



APPLICATION ACCEPTED: July 18, 2014
PLANNING COMMISSION: December 4, 2014
BOARD OF SUPERVISORS: January 13, 2015 @ 3:30 p.m.

County of Fairfax, Virginia

November 20, 2014

STAFF REPORT

APPLICATION SE 2014-MV-045

MOUNT VERNON DISTRICT



APPLICANT: Zahida Babar DBA Azeem Day Care Home
ZONING: PDH-16, HC
PARCEL: 101-3 ((34)) 127
SITE AREA: 1,400 square feet
COMPREHENSIVE PLAN: Residential option up to 14 – 16 du/ac
PROPOSAL: To permit a home child care facility for a maximum of eleven children at any one time

STAFF RECOMMENDATIONS:

Staff recommends approval of SE 2014-MV-045, subject to the proposed development conditions contained in Appendix 1.

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

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

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



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).

Megan Duca

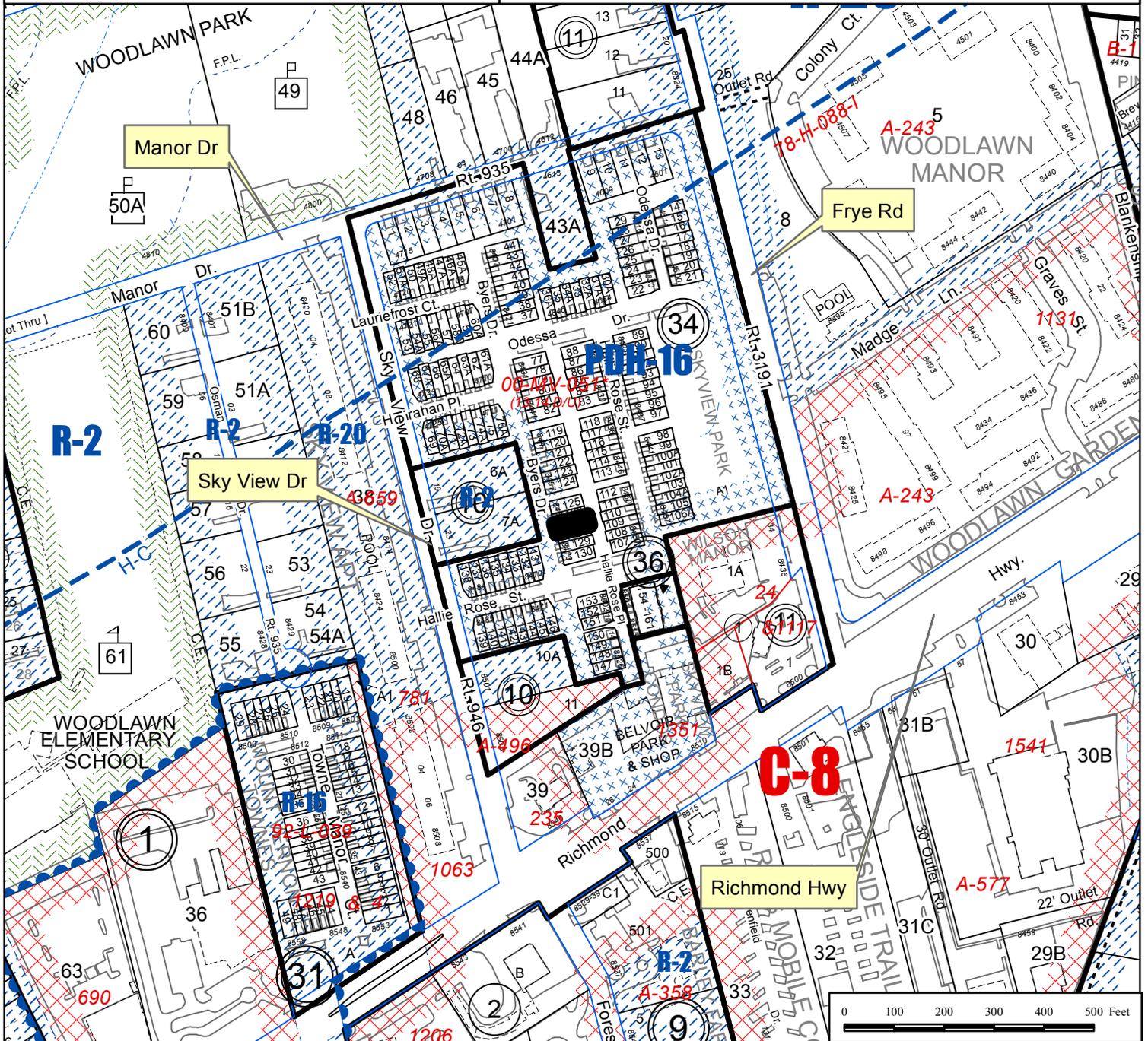
Special Exception

SE 2014-MV-045

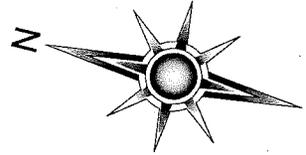


Applicant: ZAHIDA BABAR DBA AZEEM DAY CARE HOME
Accepted: 07/18/2014
Proposed: HOME CHILD CARE FACILITY
Area: 1400 SF OF LAND; DISTRICT - MOUNT VERNON

