



**APPLICATION ACCEPTED:** June 18, 2014  
**BOARD OF ZONING APPEALS:** January 7, 2014  
**TIME:** 9:00 a.m.

# County of Fairfax, Virginia

---

**December 31, 2014**

## **STAFF REPORT**

**SPECIAL PERMIT NO. SP 2014-PR-119**

### **PROVIDENCE DISTRICT**

**APPLICANT:** Miriam Maldonado (Medina)  
Miriam's Daycare

**OWNERS:** Miriam Medina  
Raul Medina

**SUBDIVISION:** Tremont Gardens

**STREET ADDRESS:** 7508 Arlington Boulevard, Falls Church, 22042

**TAX MAP REFERENCE:** 50-3 ((17)) 94

**LOT SIZE:** 15,885 square feet

**ZONING DISTRICT:** R-4

**ZONING ORDINANCE PROVISIONS:** 3-403, 8-305

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

### **STAFF RECOMMENDATION:**

Staff recommends approval of SP 2014-PR-119 for the home child care facility with the adoption of the proposed development conditions contained in Appendix 1.

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

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

*Laura Arseneau*

---

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.**

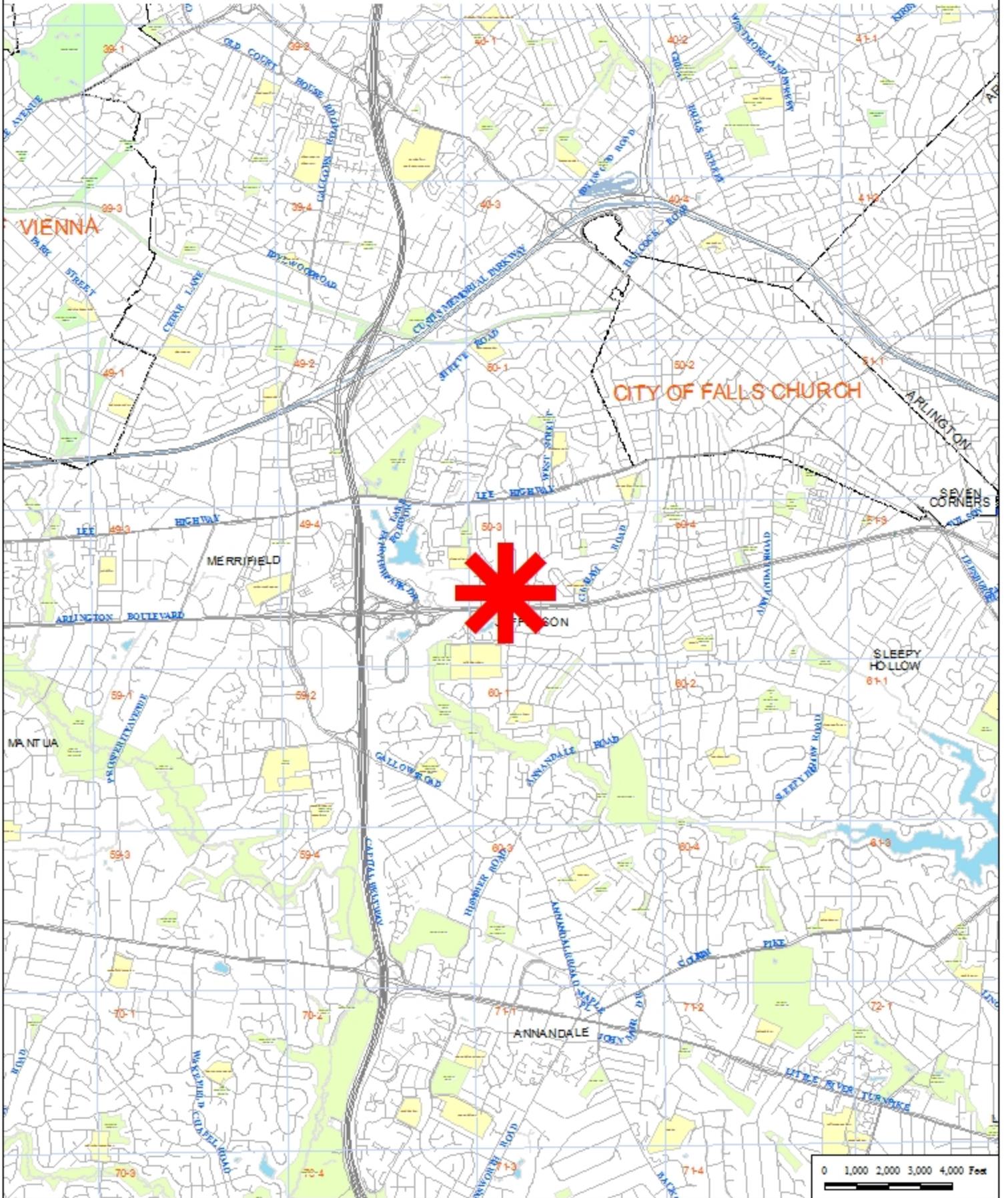


