



APPLICATION ACCEPTED: October 8, 2014
BOARD OF ZONING APPEALS: February 4, 2015
TIME: 9:00 a.m.

County of Fairfax, Virginia

January 28, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-LE-222

LEE DISTRICT

APPLICANT: Adwoa Abrafi
OWNER: Yaa Koduah Afram
SUBDIVISION: Mount Vernon Valley, Section 9
STREET ADDRESS: 8105 Frye Road, Alexandria, 22309
TAX MAP REFERENCE: 101-1 ((5)) (6) 6
LOT SIZE: 10,560 square feet
ZONING DISTRICT: R-3
ZONING ORDINANCE PROVISIONS: 3-303, 8-305
SPECIAL PERMIT PROPOSAL: To permit a home child care facility.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-LE-222 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

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

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

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.**

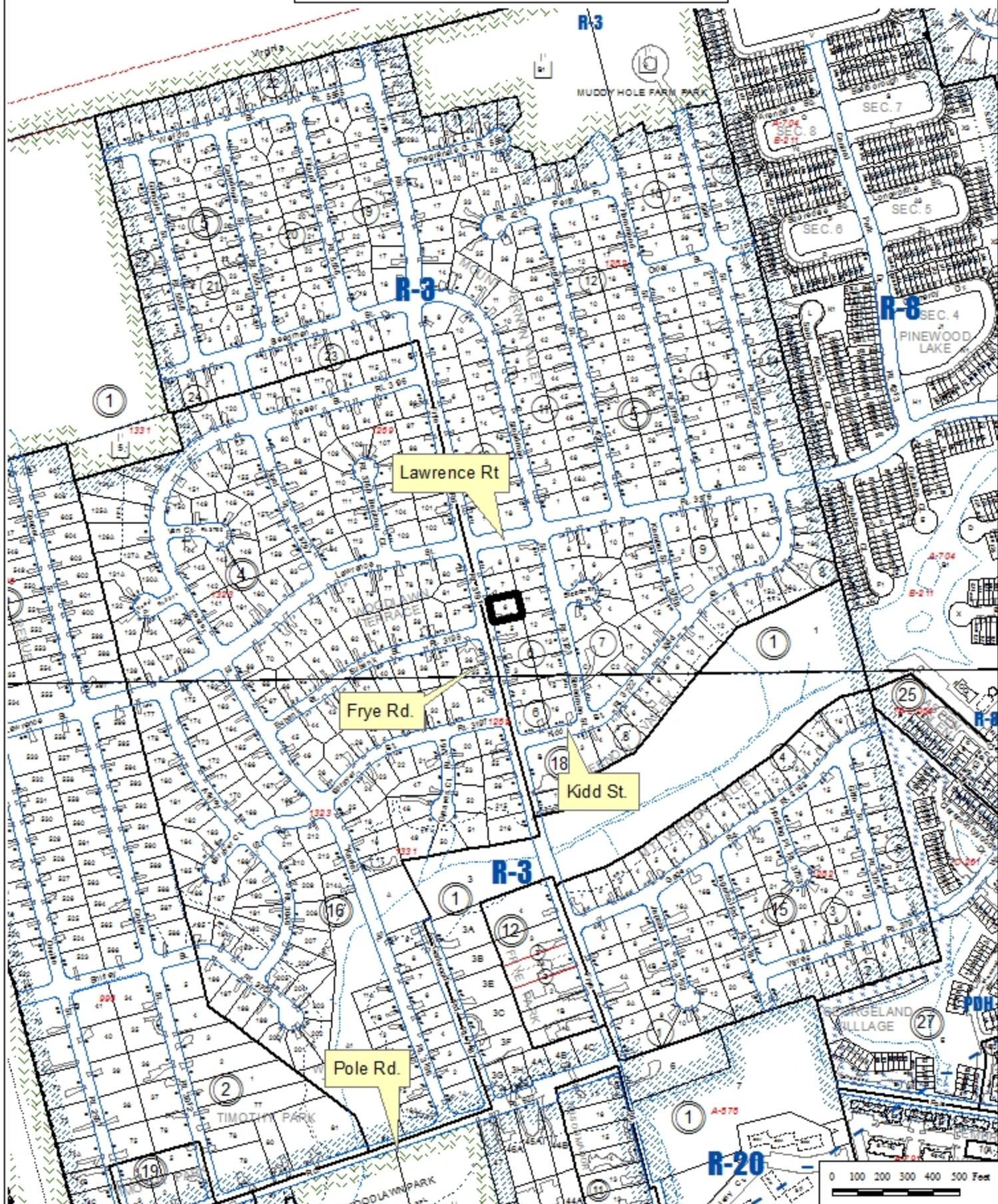


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-LE-222

ADWOA ABRAFI

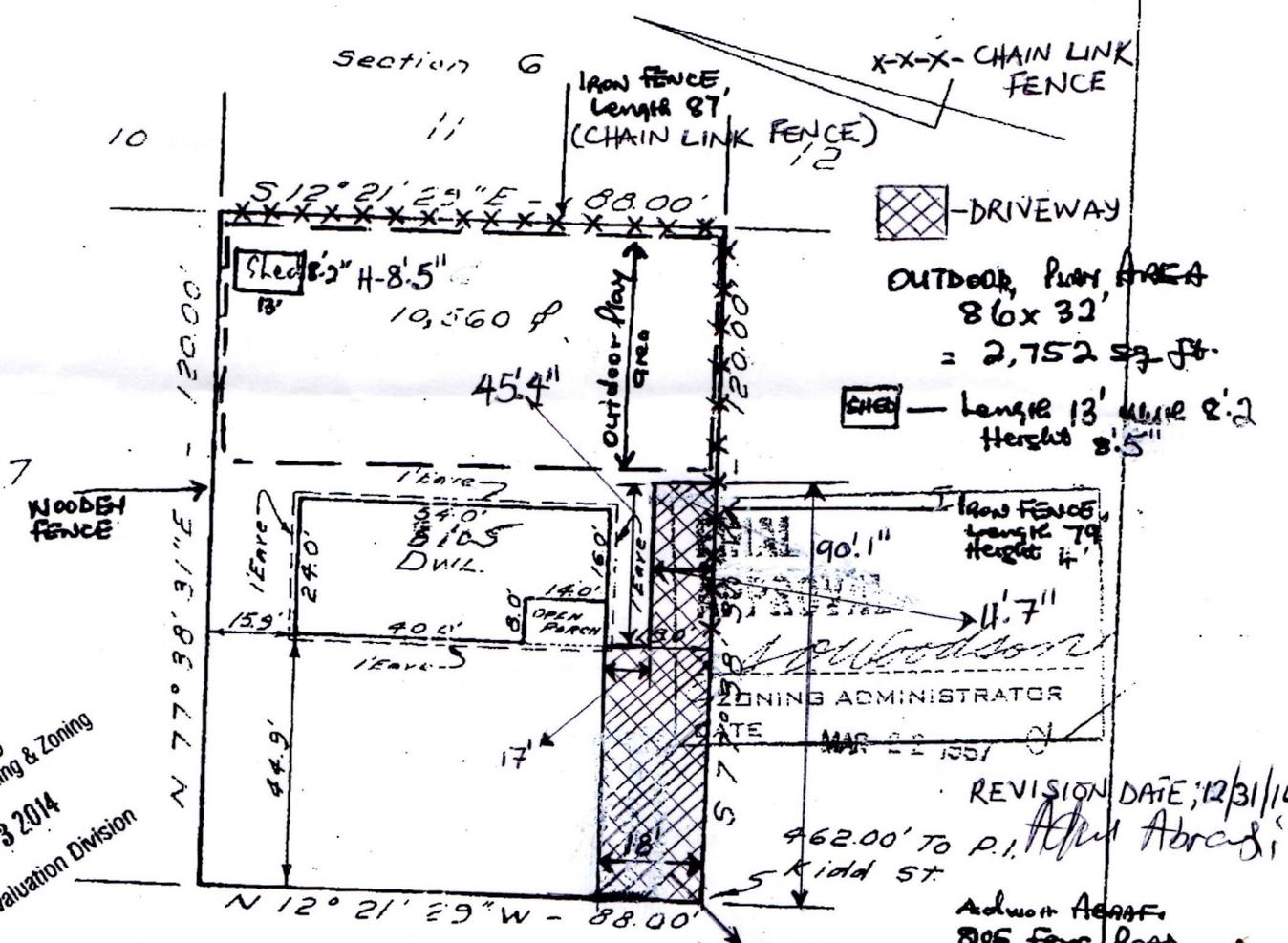


OCT 06 2014

Zoning Evaluation Division

HOUSE LOCATION SURVEY
LOT 6, BLOCK 6
SECTION 9

MT. VERNON VALLEY
Lee Magisterial District
FAIRFAX COUNTY, VA.



FRYE ROAD
(60' wide)

Adm. Abrasi
805 FRYE ROAD
ALEXANDRIA VA 22309

Adm. Abrasi
MAY 24 1965

RECEIVED
Department of Planning & Zoning
SEP 03 2014
Zoning Evaluation Division

CERTIFIED CORRECT <i>Ernest A. Courson</i> CERTIFIED LAND SURVEYOR 8-27-65	SPRINGFIELD SURVEYS SPRINGFIELD, VIRGINIA	SCALE 1" = 30'	DATE 5-7-65
		DRAWN BY: MR.	CK'D. BY: L.S.
		JOB NO. VAF 152	FIELD BK. 226

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children. A more detailed description of the proposal is provided on page two.

