



County of Fairfax, Virginia

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

October 29, 2014

Uzma Tanveer Butt
8740 Talbott Farm Drive
Alexandria, VA 22309

RE: Special Exception Amendment Application SEA 2011-MV-002

Dear Ms. Butt:

At a regular meeting of the Board of Supervisors on October 28, 2014, the Board approved Special Exception Amendment Application SEA 2011-MV-002 in the name of Uzma Tanveer Butt/Sunny Day Care One LLC. The subject property is located at 8740 Talbott Farm Drive, on approximately 4,150 square feet of land, zoned PDH-5, CRD, and HC in the Mount Vernon District [Tax Map 110-1 ((27)) 11A]. The Board's action amends Special Exception Application SE 2011-MV-002 previously approved for a home child care facility to permit an increase in children and associated modifications to the development conditions, pursuant to Section 6-105 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions which supersede all previous development conditions. Previously approved conditions or those with minor modifications are marked with an asterisk (*).

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 facility use as indicated on the Special Exception Plat (SE 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 SE Plat, consisting of an annotated copy, dated May 1, 2014, of the House Location Survey entitled "Lot 11A Talbott Property" prepared by Ned A. Marshall and dated February 10, 2005, 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. *

Office of the Clerk to the Board of Supervisors
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035

Phone: 703-324-3151 ♦ Fax: 703-324-3926 ♦ TTY: 703-324-3903
Email: clerktothebos@fairfaxcounty.gov
<http://www.fairfaxcounty.gov/bosclerk>

4. A copy of the approved Special Exception conditions shall be posted in a conspicuous place on the property and be made available to all Fairfax County departments during the hours of operation of the home child care facility.
5. The provider shall forward a copy of the approved development conditions to the president of the Talbott Farm Home Owners Association no later than 30 days from the applicant's receipt of the Special Exception approval letter from the Clerk to the Board of Supervisors. *

Home Child Care

6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed 12, and the maximum daily enrollment shall not exceed 12. Notwithstanding this maximum, the applicant shall not increase the number of children enrolled in the home child care facility beyond the maximum capacity permitted by license through the Virginia Department of Social Services.
7. Hours of operation for the home child care facility shall not exceed 7:00 AM to 6:00 PM.
8. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility. *
9. Only the larger of the two downstairs play rooms associated with the home child care facility may be used as a sleeping area and shall have proper egress as defined by the Virginia Uniform Statewide Building Code.

Transportation

10. All pick-up and drop-off of children, and all parking associated with the home child care facility, shall occur on-site in the driveway. *
11. The applicant may supplement the on-site parking with off-site, common area parking spaces if available and permissible.
12. The 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 the dwelling and the home child care provider. At no time during the hours of operation of the home child care facility shall vehicles used by the residents be parked in the driveway. *
13. The applicant shall stagger the arrival and departure times for children arriving by automobile. *

Outdoor Play Area

14. Any stationary outdoor playground equipment located in the rear yard shall be set back a minimum of six feet from the perimeter fence, the yard inlet, the deck, and the rear walkway that leads to the basement in accordance with 22 VAC 40-111-500 from the Standards for Licensed Family Day Homes with Interpretation Guidelines and approved by the Virginia Department of Social Services. Equipment that does not meet this locational condition shall be removed or relocated prior to the issuance of a Non-Residential Use Permit for the home child care facility. All outdoor play equipment must conform to all state regulations and standards related to outdoor play areas and equipment. *
15. No more than five children enrolled in the home child care facility may occupy the rear yard at any one time. Any children occupying the rear yard must be supervised at all times. *
16. The applicant shall eliminate access by children to the mouth of the rear yard stormwater inlet. Subject to the approval of the Department of Public Works and Environmental Services' (DPWES) Maintenance and Stormwater Management Division (MSMD), the applicant shall provide a permanent barrier fence around the stormwater inlet or other remedy that does not impede the flow of water under any permanent barrier and does not cause water to pond upstream on neighboring properties. *
17. The applicant shall consult with the Virginia Department of Social Services (DSS) to determine whether protective padding should be installed on the permanent barrier fence or other remedy described in Condition #16 in order to protect children from injury. The applicant shall implement the recommendation of the DSS inspection staff.