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

SP 2014-PR-119

MIRIAM MALDONADO (MEDINA) MIRIAM'S DAYCARE

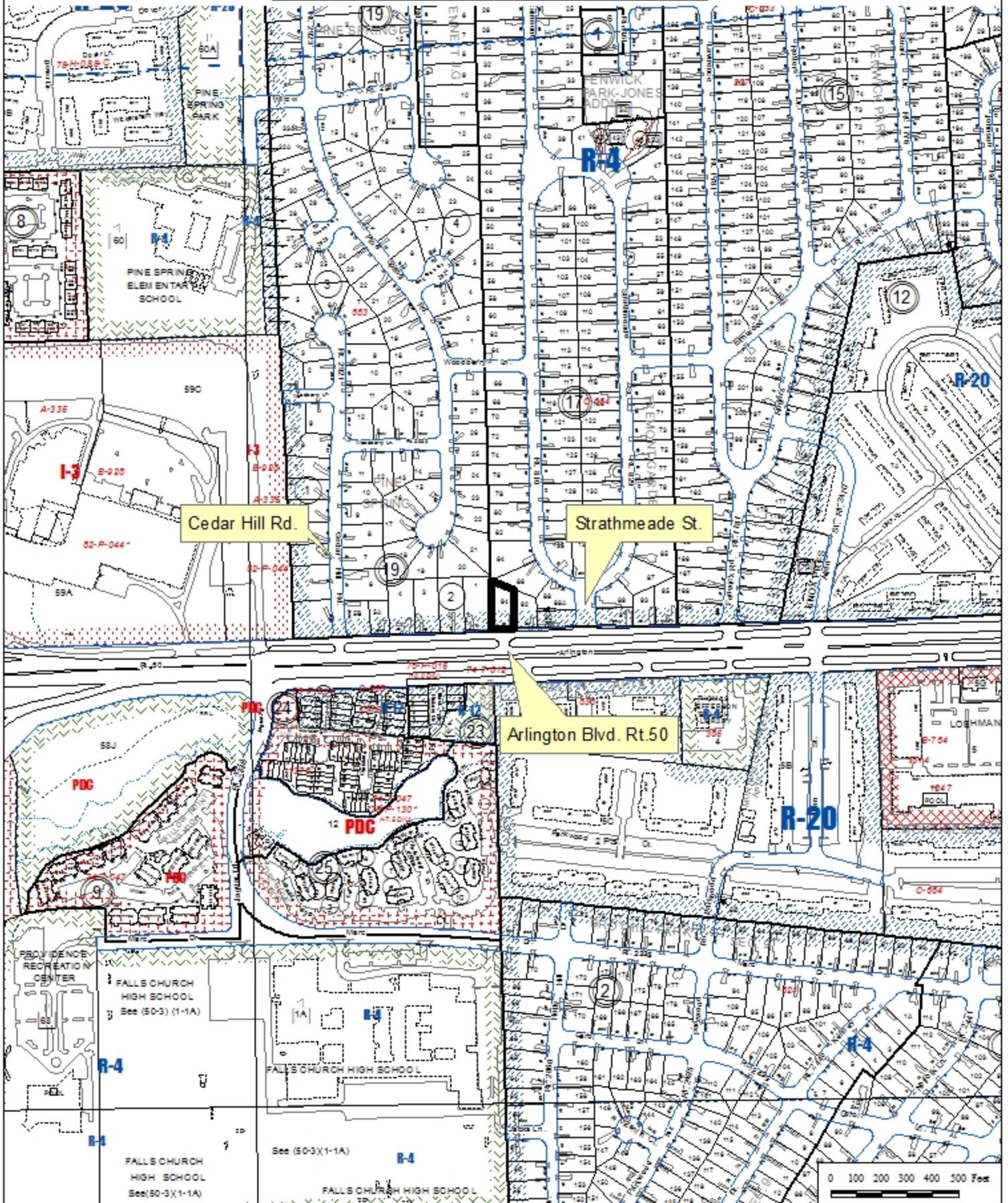


0 1,000 2,000 3,000 4,000 Feet

# Special Permit

SP 2014-PR-119

MIRIAM MALDONADO (MEDINA) MIRIAM'S DAYCARE



LOT 20  
PINE SPRING  
BLOCK 2, SECTION 2

LOT 84

LOT 86



RECEIVED  
Department of Planning & Zoning  
JUN 11 2014  
Zoning Evaluation Division

S 79°45'00" E 1.10'

S 56°18'20" E 94.26'

32.34'  
OFFSET

PART OF  
LOT 1  
220.20 SQ.FT.

123'-8 3/4"

LOT 94  
15,655 SQ.F.T.  
TOTAL AREA = 15,885.20 SQ.FT.

6' X 4' X 5' TALL DOUBLE SLIDE

8' X 4' X 6' TALL DOUBLE SLIDE CLIMBER

85'-6 5/8"

PART OF LOT 1  
PINE SPRING  
BLOCK 2, SECTION 2

N 10°15'00" E 200.00'



1 STORY  
BRICK & FRAME  
DWELLING  
#7508

LOT 92

S 10°15'00" W 162.07'

20' STORM AND SANITARY  
SEWER EASEMENT

CONC. STROOP  
BRICK WALL

CONC. UNDER

CONCRETE WALK

ASPHALT WALK

216.48' TO P.C.  
FAIRMONT DRIVE

1.10'

86.48'

CURB & GUTTER N 80°02'00" W 87.48'

ARLINGTON BOULEVARD  
200' WIDE - RTE. 50  
SCALE 1"=50'