A copy of the special permit plat, titled "House Location Survey, Lot 6, Block 6, Section 9, Mt. Vernon Valley," prepared by Springfield Surveys dated August 27, 1965, as revised by the applicant Adwoa Abrafi on December 31, 2014, is included in the front of the staff report.

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. An open porch, concrete walkway and an asphalt driveway exist to the west of the dwelling. A shed, 8.5 feet in height, exists to the northeast of the dwelling. A wood fence exists along the northern property line. A chain link fence exists along the eastern and a portion southern property lines to enclose the rear yard. The rear yard also serves as the play area for the home child care.



Figure 1- Aerial View of Subject Property

The property is located east of Frye Road. The subject property and surrounding properties to the north, east, west and south are zoned R-3 and are developed with single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1965, remodeled in 2012 and purchased by the property owner in 2012. The applicant is currently renting the property.

On October 10, 2011, a building permit was issued for interior remodeling for a basement and first floor (Appendix 4). A final building inspection took place and the building permit was approved on July 30, 2012.

There are no complaints filed on the property related to the current property owner or renter.

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. However, SP 2014-LE-123, also a home child care requesting twelve children, is being heard by the BZA on January 14, 2015 and is located south of this application along Frye Road.

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 5:00 a.m. and 12:00 a.m. Monday through Friday. Currently the applicant only has three children. One of the children arrives at 5:00 a.m. and leaves the home child care at 12:00 p.m. Another child arrives at the home child care at 3:00 p.m. and leaves at 11:00 p.m. Due to the varied range of hours that the children arrive and depart staff has recommended a development condition that allows twelve children between the hours of 5:00 a.m. and 6:00 p.m., and only three children from 6:00 p.m to 11:00 p.m. Currently, there are no assistants, but the applicant is requesting two.

The home child care facility is operated in the basement of the dwelling. The play area is located in the rear yard of the property and east of the main dwelling. Pictures provided by the applicant show toys and play equipment located in this area.

The applicant holds a current Family Day Home License, effective for one year and expires on January 30, 2015, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of twelve children, from two months through 12 years 11 months of age. A copy of the license is included as Appendix 5.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Mount Vernon Planning District
Planning Sector: Woodlawn Community Planning Sector (MV8)
Plan Map: Residential, 2-3 du/ac

On-Site Parking and Site Circulation

The existing driveway can accommodate five vehicles. The applicant parks their car in the fenced in portion of the driveway area. The future assistants would park on the street.