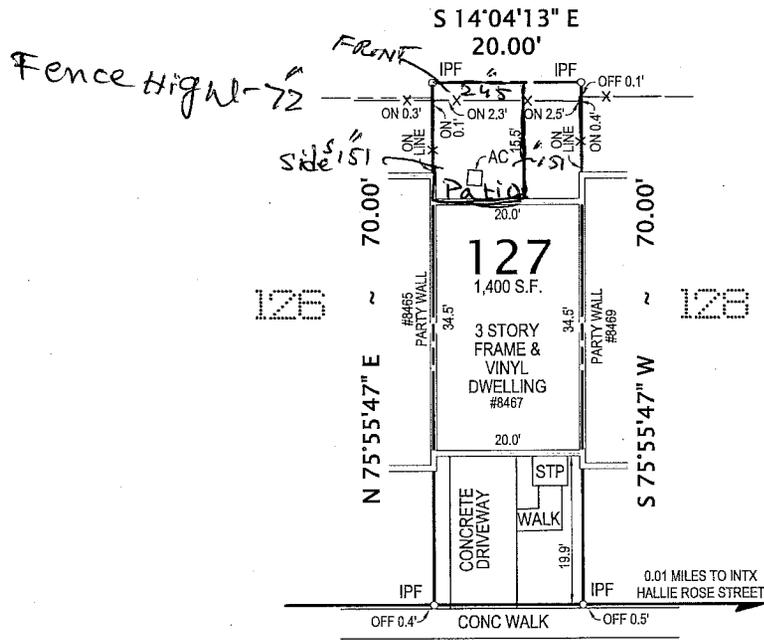
Zoning Dist Sect: 06-0105
Located: 8467 BYERS DRIVE, ALEXANDRIA, VA 22309
Zoning: PDH-16
Plan Area: 4,
Overlay Dist: HC
Map Ref Num: 101-3- /34/ /0127



- NOTES: 1. FENCES ARE FRAME.
 2. UTILITIES ARE UNDERGROUND.
 3. DWELLING HEIGHT = 34.3'



PARCEL "A-1"

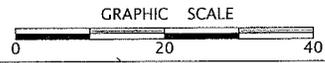


N 14°04'13" W
 20.00'
BYERS DRIVE
 PRIVATE STREET
 PARCEL "A-1"

Zahide Babar
 6/5/2014

PLAT
 SHOWING HOUSE LOCATION ON
 LOT 127, SECTION 1
SKYVIEW PARK
 (DEED BOOK 14972, PAGE 823)
 FAIRFAX COUNTY, VIRGINIA
 MOUNT VERNON DISTRICT
 SCALE: 1" = 20' NOVEMBER 5, 2013

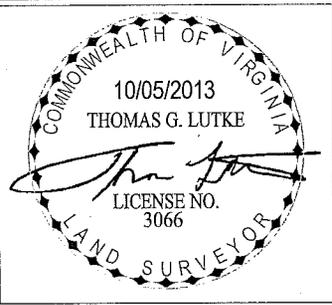
RECEIVED
 Department of Planning & Zoning
 MAR 05 2014
 Zoning Evaluation Division



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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.

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



ORDERED BY:
 MOHAMMAD BABAR

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

DESCRIPTION OF THE APPLICATION

The applicant requests approval of a Special Exception (SE) to operate a home child care facility for up to 11 children at any one time in a single family attached dwelling with two assistants. Without the SE approval, the applicant would be limited to a maximum of five children at one time and one non-resident assistant during the hours of 7 a.m. and 6 p.m.



Source: Fairfax County Pictometry with added graphics

The subject property is located on Byers Drive in the Skyview Park subdivision near the intersection of Sky View Drive and Richmond Highway. The subject property and surrounding area to the north, east, and south are zoned PDH-16 and developed with single family attached dwellings. The property to the west of the application property across Byers Drive is zoned R-2 and developed with a single family detached dwelling.

Other details about the application:

- The applicant is a licensed provider for 11 children through January 14, 2015.
- The applicant requests approval of two assistants.
- The hours of operation are 9:00 a.m. to 9:30 p.m. and the drop-off and pick-up is staggered.
- Available parking includes one parking space in the garage, one parking space in the driveway, and parking along a nearby public street (Sky View Drive).
- The child care is located within the basement and the first floor of the dwelling.
- Parents park and bring their children into the front entrance of the dwelling.
- The applicant uses the rear of the dwelling and the community playground as the outdoor play area.

The proposed development conditions, applicant's statement of justification and file photographs, and affidavit are contained in Appendices 1 to 3, respectively.

BACKGROUND

The subject property is located in the Skyview Park development approved pursuant to RZ/FDP 2000-MV-051 on April 8, 2002. The approved development plan and proffers do not speak to the issue of home child care uses. According to the Department of Tax Administration records, the dwelling was constructed in 2004.

During the review of the application, staff recommended that the applicant contact the Skyview Park Community Association regarding the Special Exception application. The applicant contacted the Association but has not yet formally submitted the documentation requested by the Association in order to make their decision on the application.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Mount Vernon Planning District,
Woodlawn Community Planning Sector
Plan Map: Residential use with an option for up to 14 – 16 dwelling units per acre
(du/ac)

Transportation

The applicant indicates that drop-off times for the eleven children are staggered from 9:00 a.m. to 10 a.m., and pick-up is between 7:30 p.m. and 9:30 p.m.. The dwelling contains a one-car garage and one additional parking space is available in the driveway. In addition, on-street parking is available if needed along Sky View Drive, which is a public street located approximately 300 feet from the subject property. In addition to the parking available within the garage and the driveway, there are unassigned common parking spaces available in the vicinity of the application property. The Parking Resolution adopted by the Skyview Park Community Association restricts parking to permit-only from 12 a.m. to 5 a.m., which is outside of the hours of operation of the home child care facility. The home child care use may be able to use this parking if permitted by the Community Association. Staff finds that the available parking in the garage, driveway, and nearby public street is sufficient to accommodate the parking demands. Staff has proposed a development condition to ensure that the parking space within the driveway remains available for the pick-up and drop-off of children.