Miriam Maldonado (Medina)  
MIRIAM'S DAYCARE

06/11/14

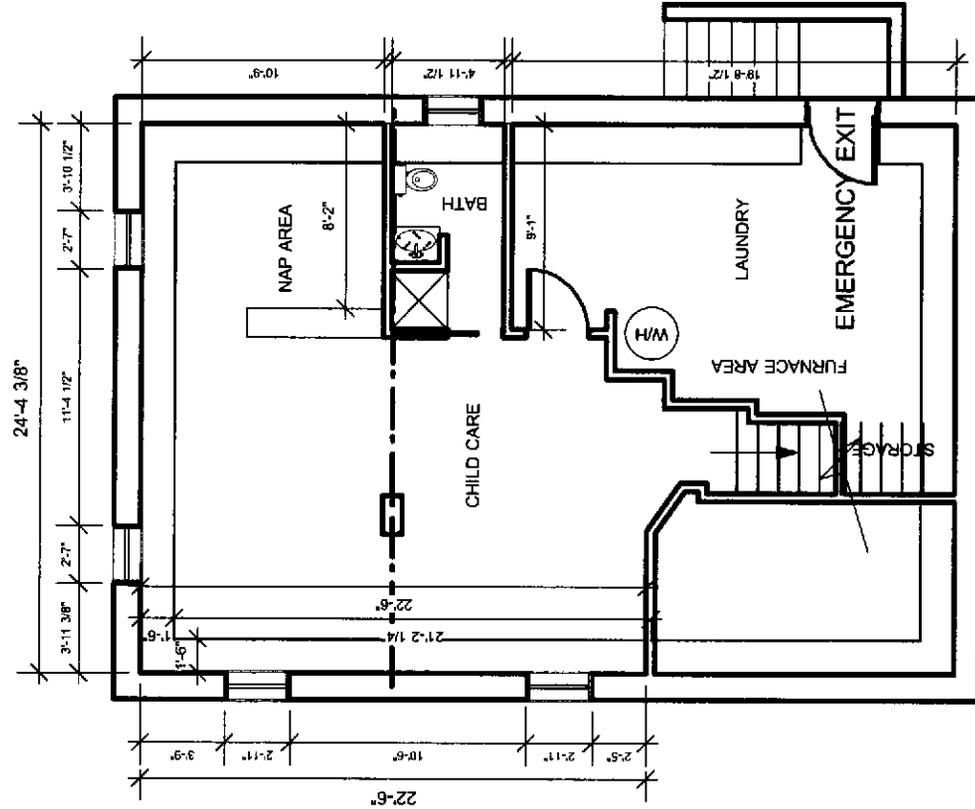
OUT DOOR PLAY AREA= 123'-8"X85'-6" =10,573 SF

-  6' X 4' X 5' TALL DOUBLE SLIDE
-  8' X 4' X 6' TALL DOUBLE SLIDE CLIMBER
-  4' FENCE

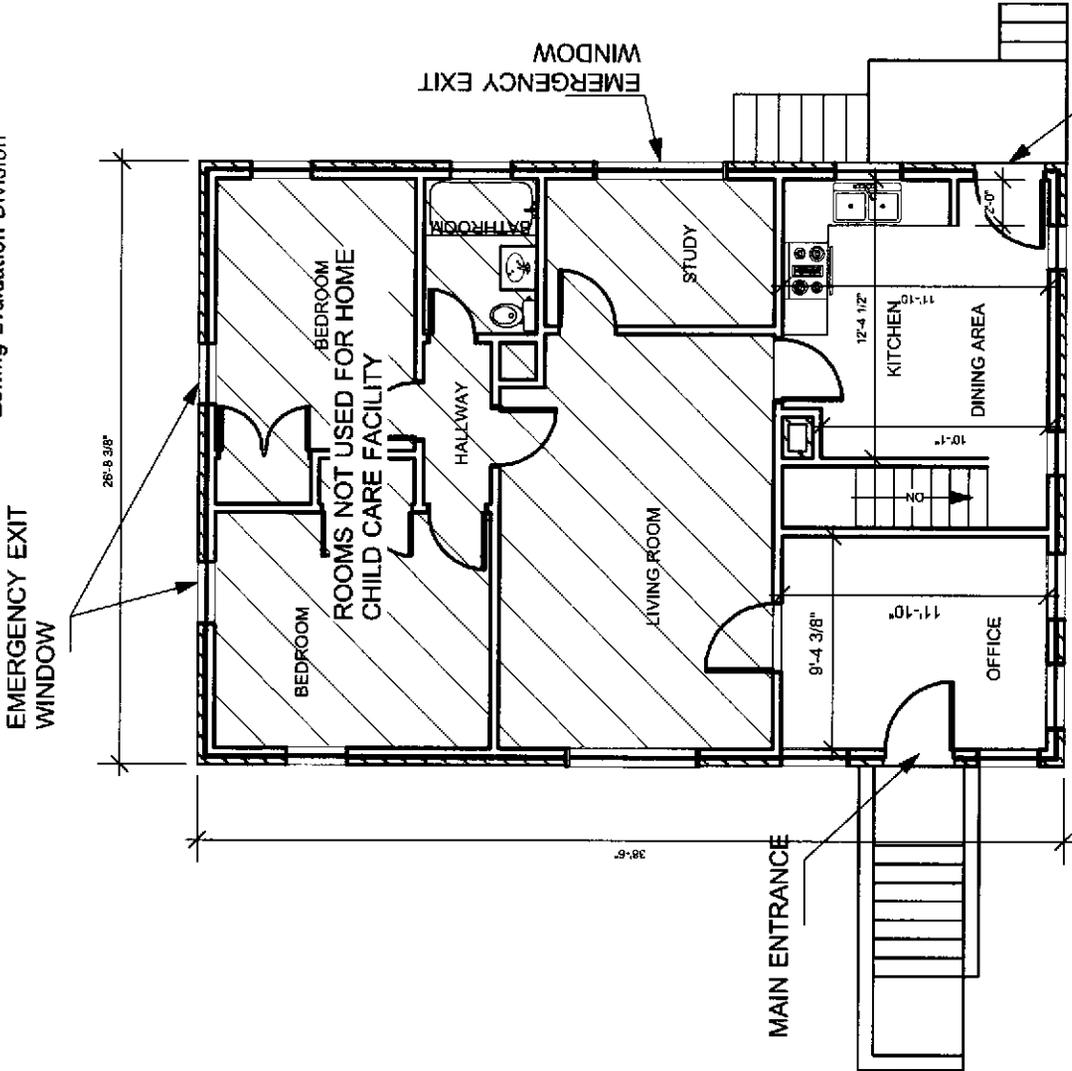
MAR 21 2014

Zoning Evaluation Division

NAME: MIRIAM'S DAYCARE  
 MIRIAM MEDINA  
 ADDRESS: 7508 ARLINGTON BLVD FALLS CHURCH VA 22042  
 PHONE: 571-282-4181 HOME, 703-507-5650 CEL.  
 DATE:



ROOMS USED FOR HOME CHILD CARE FACILITY  
 BASEMENT FLOOR PLAN



ROOMS USED FOR HOME CHILD CARE FACILITY  
 FIRST FLOOR PLAN

## 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, “Miriam Maldonado (Medina), Miriam’s Daycare, Lot 94,” prepared by the applicant, Miriam Maldonado (Medina), on June 11, 2014, is included in the front of the staff report.