Vehicular access to the site is provided by an asphalt driveway from Frye Road. A concrete walkway connects the driveway to the front of the dwelling, which is the entrance to the home child care.

Zoning Inspection Branch Comments (Appendix 6)

Staff did not find an operable smoke detector in the sleeping room of the child care facility. The property also had two gates in the back yard which were chained and locked. Additionally, numerous items were located too close to the furnace and water heater. The applicant was made aware of these concerns and the applicant has committed to fix them.

Zoning Ordinance Requirements (Appendix 7)

- 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>Standards 1 and 2 Comprehensive Plan/ Zoning District</p>	<p>The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3 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-3 District.</p>
<p>Standard 3 Adjacent Development</p>	<p>No new construction is proposed. In staff’s opinion, the proposed use will not hinder or discourage use or development of neighboring properties or value.</p>
<p>Standard 4 Pedestrian/Vehicular Traffic</p>	<p>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.</p>
<p>Standard 5 Landscaping/Screening</p>	<p>There is existing fencing that separates the play area from the neighbors. There have been no complaints from the neighbors about the existing home child care use.</p>
<p>Standard 6 Open Space</p>	<p>Open space is not required in an R-3 District.</p>

Standard 7 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.
Standard 8 Signs	Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.

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

Standard 1 Lot Size and Bulk Regulations	The lot size and bulk regulations for the dwelling and the subject property were previously satisfied with the development of the property. No exterior modifications are proposed with this application.
Standard 2 Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 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)

Standard 1 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.
Standard 2 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.
Standard 3 Landscaping/Screening	There is an existing fence in the rear yard that helps provide screening to the outdoor play area.
Standard 4 Submission Requirements	The applicant submitted a house location survey in lieu of a special exception plat, which is a permissible alternative.
Standard 5 Code of Virginia, Title 63.2, Chapter 17	The applicant has a valid home child care license through January 30, 2015 for seven children from 6:00 a.m. to 7:00 p.m. The applicant has requested twelve children and hours of operation beyond the current state approval and a revised state license will be required.

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

Part A 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.
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Part 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.
Part C No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use except play equipment and toys.
Part D Non-Resident Employee	The applicant is proposing two non-resident employees.
Part E Provider is a Non-Resident	The provider is a resident and is renting the property.
Part F 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.
Part G Increase in Children or Non-Resident Employees	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 and two non-resident assistants.

CONCLUSION/ RECOMMENDATION

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions.

Staff recommends approval of SP 2014-LE-222 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 with Select File Photographs
3. Applicant's Affidavit
4. Building Permit History
5. State Family Day Home License
6. Zoning Inspections Branch Comments
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-LE-222****January 28, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-LE-222 located at Tax Map 101-1 ((5)) (6) 6 to permit a home child care facility pursuant to Sects. 3-303 and 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, Adwoa Abrafi, and is not transferable without further action of the Board, and is for the location indicated on the application, 8105 Frye Road, 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 "House Location Survey, Lot 6, Block 6, Section 9, Mt. Vernon Valley," prepared by Springfield Surveys dated August 27, 1965, as revised by the applicant Adwoa Abrafi on December 31, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of the special permit 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.
4. The applicant shall continue to operate with the approved hours of operation, 6:00 a.m. to 7:00 p.m., until granted a revised state license approving the requested hours of operation (5:00 a.m. to 11:00 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. The home child care shall be limited to three children after 6:00 p.m. and the children shall be required to stay inside after dark. The applicant shall not increase the number of children beyond seven without an revised and approved state license with the requested number of children.
7. A maximum of two nonresident employees may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
8. All pick up and drop off of children shall take occur in the driveway.

9. There shall be no signage associated with the home child care facility.
10. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
11. The accessory storage structure shall remain locked during the hours of operation of 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.