Outdoor Play Area

The applicant intends to use the fenced area in the rear yard of the application property and the nearby Community Association's playground as the outdoor play areas for the home child care facility. The community playground is located in close proximity to the subject property. As shown in the image below, a sidewalk provides a pedestrian connection from the rear of the applicant's property to the playground.



Source: Fairfax County Pictometry with added graphics

In the event that the Community Association does not allow the applicant to use the playground, the applicant will be limited to using the outdoor play area to the rear of the dwelling.

Zoning Inspections Branch Analysis (Appendix 4)

On August 14, 2014, a site visit of the property was conducted with the Zoning Inspections Branch. This inspection revealed that the attached one-car garage was

converted into two separate rooms which were primarily being used for storage. A wall was constructed by the applicant to separate these two rooms and electrical wiring was hung over the doorway. Staff informed the applicant that the proffers associated with the subject development prohibit the conversion of garages to any use that prohibits the parking of a vehicle and requested that the applicant convert the space back into a garage to be used for parking.

Subsequent to the initial site visit, the applicant received permit approval from the County to demolish the wall that had been constructed and demolished this wall. The applicant has received approval of a final inspection for the demolition and is no longer using the garage as a storage room. A follow-up inspection completed by staff from the Zoning Inspections Branch confirmed that the applicant has also removed the wires that were previously noted as an electrical hazard. There are currently no outstanding Zoning Inspections Branch issues.

Zoning Ordinance Provisions (Appendix 5)

Section 10-103 of the Zoning Ordinance permits home child care facilities to increase the number of children above five in a single family attached dwelling or the involvement of more than one nonresident person in accordance with the provisions of Part 3 of Article 8. This section applies to Group 3, Institutional uses. Further, Sect. 6-105 for Planned Development Districts specifies that Group or Category uses may be permitted with the approval of a Special Exception when such use is not specifically designated on an approved Final Development Plan (FDP). Since home child care uses are not provided for on the approved FDP for this property, this Special Exception application is required to satisfy the provisions of the General Standards for Special Exceptions (Sect. 9-006), Standards for all Group 3 Uses (Sect. 8-303), Additional Standards for Home Child Care Facilities (Sect. 8-305), and Use Limitations (Paragraph 6 of Sect. 10-103).

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

Standards 1 and 2 <i>Comprehensive Plan/Zoning District</i>	The Comprehensive Plan recommends residential use and the property is developed with a single family attached dwelling. The PDH-16 District permits home child care facilities as an accessory use with Special Exception approval. Staff finds that the proposed use is in harmony with the Comprehensive Plan and the general purpose and intent of the PDH-16 Zoning District.
Standard 3 <i>Adjacent Development</i>	No new construction is proposed with the current application. The property is surrounded by single-family dwellings. Staff finds that the use will not affect the use or development of neighboring properties.
Standard 4 <i>Pedestrian/Vehicular Traffic</i>	Staff finds that the proposed use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
Standard 5 <i>Landscaping/Screening</i>	No additional landscaping is required for the proposed use.
Standard 6 <i>Open Space</i>	The PDH-16 District requires 35% of the gross area of the site to be open space. The FDP that governs the subject property was required to meet the open space requirements.

Standard 7 <i>Utilities, Drainage, Parking, Loading</i>	This application does not affect the provision of adequate public facilities as determined in the review and approval of the development. Staff concludes that the available parking is sufficient to accommodate the home child care use.
Standard 8 <i>Signs</i>	Sect. 10-103 of the Zoning Ordinance does not permit signs for home child care facilities.

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

Standard 1 <i>Lot Size and Bulk</i>	No site improvements are proposed. The property would continue to comply with the lot size and bulk regulations for the PDH-16 District as provided for with the approved FDP.
Standard 2 <i>Performance Standards</i>	The use would comply with the performance standards set forth in Article 14.
Standard 3 <i>Site Plan</i>	Home child care facilities are not subject to Article 17, Site Plans.

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

Standard 1 <i>Max. 12 Children; Approval of more than one nonresident person</i>	The applicant's request for 11 children meets this standard. The applicant currently has one employee and requests approval for up to two employees.
Standard 2 <i>Access and Parking</i>	Staff finds that access and parking are sufficient to accommodate the use.
Standard 3 <i>Landscaping/Screening</i>	Staff finds that no additional landscaping is required for this location.
Standard 4 <i>Submission Requirements</i>	The submission requirements allow the use of a house location survey in lieu of the SE Plat.
Standard 5 <i>Code of Virginia: Title 63.2, Chapter 17</i>	The applicant is subject to state licensing and registration procedures, and presently holds a license through January 14, 2015.

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

Part A <i>Max. Children</i>	This application requests approval for 11 children in a single family attached dwelling.
Part B <i>Licensed Provider/ Primary residence</i>	The applicant holds a license from the Virginia Department of Social Services for a Family Day Home. The dwelling is her primary residence.
Part C <i>No Exterior Evidence Except Play Equipment</i>	Staff finds there is no exterior evidence of the home child care facility except play equipment.
Part D <i>Nonresident Person</i>	This application requests approval for one nonresident employee.
Part E <i>Provider a Nonresident Person</i>	The dwelling is the primary residence of the home child care provider.
Part F <i>Code of Virginia: Title 63.2, Chapter 17</i>	The applicant is subject to state licensing and registration procedures, and presently holds a license through January 14, 2015.
Part G <i>Increase in Children or Nonresident Person</i>	The applicant is requesting approval for an increase in the maximum number of children permitted by-right for a single family attached dwelling.