A more detailed description of the proposal is provided on page two.

Copies of the proposed development conditions, the statement of justification with select file photographs and the affidavit are contained in Appendices 1 through 3, respectively.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a one-story single family detached dwelling with a basement. A concrete stoop and walkway are located to the south of the dwelling. An asphalt driveway is located to the southeast of the dwelling. A concrete stoop, concrete patio and brick walkway are located to the north of the dwelling. The play area for the home child care is located to the north of the dwelling in a fenced yard.

The property is off of an access road on Arlington Boulevard.



*Figure 1- Aerial photo of subject property*

The subject property and surrounding properties to the north, east and west, are zoned R-4 and developed with single-family detached dwellings. The property to the south, across Arlington Boulevard, is zoned R-20 and is developed with multifamily residential buildings.

## BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1940 and purchased by the applicant in 2012.

Two complaints were filed with the Department of Code Compliance (DCC) against the property in 2012. One complaint was for unsafe, dilapidated or structures in disrepair, and the other was for unpermitted interior renovations. The applicant fixed the issues related to both complaints and the cases have been closed by DCC. The complaint history is contained in Appendix 4.

Staff found that a building permit related to interior alterations in the kitchen on the main floor was issued in 2012 but never received a final inspection (Appendix 5). Staff has included a development condition in Appendix 1 to ensure that final inspections for the interior alterations are obtained.

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

## **DESCRIPTION OF THE PROPOSED USE**

The applicant requests 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 5:30 a.m. and 11:30 p.m., Monday through Friday. This timeframe does not match the 6:00 a.m. to 7:00 p.m. timeframe permitted in the applicant's state license; however, a condition has been included requiring state approval of a revised license allowing 5:30 a.m. to 11:30 p.m. prior to the establishment of the above requested hours of operation. The applicant has a staggered drop-off and pick-up schedule for the children. Only three children are at the home child care in the evening. They arrive at 5:30 p.m. and depart at 11:30 p.m. There is one full-time non-resident assistant and one part-time non-resident assistant.

The applicant holds a current Family Day Home License, effective for two years and expires on August 16, 2016, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of twelve children, 1 month through 12 years of age. A copy of the license is included as Appendix 6.

The home child care facility is operated in the basement of the dwelling which includes a large open area and a bathroom. A room on the main floor of the dwelling, labeled as the living room is used as the nap area for the children. The fenced rear yard is used as the play area for the children. Pictures provided by the applicant show toys and play equipment located in this area.

**ANALYSIS**

**Comprehensive Plan Provisions**

**Plan Area:** Area I, Jefferson Planning District  
**Planning Sector:** Pine Spring Community Planning Sector (J7)  
**Plan Map:** Residential, 3-4 du/ac

**On-Site Parking and Site Circulation**

The existing driveway appears to be able to accommodate five vehicles, depending on the size of the vehicles. The applicant parks their personal car on the service road. The current assistants drive to the site and park along the Arlington Boulevard service road. Therefore, five driveway spaces are available to be used for drop-off and pick-up of children.

Vehicular access to the site is provided from Arlington Boulevard. A concrete and asphalt walkway connects the driveway to the front of the dwelling. Parents and children enter through the front door of the dwelling and use the interior stairs to access the basement.

**Zoning Inspection Branch Comments (Appendix 7)**

Staff found a number of issues during the site visit including the lack of emergency egress in the basement and the lack of adequate handrails on an interior and an exterior stairway. The applicant was made aware of these concerns and committed to move the nap area for the children to the main level of the house. Staff has included a development condition in Appendix 1 to address this concern. The applicant also agreed to install adequate handrails.

**Zoning Ordinance Requirements (Appendix 8)**

- 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

**General Standards for Special Permit Uses (Sect. 8-006)**

<p><b>Standards 1 and 2</b> Comprehensive Plan/ Zoning District</p>	<p>The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-4 District permits a home child care facility as an accessory use with special permit approval. The proposed use is in harmony with the Comprehensive Plan and the general purpose and intent of the R-4 District.</p>
---	--

<b>Standard 3</b> Adjacent Development	No new construction is proposed. An outdoor play area with play equipment is proposed to the north of the dwelling. In staff's opinion, the proposed use will not hinder or discourage use or development of neighboring properties or value.
<b>Standard 4</b> Pedestrian/Vehicular Traffic	Arrival and departure times of the children are staggered and staff has proposed a development condition for the driveway to be made available for the home child care use. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 5</b> Landscaping/Screening	There is an existing wood fence and vegetation that screens the home child care play area to the properties to the north and west. There have been no complaints from the neighbors about the existing home child care use. Staff recommends additional screening along the eastern property line and has recommended a development condition in Appendix 1.
<b>Standard 6</b> Open Space	Open space is not required in an R-4 District.
<b>Standard 7</b> Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property or use. As previously discussed, the driveway would be used for parking for the home child care use.
<b>Standard 8</b> Signs	Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.

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

<b>Standard 1</b> Lot Size and Bulk Regulations	The lot size and bulk regulations for the subject property were previously satisfied with the development of the property. No new construction or exterior modifications are proposed.
<b>Standard 2</b> Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
<b>Standard 3</b> Site Plan	Home child care facilities are not subject to the provisions of Article 17, Site Plans.