Food Preparation

18. Upon approval of the Special Exception, the applicant shall discontinue the use of the food preparation area in the basement until applicable permits are granted. Within 30 days of the Board of Supervisors' approval of the Special Exception, the applicant shall submit permit applications to DPWES for all applicable permits required to bring the food preparation area into compliance with County regulations. These permits may include, but shall not be limited to, building, electrical, mechanical, and plumbing permits.
19. Within three months of the Board of Supervisors' approval of the Special Exception, the applicant shall obtain final inspections and approvals for all applicable permits associated with the food preparation area.
20. Upon demonstration by the applicant that, despite diligent efforts or due to factors beyond the applicant's control, the applicant will be or has been delayed in the completion of one or more of the obligations or improvements required by these

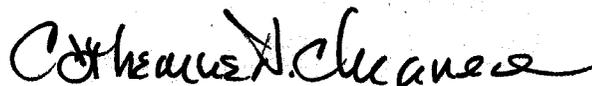
conditions beyond the timeframes set forth in these conditions, the Zoning Administrator may agree to a later date for the fulfillment/completion of such obligations or improvements, provided the applicant otherwise is in substantial conformance with these conditions.

21. As an alternative to complying with Conditions 18 and 19, the applicant shall remove the stove associated with the food preparation area within six months of the Board of Supervisors' approval of the Special Exception, subject to the review and approval of an applicable permit by DPWES.
22. No increase in the maximum number of children on-site at any one time beyond 10 shall occur until DPWES has completed inspections and issued approvals for all applicable permits associated with the food preparation area.
23. The basement and food preparation area may not be used as a separate dwelling unit.

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, 30 months after the date of approval unless the use has been established as outlined above.

Sincerely,



Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Gerry Hyland, Mount Vernon District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning
Michael Davis, Section Chief, Transportation, Planning Division
Donald Stephens, Department of Transportation
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation



COUNTY OF FAIRFAX
 Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SEA 2011-MV-002
 (Staff will assign)

RECEIVED
 Department of Planning & Zoning

FEB 24 2014

Zoning Evaluation Division

APPLICATION FOR A SPECIAL EXCEPTION

(PLEASE TYPE or PRINT IN BLACK INK)

2/28/14
 mrs

APPLICANT	NAME	<u>UZMA Tanweer Butt / Sunny Day Care One LLC</u>	
	MAILING ADDRESS	<u>8740 Talbott Farm drive Alexandria Va 22309</u>	
	PHONE HOME (703)	<u>780 7603</u>	WORK (571) <u>216 8026</u>
	PHONE MOBILE ()		EMAIL <u>Sunny day care 66@yahoo.com</u>
PROPERTY INFORMATION	PROPERTY ADDRESS	<u>8740 Talbott Farm drive Alexandria Va 22309</u>	
	TAX MAP NO.	<u>110-1 (27) 11A</u>	SIZE (ACRES/SQ FT) <u>4150</u>
	ZONING DISTRICT	<u>PDH5, CRD, HC</u>	MAGISTERIAL DISTRICT <u>MT-VERNON</u>
	ZONING ORDINANCE SECTION		
SPECIAL EXCEPTION REQUEST INFORMATION	PROPOSED USE	<u>N/A</u>	<u>8-305</u>
		<u>Home Child Care</u>	
AGENT/CONTACT INFORMATION	NAME	<u>N/A</u>	
	MAILING ADDRESS	<u>N/A</u>	
	PHONE HOME ()		WORK () <u>N/A</u>
	PHONE MOBILE ()		EMAIL <u>N/A</u>
MAILING	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant -or- <input type="checkbox"/> Agent/Contact		

The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.