CONCLUSION AND RECOMMENDATION

In staff's opinion, the home child care facility for up to 11 children at any one time on the subject property would not adversely impact the site or neighboring properties. Staff finds that the application is in harmony with the Comprehensive Plan and conforms to all applicable Zoning Ordinance provisions. Staff recommends approval of SE 2014-MV-045, subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

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

APPENDICES

1. Proposed Development Conditions
2. Statement of Justification and Select File Photographs
3. Affidavit
4. Zoning Inspections Branch Report
5. Applicable Zoning Ordinance Provisions
6. Glossary of Terms

Proposed Development Conditions**SE 2014-MV-045****November 20, 2014**

If it is the intent of the Board of Supervisors to approve SE 2014-MV-045, located at 8467 Byers Drive, Tax Map 101-3 ((34)) 127, for a home child care facility of up to eleven children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the home child care use as indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. Any plan or permit submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat, consisting of an annotated copy, dated June 5, 2014, of the Plat entitled "Plat Showing House Location on Lot 127, Section 1," prepared by NoVA Surveys and dated October 5, 2013, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the special exception conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed eleven.
6. The hours of operation for the home child care facility shall not exceed 9:00 a.m. to 9:30 p.m.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility.
8. The dwelling that contains the home child care facility shall be the primary residence of the provider.

9. The existing one-car garage shall not be converted to any use which would preclude the parking of vehicles, and shall be kept clear of debris at all times in order to accommodate parking for a vehicle.
10. The driveway parking space shall remain available during the operation of the home child care facility to facilitate the pick-up and drop-off of children.
11. There shall be no signage associated with the home child care facility.
12. All outdoor play equipment shall conform to all applicable state regulations and standards.
13. Proper licensure and procedures shall be adhered to in accordance with Chapter 30 of the Code of the County of Fairfax and Title 63.2, Chapter 17 of the Code of Virginia. Approval of this use is contingent upon maintenance of a state license for the home child care facility for 11 children.

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

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, six months after the date of approval unless the use has been established.

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

APPENDIX 2

RECEIVED
Department of Planning & Zoning
MAR 05 2014
Zoning Evaluation Division

Name: ZANIDA BABAR
Address: 8467 BYERS DRIVE ALEX-VA-22309

Phone #: 703-360-0242

E-mail: NADIA ALI IGI AT GMAIL.COM

Date _____

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

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

Tax Map #: 1013340127
Zoning District: PDH 16
Lot Size: 1400

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

8467 BYERS DRIVE ALEX VA-22309 (your address).

The property is zoned PDH16 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 11 children in my child care facility in my home. Below is information about my child care facility's operations: 9AM 9:30PM

Hours. The child care is open from ~~7AM To 6PM~~

Number of Children. I care for up to 11 children at any one time. This number does not include my own 2 child/children.

Employees. I have N/A assistant(s) who work part-time and I assistant(s) who work full-time. 9AM ALL ALO 10AM

Arrival Schedule. 7AM of the children arrive between 9AM AM and 9AM AM.

7:30 9:30 PM

Departure Schedule. ALL of the children are picked up at 4 PM. 6 PM

Area Served. Basement and Second Floor
(what neighborhood/general area do the children live in?)

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

THIS IS A THREE LEVEL HOUSE, FOUR BED ROOMS, 4 BATH ROOMS TWO EXITS AND A PATIO

The house has 1400 square feet. The following rooms are where I conduct the day care: Basement and Second Level
These rooms are 1200 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 Patio yard for outdoor play for the children. The area is approximately 400 square feet. The outdoor play area consists of: slides & open space.
SLID and open area I use my Community Space
Parking Lot to ~~be~~ Park my car
Some the time they use the play ground.

Parking. I use my Community Space to park my family car(s). My parents park at my Driveway and I have a Lot community parking area APPX 25 parking at that place in the morning and after noon time

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 Care for ~~twelve~~ eleven children

Sincerely,
Zahide Babar
Owner of ALFEM Day care home

Azeem Home Daycare

8467 Byers Drive, Alexandria, VA 22309

RECEIVED
Department of Planning & Zoning

MAR 05 2014

Zoning Evaluation Division

Statement of Justification

Azeem Home Daycare is a home based facility for children between the ages of 6 months to 12 years of age. We operate between 9am to 6pm.

The state of Virginia has licensed my home for 11 children. I am graduate from college, as well as my assistant.

We are trying to provide good quality care in a safe and healthy environment. No body smokes or drinks inside the household. There are no pets in the house as well.

My whole house is in compliance with the Virginia state licensing requirements and regulations. The entire house is under monitoring at all times.

Regarding the parking places, I have parking places all around the house at all times. Pictures are attached with my application. I have one garage parking and a parking spot in my driveway. My household members never use these parking spots during the day time.

Regardless to all that parking facilities, I would like to state that I am working only with my neighborhood families. The children just walk to my home daycare from the school bus stop around 4:30pm and walk back home at night time. I have a very nice neighborhood, they have never had any problems with me because there is no hassle nor no honking of the horns and no car after another car noises.

I would like to state that I am running a non-profitable foundation care because the money that I earn from the daycare, with some of the money I help children and parents with their needs, e.g.; books, clothes, toys, and food.

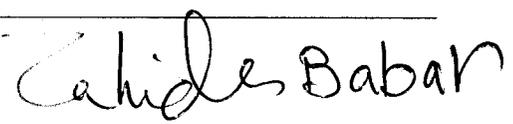
I can definitely state that my daycare is not based upon commercially money making institute but is a comfortable safe place where children can meet their needs in a healthy environment.

My right and left hand neighbors are single with no families, both of them leave early in the morning and come back home late at night.

Total land is 1,400 sq. ft., which is why I am sharing the whole house with my children; bedrooms, dining room, living room, play area. Dwelling has central heating and cooling systems and my backyard is fully fenced. That is all that I would like to mention in my application.