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

<b>Standard 1</b> Maximum of 12 Children & Non-Resident Employee	The applicant is proposing a maximum of 12 children at any one time, which does not exceed the maximum number of children permitted at any one time. The applicant requests two non-resident employees.
<b>Standard 2</b> Access and Parking	Arrival and departure times of the children are staggered and parking is available on the driveway. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.

<b>Standard 3</b> Landscaping/Screening	There is an existing wood fence and vegetation that screens the home child care play area to the properties to the north and west.
<b>Standard 4</b> Submission Requirements	The applicant submitted a house location survey in lieu of a special exception plat, which is a permissible alternative.
<b>Standard 5</b> Code of Virginia, Title 63.2, Chapter 17	The applicant has a valid home child care license as outlined in a previous section.

**Use Limitations (Par. 6 of Sect. 10-103)**

<b>Part A</b> Maximum Number of Children	The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling. The applicant requests special permit approval to allow a maximum of twelve children at any one time.
<b>Part B</b> Licensed Provider/Primary Residence	The applicant is a state licensed home child care provider and the subject property is the provider's primary residence.
<b>Part C</b> No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use except movable play equipment and toys.
<b>Part D</b> Non-Resident Employee	The applicant is proposing two non-resident persons paid or unpaid. Staff is proposing a development condition to allow two non-resident employees.
<b>Part E</b> Provider is a Non-Resident	The provider is a resident.
<b>Part F</b> Code of Virginia, Title 63.2, Chapter 17	Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid state home child care license.
<b>Part G</b> Increase in Children or Non-Resident Person	The maximum number of children permitted by-right at any one time is 7 in a single family detached dwelling and can be increased to up to 12 children with special permit approval. The applicant requests special permit approval to allow a maximum of twelve children at any one time.

**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.

## **RECOMMENDATION**

Staff recommends approval of SP 2014-PR-119 for the home child care facility with the adoption of the proposed development conditions contained in Appendix 1.

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 Statement of Justification and Select File Photographs
3. Applicant's Affidavit
4. Complaint History
5. Building Permit History
6. State Family Day Home License
7. Zoning Inspections Branch Comments
8. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2014-PR-119****December 31, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-PR-119 located at Tax Map 50-3 ((17)) 94 to permit a home child care facility pursuant to Section 3-403, 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, Miriam Maldonado (Medina), Miriam's Daycare, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 7508 Arlington Boulevard, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "Miriam Maldonado (Medina), Miriam's Daycare, Lot 94," prepared by the applicant, Miriam Maldonado (Medina), on June 11, 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 hours of operation of the home child care facility shall be limited to 5:30 a.m. to 11:30 p.m., Monday through Friday. The applicant shall continue to operate with her approved hours of operation (6:00 a.m. to 7:00 p.m.) until granted a revised license approving the requested hours of operation (5:30 a.m. to 11:30 p.m.).
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve. After 5:30 p.m., only three children shall be allowed at the home child care.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility.
8. Any portions of the dwelling associated with the home child care facility that is used as a children's sleeping area shall be located in a room with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.
9. All pick-up and drop-off of children shall take place in the driveway.

10. There shall be no signage associated with the home child care facility.
11. The applicant shall add screening along the eastern property line which shall be determined in consultation with UFMD.
12. The applicant shall obtain all final inspections for building permits related to interior alterations in the basement of the dwelling.
13. The applicant shall install hand railings on the stairway on the interior of the dwelling leading to the basement and also on the stairway from the basement to the rear yard of the dwelling.
14. Approval of this use is contingent upon maintenance of a state license for the home child care facility for the children on-site for the home child care facility.

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

RECEIVED  
Department of Planning & Zoning

JUN 11 2014

Zoning Evaluation Division

STATEMENT OF JUSTIFICATION

FOR A HOME CHILD CARE FACILITY

NAME : MIRIAM MALDONADO (MEDINA)

ADDRESS: 7508 ARLINGTON BLVD FALLS CHURCH VA 22042

PHONE # 703-507-5650

E-MAIL: [miriam4child@gmail.com](mailto:miriam4child@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 : Miriam Maldonado (Medina)

Zoning Ordinance Section 8-305 for home child care facility

Section 8-004 of General Standards

Tax Map # 50-3-17-0094

Zoning District : R-4

Lot Size : 1588520 S. Q FT

To whom it may Concern

Please accept the following as my statement of justification for a special permit for a home child care facility in my home I own and live in a attached / detached ( circle one ) dwelling at 7508 ARLINGTON BLVD FALLS CHURCH VA 22042 The property is zoned R-4 and I understand I need to seek approval of a special permit in order to operate a child care facility within my home I am currently licensed by the State of Virginia to have 12 children in my child care facility in my home Below is information about my child care facility' s operations :

HOURS : The child care is open from : 7: 00 AM to 7:00 PM MONDAY THROUGH FRIDAY

**NUMBER OF CHILDREN** I care for up to 12 children at any one time This number does not include my own 3 child /children

**EMPLOYEES** I have 2 assistants who work part-time and 1 assistant (s) who work full-time

**ARRIVAL SCHEDULE** 2 of the children arrive between 7:30 am and 8:00 am 5 children arrive between 8:30 am to 9:15 am

**DEPARTURE SCHEDULE** 5 of the children are picked up at 3:45 pm 4:15 pm and 2 children picket 6:00 pm – 6:30 pm

**AREA SERVED** Currently, most of the children living in the vicinity of my neighborhood Many of the children live in neighborhoods near routes 50 on the government center Arlington Blvd these parents bring their children to my house as I noted two of the children live in the immediate area their parents are walking to daycare

**OPERATIONS** As I mentioned that my house is a quiet family home has a walkout basement, which is where children spend most of their time, also use the house kitchen (found in plant arrives) for meals and snacks attached is a plane which indicate

The areas where the day care of the house has 531.1/2 square feet where we carry out the day care

The house has 1028 square feet in total

**HAZARDOUS OR TOXIC SUBSTANCE** The house and yard are free from hazardous or toxic substance No hazardous material will be generated ,utilized, stored treated and /or disposed of onside .

