelling, and
- Limiting it to a total area not exceeding 100 square feet.

**§ 10-104 (10E) Accessory Storage Structure Location**  
**§ 2-302 (6) Accessory Use must comply with Article 10:**

The presence of an accessory storage structure which measured approximately ten (10) feet nine (9) inches in height, is approximately 120 square feet in area and is located approximately twenty (20) inches and approximately thirty-two (32) inches, respectively, from the side and rear lot lines.

The Fairfax County Zoning Ordinance permits accessory storage structures to be located in minimum required yards; however, if the structure exceeds eight and one-half (8½) feet in height, it must be located on the lot so as to comply with Par. 10E of Sect. 10-104 of the Zoning Ordinance which states:

An accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located closer than a distance equal to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot line.

Oscar Fernando Velasco  
Ybis Jovana Velasco-Lopez  
March 28, 2012  
Page 3

The minimum required side yard distance in the R-4 District is ten (10) feet as detailed in Par. 2 of Sect. 3-407 of the Zoning Ordinance.

Therefore, as this accessory storage structure exceeds eight and one-half (8 ½) feet in height and is not located in accordance with the provisions of Par. 10E of Sect. 10-104 above, it is in violation of Par. 10E of Sect. 10-104 and Par. 6 of Sect. 2-302 of the Zoning Ordinance which states:

No accessory structure or use, as defined in Article 20, shall hereafter be built, moved, remodeled, established, altered or enlarged unless such accessory structure or use complies with the provisions of Par. 1 of Article 10.

You are hereby directed to clear this violation within thirty (30) days of the date of this Notice. Compliance can be accomplished by:

- Removing the storage structure from the property in its entirety; or
- Reducing the height of the structure to eight and one-half (8 ½) feet or less to allow it to remain at its present location; or
- Relocating the structure to a distance from the rear and side lot lines in accordance with Par. 10E of Sect. 10-104 of the Zoning Ordinance as outlined above.

As an alternative you may apply to the Fairfax County Board of Zoning Appeals (BZA) and actively pursue and ultimately obtain approval of a Group 9 Special Permit for an error in building location to allow the accessory storage structure to remain at its present height and at its present location. For information and answers to any questions regarding this application process, you may contact the Zoning Evaluation Division at (703) 324-1290.

A follow-up inspection will be made at the expiration of the time period outlined in this Notice. Failure to comply with the Notice will result in the initiation of appropriate legal action to gain compliance with the Zoning Ordinance which can result in court ordered sanctions.

You may have the right to appeal this Notice of Zoning Violation within thirty (30) days of the date of this letter in accordance with Sec. 15.2-2311 of the Code of Virginia. This decision shall be final and unappealable if it is not appealed within such thirty (30) days. Should you choose to appeal, the appeal must be filed with the Zoning Administrator and the Board of Zoning Appeals (BZA) in accordance with Part 3 of Article 18 of the Fairfax County Zoning Ordinance. Those provisions require the submission of an application form, a written statement setting forth the decision being appealed, the date of decision, the grounds for the appeal, how the appellant is an aggrieved party and any other information that you may wish to submit and a \$600.00 filing fee. Once an appeal application is accepted, it will be scheduled for public hearing and decision before the BZA.

Oscar Fernando Velasco  
Ybis Jovana Velasco-Lopez  
March 28, 2012  
Page 4

Should you have any questions or need additional information, please do not hesitate to contact me at (703)324-1993 or (703)324-1300.

Sincerely,

John Comiskey  
Code Compliance Investigator



**Jovana Velasco-Lopez**  
5518 Harvey Lane  
ALEXANDRIA, VA 22312  
(703) 658-0077

Facility Type: [Family Day Home](#)  
License Type: [One Year](#)  
[Expiration Date](#): Dec. 27, 2014  
Business Hours: 6:00 am - 6:00 pm  
Monday - Friday  
Capacity: 12  
Ages: Birth - 12 years 11 months  
Inspector: Dolores Casseen  
(703) 359-6734



# County of Fairfax, Virginia

## MEMORANDUM

Date: August 18, 2014

To: Laura Gumkowski, Planner II  
Zoning Evaluation Division  
Fairfax County Department of Planning and Zoning

From: Dawn Curry  
Senior Zoning Inspector  
Zoning Inspection Branch

Subject: Home Child Care Inspection

Applicant: Jovana Velasco-Lopez  
5518 Harvey Lane, Alexandria, Virginia 22312  
Bren Mar Park, Lot 30, Block D, Sec 2  
Tax Map# 81-1 ((04D)) 0030 Zoning District: R-4(Residential 4 DU/AC)  
Magisterial District: Mason  
Mail Log # 2014-0349  
Date of Inspection: August 18, 2014

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.

Department of Planning and Zoning  
Zoning Administration Division  
Zoning Inspections Branch  
12055 Government Center Parkway, Suite 829  
Fairfax, Virginia 22035-5508  
Phone 703-324-4300 FAX 703-324-1343  
www.fairfaxcounty.gov/dpz/



- 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.**