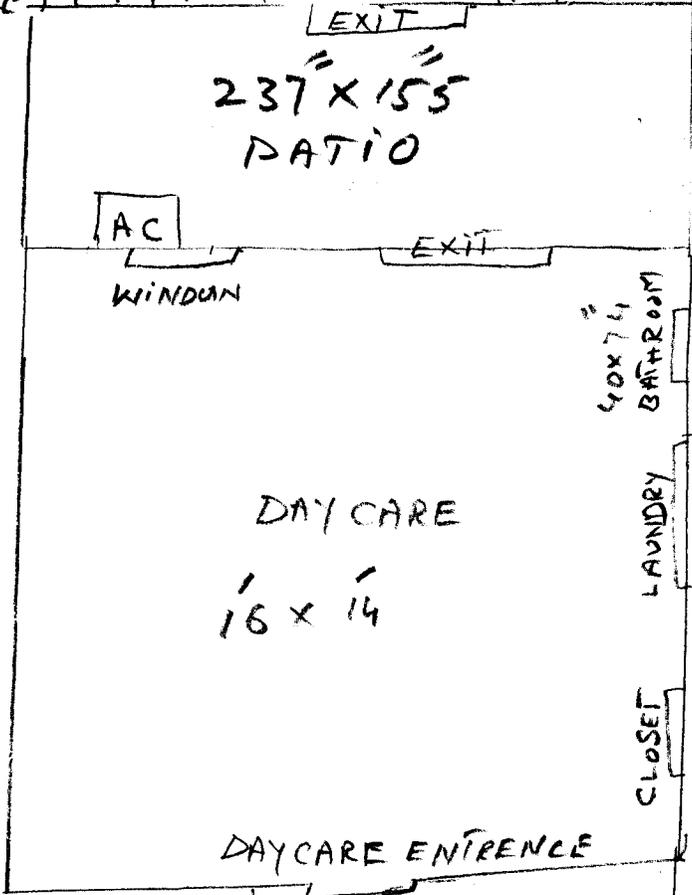
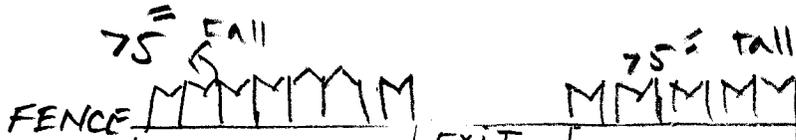
Thank You Very Much,

Yours Sincerely,

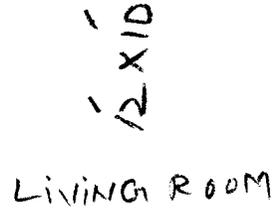
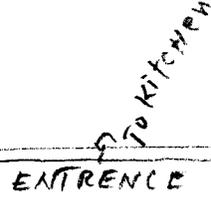
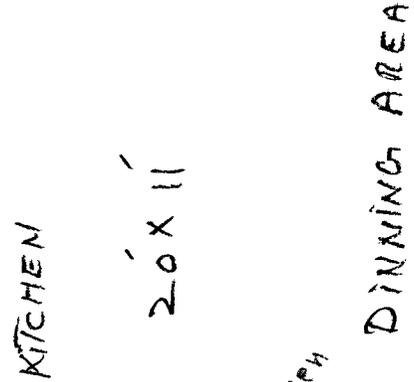