Adwoa Abrafi
8105 Frye Road
Alexandria VA, 22309
703-862-6420
Naomi.asomadu@gmail.com

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

RECEIVED
Department of Planning & Zoning
MAR 31 2014
Zoning Evaluation Division

Re: Special Permit Application

Applicant: Adwoa Abrafi

Zoning Ordinance Section 8-305 for Home Child Care Facility and
Section 8-004 of General Standards

Tax Map# (1011-0506-0006)

Zoning District: R-3

Lot size: 10,560 sq.ft

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a childcare facility in my home. I own and live in a single family detached home at (8105 Frye Rd. Alexandria VA, 22309) with my husband and 2 children. The property is zoned R-3 and I understand I need to seek approval for 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 5 children in my home. The following is information about the facility in which I provide my child care.

Hours of operation: The child care facility is open for 24 hours.

Number of children: I care for up to 5 children.

Employees: No assistant at this time.

Arrival Schedule:

Child #1 & #2 arrive between the hours of 7:00am - 7:45am

Child #3 arrives between the hours of 8:00am - 8:30am

Child #4 & #5 arrive between the hours of 9:00am - 9:15am

Departure Schedule:

Child #1 & #2 depart between the hours of 2:45pm- 4:15pm

Child #3 departs between the hours of 4:30pm- 5:00pm

Child #4 & #5 depart between the hours of 5:00pm – 5:30pm

Currently, all of the children are picked up and dropped off by their parents to and from the childcare facility.

Area Served: The children are served on a table which is set up with tables, chairs and mats. They are served by the area toward the backyard exit in the basement.

The photographs that are included in this application form consist of:

- Images that display the structure of the property.
- Images that display the street lines, sidewalks and driveway that leads to the property.
- Images displaying the front area and back yard of the property.
- Images displaying the rooms used for childcare (including respective measurements).

Operations: As stated, my home is a single family home detached. In the home, is a basement where the children spend most of their time. Attached is a floor plan that indicates the areas that are used for the childcare.

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 to the provision of all applicable ordinances', regulations and adopted standards. If any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.

Outdoor Play Area: I use my back yard area for outdoor play for the children. There is also fencing in the backyard that provides security and safety for the children. The measurements of the area and its fencing are in the attached documentation.

Parking: My driveway provides a vast amount of parking vehicles. Along with my driveway parking, there is also road side parking available in front of my house. Attached also, are the measurements of the available parking for my facility.

Applicant's Affidavit: Special permit / Variance Affidavit Forms (1-5) were completed and signed by the applicant.

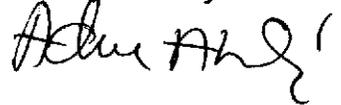
Plot: Ten copies of updated plot with structures signed and dated by the applicant.

Consent by Co-ownership of the subject property: I (Yaa Koduah Afram) have given permission that I (Adwoa Abrafi) may apply for the Special Permit Application to operate a home child care facility on this property. Attached is a signed Owner's Consent for Home Child Care Facility form.

Special Permit Application Statement

The hours of operation for my business starts at 6:00am till 12:00am and children may come any time throughout the day. The number of children that I want to look after are more than 5 which is why I am applying for this special permit. This permit is essential to me because without it I cannot support my family. All the children I look after come from and go to school in Fairfax County.

Adwoa Abrafi



State of VA County of Fairfax
Subscribed and sworn before me on 08/29/2014 (Date)
Auth R
(Notary Signature)