UZMA Tanweer Butt
 TYPE/PRINT NAME OF APPLICANT/AGENT

Uzma T Butt
 SIGNATURE OF APPLICANT/AGENT

Deborah Lohr Suberton

DO NOT WRITE IN THIS SPACE

Date Application accepted: 5/9/14

Application Fee Paid: \$ 435.00

SEA 2014-0086
5/9/14
URS

SEA 2011-MV-002

Zoning Application Closeout Summary Report

Printed: 11/10/2014

General Information

APPLICANT: UZMA TANVEER BUTT / SUNNY DAY CARE ONE LLC
DECISION DATE: 10/28/2014
CRD: YES
HEARING BODY: BOS
ACTION: APPROVE
STAFF COORDINATOR: NICHOLAS ROGERS
SUPERVISOR DISTRICT: MOUNT VERNON

DECISION SUMMARY:

ON OCTOBER 28, THE BOARD OF SUPERVISORS UNANIMOUSLY APPROVED SEA 2011-MV-002 ON A MOTION BY SUPERVISOR GERALD W. HYLAND, SUBJECT TO DEVELOPMENT CONDITIONS OCTOBER 15, 2014.

APPLICATION DESCRIPTION:

AMENDMENT TO PREVIOUSLY APPROVED SPECIAL EXCEPTION FOR HOME CHILD CARE FACILITY TO PERMIT INCREASE IN NUMBER OF CHILDREN

Zoning Information

Existing Zoning		Proposed Zoning		Approved Zoning	
DISTRICT	AREA	DISTRICT	AREA	DISTRICT	AREA
				PDH- 5	4,150.00 SQ FEET

Tax Map Numbers

1101 ((27)) ()0011 A

Approved Land Uses

Zoning District: PDH- 5

LAND USE	DU'S	RES LAND AREA	ADU'S	WDU'S	GFA	FAR	NRES LAND AREA
CHCR/HOME		4,150.00 SQ FEET					
TOTALS		4,150.00 SQ FEET					

11/10/2014

Approved Development Conditions

DEVELOPMENT CONDITION STATEMENT DATE: 11-07-2014

DEVELOPMENT CONDITION	DUE	TRIG #	TRIG EVENT	CONTRIB	EXPIR DTE
GRANTED WITHOUT TERM	01-01-0001	0	N/A	0	01-01-0001
HOA NOTIFICATION / DISCLOSURE	01-01-0001	0	N/A	0	01-01-0001
USE RESTRICTIONS	01-01-0001	0	N/A	0	01-01-0001
HOURS OF OPERATION	01-01-0001	0	N/A	0	01-01-0001
MINOR MODIFICATIONS	01-01-0001	0	N/A	0	01-01-0001
COPY SHALL BE POSTED	01-01-0001	0	N/A	0	01-01-0001
KISS AND RIDE / DROP OFF	01-01-0001	0	N/A	0	01-01-0001
PERMITS SHALL BE OBTAINED	01-01-0001	0	N/A	0	01-01-0001
APPROVED FOR LOCATION/STRUCTURE/USES ETC ON PLATS	01-01-0001	0	N/A	0	01-01-0001
NUMBER OF EMPLOYEES	01-01-0001	0	N/A	0	01-01-0001
GARAGES - CONVERSION RESTRICTIONS	01-01-0001	0	N/A	0	01-01-0001
DRAINAGE IMPROVEMENT - ON-SITE	01-01-0001	0	N/A	0	01-01-0001
PERMITS SHALL BE OBTAINED	04-28-2015	0	DATE	0	01-01-0001
SUBJECT TO SITE PLANS / SUBDIVISION PLATS	01-01-0001	0	N/A	0	01-01-0001
OVERFLOW / OFF-SITE PARKING	01-01-0001	0	N/A	0	01-01-0001
COORDINATE STORMWATER MANAGEMENT	01-01-0001	0	N/A	0	01-01-0001
CONDITION - DEVELOPMENT PLAN	01-01-0001	0	N/A	0	01-01-0001
OTHER - GENERAL	01-01-0001	0	N/A	0	01-01-0001
PERMITS SHALL BE OBTAINED	11-28-2014	0	DATE	0	01-01-0001
OUTDOOR PLAY AREA	01-01-0001	0	N/A	0	01-01-0001
OTHER - HOUSING	01-01-0001	0	N/A	0	01-01-0001
OTHER - LAND USE	01-28-2015	0	DATE	0	01-01-0001

11/10/2014