**ZONING ORDINANCE COMPLIANCE** The proposed development conforms to the provisions of all applicable ordinances , regulation 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** Use my yard for outdoor play area for children is about 10.573 square feet . MM 06/11/14

I have two parks one of them have two slide and measures 6 'X 4' X 5 'and the other is 8' X 4 'X6' about, playground and a fence around this area I have drawn the swing and fence in my most recent home location platform that include.

**PARKING** I use my garage as a whole for the parents to come to my house to bring my children with two cars parking on the outside because we have a county sticker.

The parking lot is home to five cars and measures approximately 49 'X 22' sq. ft. It also has a space and is available throughout my home to parents and employees.

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 me to make any changes in the appearance of my house intend to keep it absolutely clean and tidy the house for childcare

Adequate parking is available for my parents and my family employees

for these reasons I think my house is properly for a home day care. No adverse impacts to my neighbors.

Sincerely,

Miriam Maldonado (Medina)

Owner of Miriam's Home Child care

RECEIVED  
 Department of Planning & Zoning  
 MAR 21 2014  
 Zoning Evaluation Division

Arrival Schedule and Departure Schedule

Arrival Schedule

Miriam's Daycare INC. Miriam Medina

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

Departure Schedule

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

Miriam's Daycare INC  
 7508 Arlington Blvd  
 Falls church VA 22042  
 703 507 5650

NAME: MIRIAM'S DAYCARE  
MIRIAM MEDINA  
ADDRESS: 7508 ARLINGTON BLVD FALLS CHURCH VA 22042  
PHONE: 571-282-4181 HOME, 703-507-5650 CEL.  
DATE: 03/21/14

RECEIVED  
Department of Planning & Zoning  
MAR 21 2014  
Zoning Evaluation Division



FRONT - LEFT SIDE



RIGHT SIDE - DRIVEWAY

MAR 21 2014

Zoning Evaluation Division

NAME: MIRIAM'S DAYCARE  
MIRIAM MEDINA  
ADDRESS: 7508 ARLINGTON BLVD FALLS CHURCH VA 22042  
PHONE: 571-282-4181 HOME, 703-507-5650 CEL.  
DATE: 03/21/14



REAR - RIGHT SIDE



REAR

NAME: MIRIAM'S DAYCARE  
MIRIAM MEDINA  
ADDRESS: 7508 ARLINGTON BLVD FALLS CHURCH VA 22042  
PHONE: 571-282-4181 HOME, 703-507-5650 CEL.  
DATE:

RECEIVED  
Department of Planning & Zoning

MAR 21 2014

Zoning Evaluation Division



PLAY AREA



PLAY AREA

NAME: MIRIAM'S DAYCARE  
MIRIAM MEDINA  
ADDRESS: 7508 ARLINGTON BLVD FALLS CHURCH VA 22042  
PHONE: 571-282-4181 HOME, 703-507-5650 CEL.  
DATE:

RECEIVED  
Department of Planning & Zoning  
MAR 21 2014  
Zoning Evaluation Division



PICTURE #A



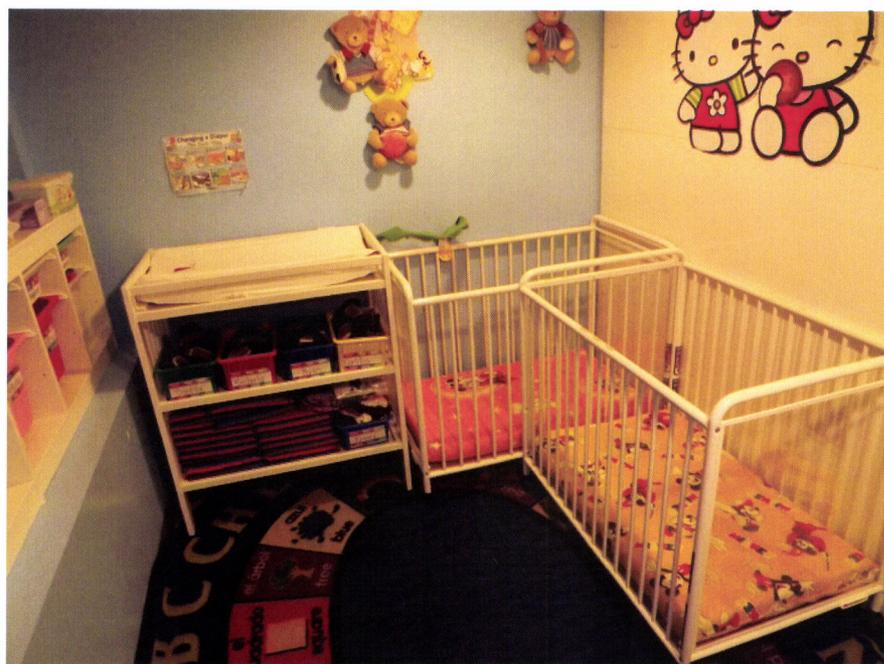
PICTURE #B

NAME: MIRIAM'S DAYCARE  
MIRIAM MEDINA  
ADDRESS: 7508 ARLINGTON BLVD FALLS CHURCH VA 22042  
PHONE: 571-282-4181 HOME, 703-507-5650 CEL.  
DATE:

RECEIVED  
Department of Planning & Zoning  
MAR 21 2014  
Zoning Evaluation Division