2 / 5 / 2014

FLOOR PLAN 8467 BYERS DRIVE Alex. VA 22309

LENGTH OF THE FENCE



SECOND FLOOR



FURNANCE

GERAL ENTRANCE

219 length

HALL WAY

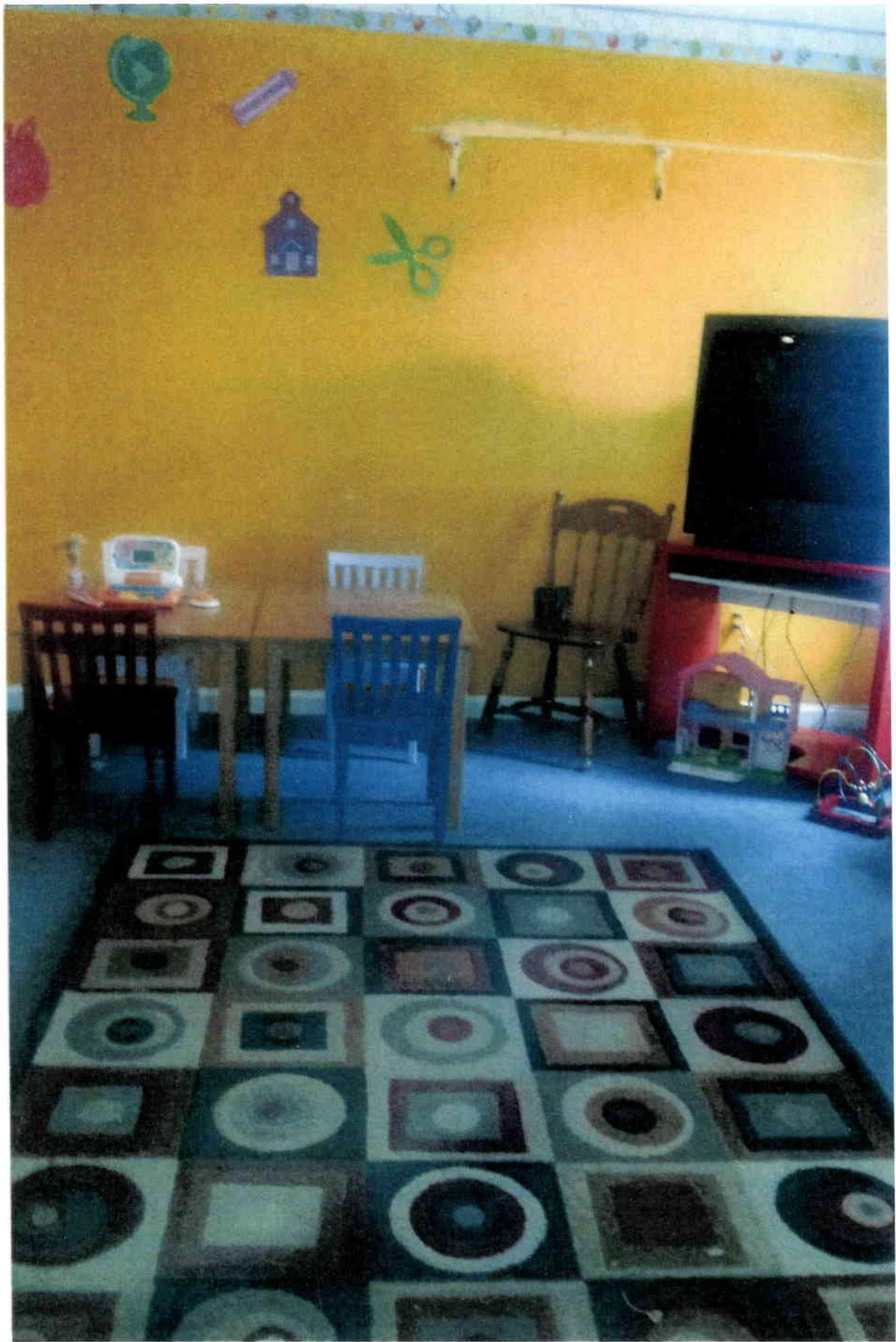
LENGTH 112

STAIRS

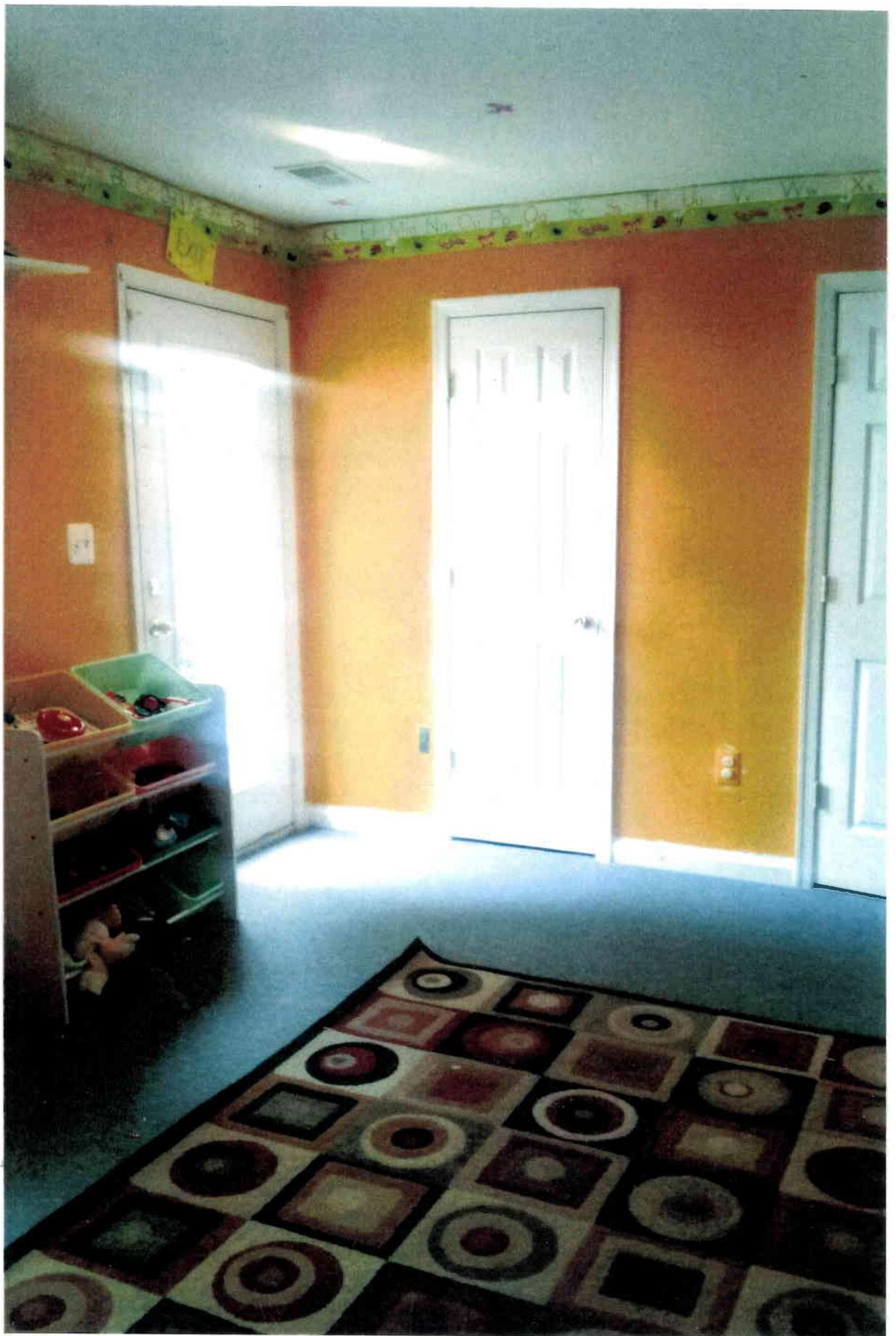
81" wide
ENTRENCE IN THE HOUSE
| |
DRIVE WAY