RECEIVED
Department of Planning & Zoning

SEP 03 2014

Zoning Evaluation Division



LUTFUNNESSA PANNA ALAM
NOTARY PUBLIC 7208096
COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES OCTOBER 31, 2017

Arrival Schedule and Departure Schedule

RECEIVED
Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division

Arrival Schedule

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

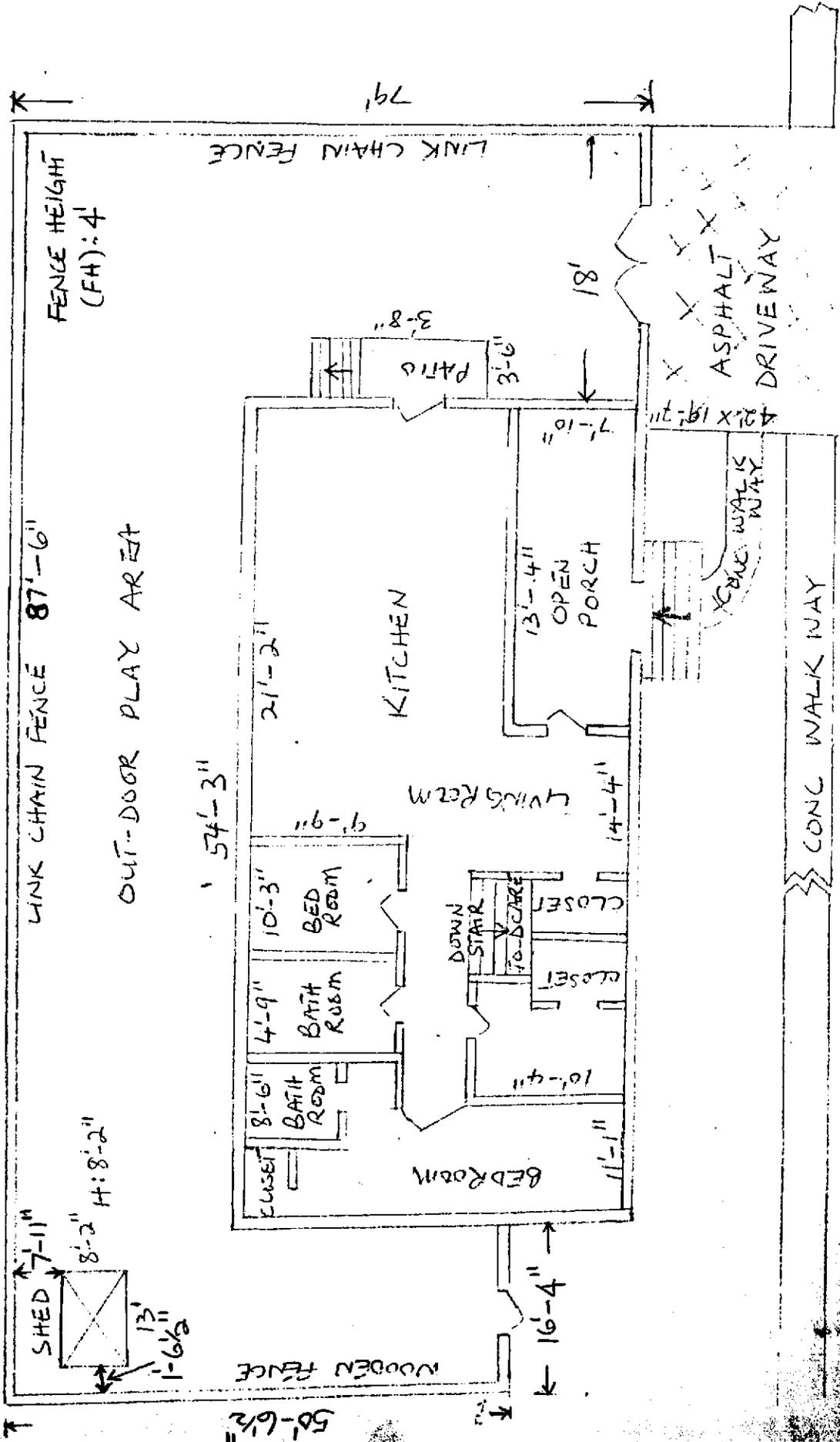
Departure Schedule

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				
8				
9				
10				
11				
12				