PICTURE #C



PICTURE #D

NAME: MIRIAM'S DAYCARE  
MIRIAM MEDINA  
ADDRESS: 7508 ARLINGTON BLVD FALLS CHURCH VA 22042  
PHONE: 571-282-4181 HOME, 703-507-5650 CEL.  
DATE:

RECEIVED  
Department of Planning & Zoning

MAR 21 2014

Zoning Evaluation Division



PICTURE #E



PICTURE #F

Application No.(s): SP 2014-PR-119  
 (county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/19/14  
 (enter date affidavit is notarized)

124864

I, Miriam Medina, 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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
MIRIAM MEDINA	7508 ARLINGTON BLVD FALLS CHURCH VA 22042	APPLICANT / OWNER
MIRIAM'S DAYCARE INC.	7508 ARLINGTON BLVD FALLS CHURCH VA 22042	CO.APPLICANT
RAUL MEDINA	7508 ARLINGTON BLVD FALLS CHURCH VA 22042	CO-TITLE / OWNER

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

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

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

CATB

Application No.(s): SP 2014-PR-119  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/19/14  
(enter date affidavit is notarized)

124864

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)

MIRIAM'S DAYCARE INC.  
7508 ARLINGTON BLVD FALLS CHURCH VA 22042

**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)

MIRIAM B MALDONADO MEDINA  
DIRECTOR

(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-PR-119  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/19/14  
(enter date affidavit is notarized)

124864

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 - PP-119  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/19/14  
(enter date affidavit is notarized)

124864

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 - PR - 119  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/19/14  
(enter date affidavit is notarized)

124864

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)

[Signature]  
 Applicant

[ ] Applicant's Authorized Agent

Miriam Medina  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 19<sup>th</sup> day of MARCH, 2014, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

[Signature]  
Notary Public

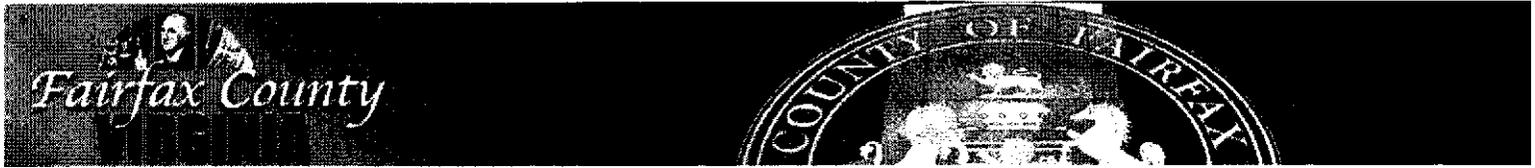
My commission expires: 9/30/17



FABIOLA M GONZA MONTES  
NOTARY PUBLIC 7565795  
COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES SEPTEMBER 30, 2017

CAB



**Land Development Information History: Search** [Help](#)

**Search Form**

All text:  All Ids:  After Date:   
 Address:  Project Name:  Before Date:   
 Grid:  50 Quad:  3 Subdivision:  17 Block:  Lot:  94 Suffix:

**Search Results**

Switch to view:

Showing from 1 to 7 of about 7 results

Sort by:  Pages: **1**

# Record		Status	Date
1	<a href="#">FIDO - DCC - Complaint 70833</a> Project Name: TREMONT GARDENS Address: 007508 ARLINGTON BV	Closed	Closed: 2012-06-27
2	<a href="#">FIDO - DCC - Complaint 84162</a> Project Name: TREMONT GARDENS Address: 007508 ARLINGTON BV	Closed	Closed: 2012-06-20
3	<a href="#">FIDO - DCC - Complaint 69149</a> Project Name: TREMONT GARDENS Address: 007508 ARLINGTON BV	Closed	Closed: 2011-05-03
4	<a href="#">FIDO - DCC - Complaint 68814</a> Project Name: TREMONT GARDENS Address: 007508 ARLINGTON BV	Closed	Closed: 2011-03-15
5	<a href="#">FIDO - DCC - Complaint 68623</a> Project Name: TREMONT GARDENS Address: 007508 ARLINGTON BV	Closed	Closed: 2011-03-09
6	<a href="#">FIDO - DCC - Complaint 68355</a> Project Name: TREMONT GARDENS Address: 007508 ARLINGTON BV	Closed	Closed: 2011-02-23
7	<a href="#">FIDO - DPZ - Complaint 24785</a> Project Name: TREMONT GARDENS Address: 007508 ARLINGTON BV	Closed	Closed: 2008-03-04

Showing from 1 to 7 of about 7 results

Pages: **1**

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



## Land Development Information History: FIDO - DCC - Complaint 84162

### Complaint Details

Complaint #	84162
Street Address	007508 ARLINGTON BV
Magisterial District	Providence
Complaint Description	Unpermitted Interior Renovations
Agency	DCC
Status	Closed
Opened Date	2012-06-03
Closed Date	2012-06-20
Disposition	Compliance
Inspector Assigned	James Watson
Notice of Violation and/or Corrective Work Order	No
Litigation	No

**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](#)

[ADA Accessibility](#) | [Website Accessibility](#)

[Awards](#) | [FOIA](#) | [Mobile](#) | [Using this Site](#) | [Web Disclaimer & Privacy Policy](#) | [Get Adobe Reader](#)

Official site of the County of Fairfax, Virginia, © Copyright 2011



## Land Development Information History: FIDO - DCC - Complaint 70833

### Complaint Details

Complaint #	70833
Street Address	007508 ARLINGTON BV
Magisterial District	Providence
Complaint Description	Structures Unsafe, Dilapidated Or In Disrepair
Agency	DCC
Status	Closed
Opened Date	2011-05-04
Closed Date	2012-06-27
Disposition	Compliance
Inspector Assigned	Chip Moncure
Notice of Violation and/or Corrective Work Order	Yes
Litigation	No