HOME DAY CARE

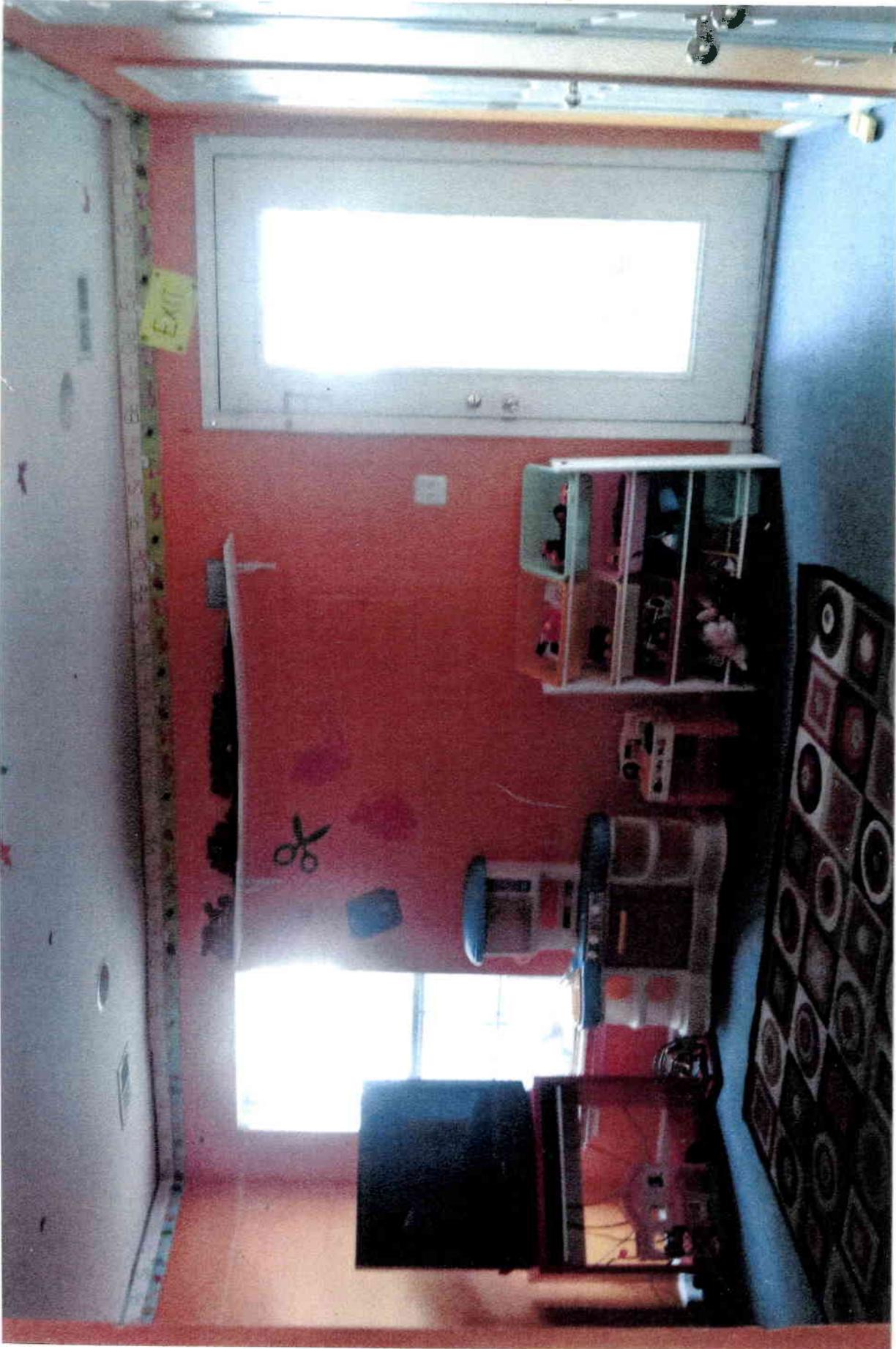




DAY Care LEFT side view



DAY CARE Right side view

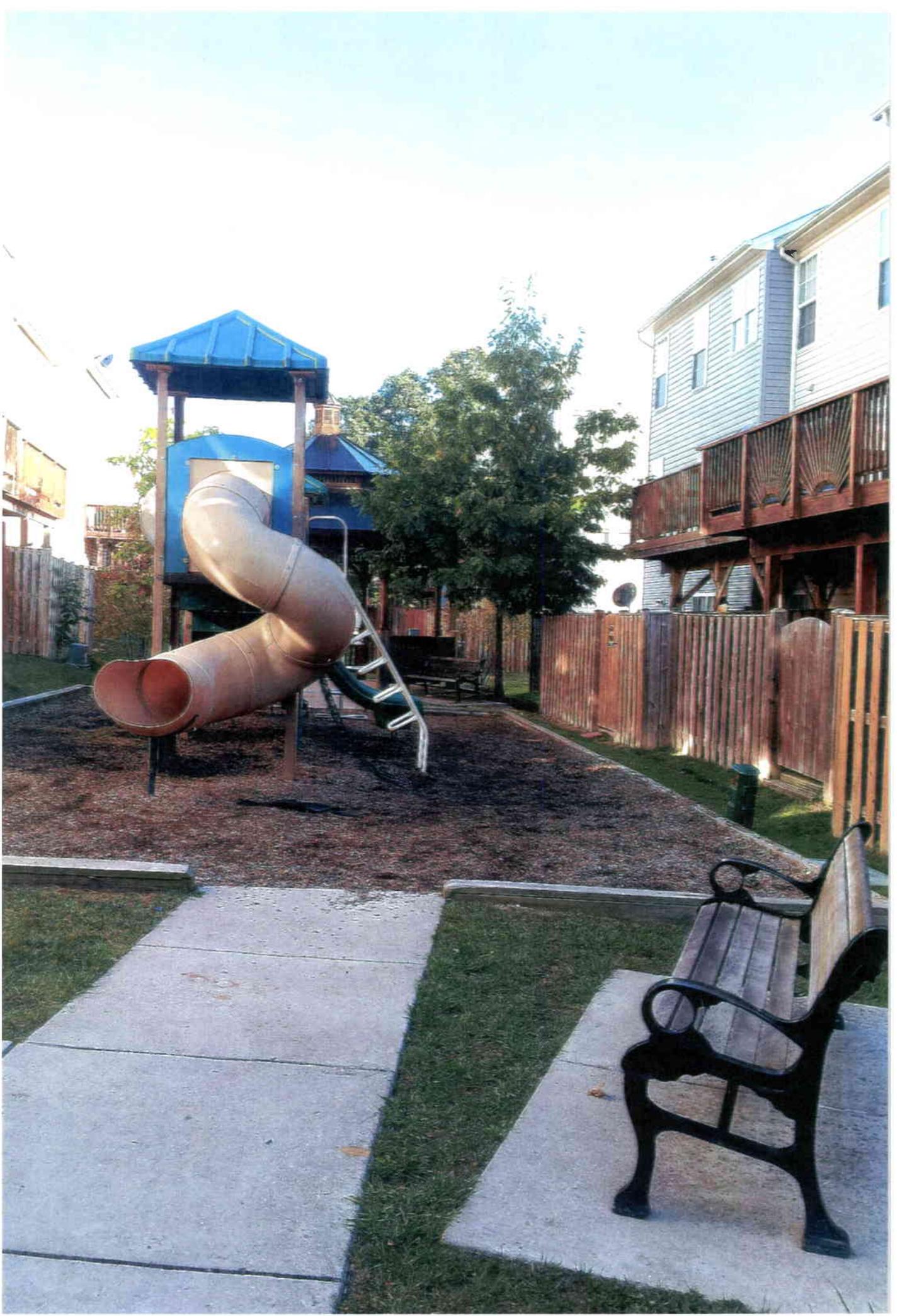


DAY CARE FRONT view window and exit to PATIO



PATIO view FROM inside (FRONT)

Play Ground



SPECIAL EXCEPTION AFFIDAVIT

DATE: _____

(enter date affidavit is notarized)

I, ZAHIDA BABAR / AZEEM DAY CARE, do hereby state that I am an
 (enter name of applicant or authorized agent) HOME

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

in Application No.(s): SE 2014-MV-045 126364
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

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)
ZAHIDA BABAR / AZEEM DAY CARE HOME	8467 BYERS DRIVE ALEX - VA - 22309	ZAHIDA BABAR / AZEEM DAY CARE HOME
MOHAMMAD ALI BABAR	8467 BYERS DRIVE ALEX - VA 22309	MOHAMMAD ALI Babar (SON)

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

CAB

SPECIAL EXCEPTION AFFIDAVIT

DATE: 7/14/2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-MV-045
(enter County-assigned application number(s))

126364

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

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

CORPORATION INFORMATION

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

N/A

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

N/A

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 7/04/2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-MV-045
(enter County-assigned application number(s))

126364

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

PARTNERSHIP INFORMATION

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

N/A

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

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

N/A

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 7/14/2014
(enter date affidavit is notarized)

for Application No. (s): SE 2014-MV-045
(enter County-assigned application number(s))

126364

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

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

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

~~At~~
NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

Application No.(s): SE 2014-MV-045
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: 7/14/2014
(enter date affidavit is notarized)

126364

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)

Zahida Babar / AZEEM DAY CARE HOME
[x] Applicant [] Applicant's Authorized Agent

ZAHIDA BABAR / AZEEM DAY CARE HOME
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 14th day of July, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]