**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](#)

[ADA Accessibility](#) | [Website Accessibility](#)

[Awards](#) | [FOIA](#) | [Mobile](#) | [Using this Site](#) | [Web Disclaimer & Privacy Policy](#) | [Get Adobe Reader](#)

Official site of the County of Fairfax, Virginia, © Copyright 2011



Owner: MEDINA  
 Address: 7508 ARLINGTON BV  
 City: FALLS CHURCH State: VA  
 Zip: 22042

**Contractor Information**

Name: OWNER IS CONTRACTOR BPOL License:  
 Address: State License:  
 City: State: VA Zip: Trade Reg.:  
 Trade Name:

**Applicant Information**

Applicant:  
 Address:  
 City: State: Zip:

**Other Contact Information**

Contact:  
 Address:  
 City: State: Zip:

**Inspections****Inspection - R FINAL - FINAL INSPECTION - 5715482**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2012-06-20	BRYANT WILKERSON	N	Failed	NO	need approved plan for lvi's

**Inspection - R FRAMING - FRAMING INSPECTION - 5724732**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FRAMING	2012-06-21	RICHARD LAKE	N	Passed	NO	

**Inspection - R FINAL - FINAL INSPECTION - 5723918**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2012-06-21	RICHARD LAKE	N	Cancelled	NO	

**Reviews****Review - BUILDING - (BUILDING REVIEW) - 2126901**

Review Type	Review Date	Reviewer	Started	Status
BUILDING	2012-06-06	SYNDEE GROVES	Y	Failed

**Review - BUILDING - (BUILDING REVIEW) - 2126908**

Review Type	Review Date	Reviewer	Started	Status
BUILDING	2012-06-12	CHRISTIANNA RABER	Y	Approved

**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](#)**

[ADA Accessibility](#) | [Website Accessibility](#)

[Awards](#) | [FOIA](#) | [Mobile](#) | [Using this Site](#) | [Web Disclaimer & Privacy Policy](#) | [Get Adobe Reader](#)

Official site of the County of Fairfax, Virginia, © Copyright 2011



## Land Development Information History: FIDO - ELECTRIC R - 121640195

### Permit Information

Permit Number:	121640195	Application Date:	
Permit Type:	ELECTRIC RESIDENTIAL	Tax Map:	050-3 ((17)) 0094
Job Address:	007508 ARLINGTON BV	Permit Status:	Finalized
	FALLS CHURCH , VA 22042-1301	Bldg:	Floor: Suite:
		Permit Fee:	

Location:

Subdivision: TREMONT GARDENS

Magisterial District: PROVIDENCE

Subcensus Tract:

AP (Tenant) Name:

Work Description: install fixtures for kitchen remodel

Type of Work: NEW INSTALLATION

Building Use: SFD - SINGLE FAMILY DWELLING

Standard: IR09 - IRC 2009

Plan Number: W-12-3568

Parent Permit:

ISIS Permit:

Type of Const:

Use Group:

Comments:

Link to FIDO record : [121640195](#)

### Owner Information

Owner: MEDINA  
 Address: 7508 ARLINGTON BV  
 City: FALLS CHURCH State: VA  
 Zip: 22042

**Contractor Information**

Name: OWNER IS CONTRACTOR BPOL License:  
 Address: State License:  
 City: State: VA Zip: Trade Reg.:  
 Trade Name:

**Applicant Information**

Applicant:  
 Address:  
 City: State: Zip:

**Other Contact Information**

Contact:  
 Address:  
 City: State: Zip:

**Inspections****Inspection - R FINAL - FINAL INSPECTION - 5715658**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2012-06-20	BRYANT WILKERSON	N	Passed	NO	

**Inspection - R ELECTRIC - RES ELECTRICAL CONCEALMENT INSPECTION - 5723920**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R ELECTRIC	2012-06-20	BRYANT WILKERSON	N	Passed	NO	final not approved on 1st email only concealment

**Reviews**

There were no reviews.

**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](#)

[ADA Accessibility](#) | [Website Accessibility](#)

[Awards](#) | [FOIA](#) | [Mobile](#) | [Using this Site](#) | [Web Disclaimer & Privacy Policy](#) | [Get Adobe Reader](#)

Official site of the County of Fairfax, Virginia, © Copyright 2011

Virginia.gov Agencies | Governor Search Virginia.Go



VIRGINIA DEPARTMENT OF  
SOCIAL SERVICES

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

**Miriam Medina**

7508 Arlington Blvd.

FALLS CHURCH, VA 22042

(571) 282-4181

Facility Type: [Family Day Home](#)License Type: [Two Year](#)[Expiration Date](#): Aug. 15, 2016Business Hours: 6:00am - 7:00pm  
Monday - Friday

Capacity: 10

Ages: 1 month - 12 years 11 months

Inspector: Anailim Dally  
(703) 577-0270



# County of Fairfax, Virginia

## MEMORANDUM

Date: November 6, 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 – SP 2014-PR-119

Applicant: Miriam Maldonado  
7508 Arlington Boulevard, Falls Church, Virginia 22042  
Tremont Gardens, Lot 94 Pt Lot 1 Block 2 Sec 1 Pine Springs  
Tax Map# 50-3 ((17)) 0094 Zoning District: R-4 (Residential 4 DU/AC)  
Magisterial District: Providence  
Mail Log # 2014-0460  
Date of Inspection: October 30, 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.)

*\* The lower level sleeping area had no emergency egress. The lower level window sills exceeded the maximum height of 44”.*

*\*The applicant stated the children’s sleeping area will be relocated to the main level of the home. No re-inspection or photos as of 11-6-14*

- An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.

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 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.

*The home child care was lacking (2) handrails, interior stairs and the exterior stairwell.*

- 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.