Notary Public

My commission expires: May 31, 2017



MAYLISA RENEE DEY
NOTARY PUBLIC 7566643
COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES MAY 31, 2017

CAB



County of Fairfax, Virginia

MEMORANDUM

DATE: August 15, 2014

TO: Megan Duca, Staff Coordinator
Zoning Evaluation Division
Fairfax County Department of Planning and Zoning

FROM: Chuck Cohenour
Senior Zoning Inspector
Zoning Inspections Branch

SUBJECT: Home Child Care Application

APPLICANTS: Unknown
8467 Byers Drive, Alexandria, Virginia 22309
Tax Map Ref #: 101-3 ((34)) 127
Zoning District: PDH-16
Mail Log Assignment: 2014-LE-0316

*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.

Department of Planning and Zoning
Zoning Administration Division
Zoning Inspections Branch
12055 Government Center Parkway, Suite 829
Fairfax, Virginia 22035-5508
Phone 703-324-1300 FAX 703-324-4300
www.fairfaxcounty.gov/dpz/



See Below

- 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.

The interior inspection of this location finds that the attached one car garage has been converted into two separate rooms and this was not shown on the submitted floor plan. The larger of the rooms has, at one time, been used by children as children drawing still adorn the room. This room appears to serve as a storage room. The second smaller room contains a refrigerator and is used for storage.

The wall that separates the two rooms is of questionable construction. The wall has been installed so that the garage door hardware is visible at the ceiling. Two different types electrical wiring is visible and connects to each other but due to the amount of storage in this room, the origin, connection and termination points of the wiring could not be determined. The wiring is not proper as it is hung over the doorway, supported over nails and is not secured.

When asked, the Applicant advised that the work was conducted without obtaining a building permit.

Upon exiting the rear of the child care area and entering the rear yard, a metal rod protruding from the synthetic turf covering was observed. An examination of this rod was made and it appears to be similar to the type of metallic rod that is used in the grounding of the electrical service connections.

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

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.

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.

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Abbreviations Commonly Used in Staff Reports

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