ADWOA ABRAMI DAY CARE
 8105 FRYE ROAD
 ALEXANDRIA VA 22309
 1ST FLOOR

RECEIVED
 Department of Planning & Zoning
 SEP 03 2014

Zoning Evaluation Division



FRYE ROAD

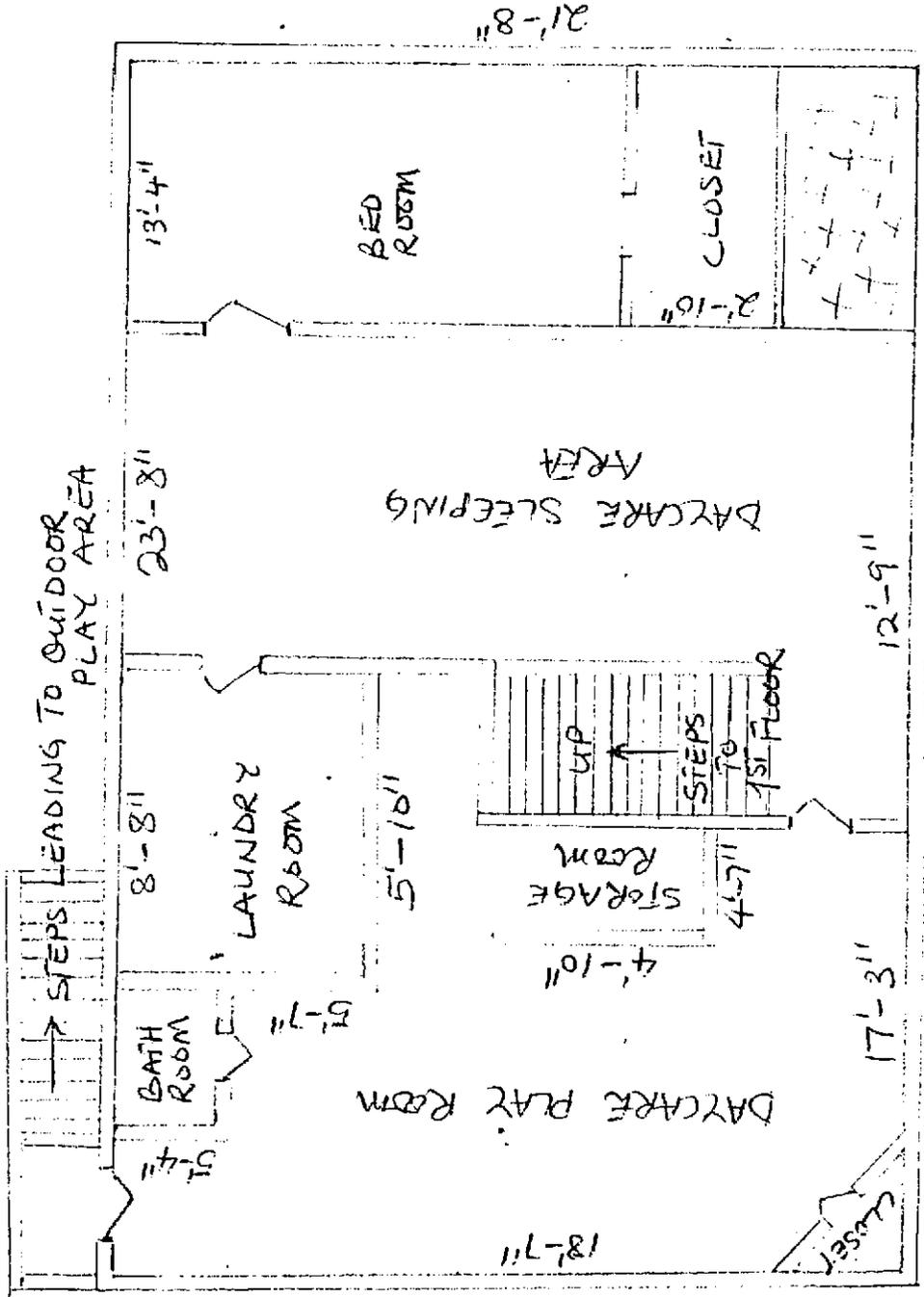
ADWOA ABRAH DAYCARE
8155 FRYE ROAD
ALEXANDRIA VA 22309

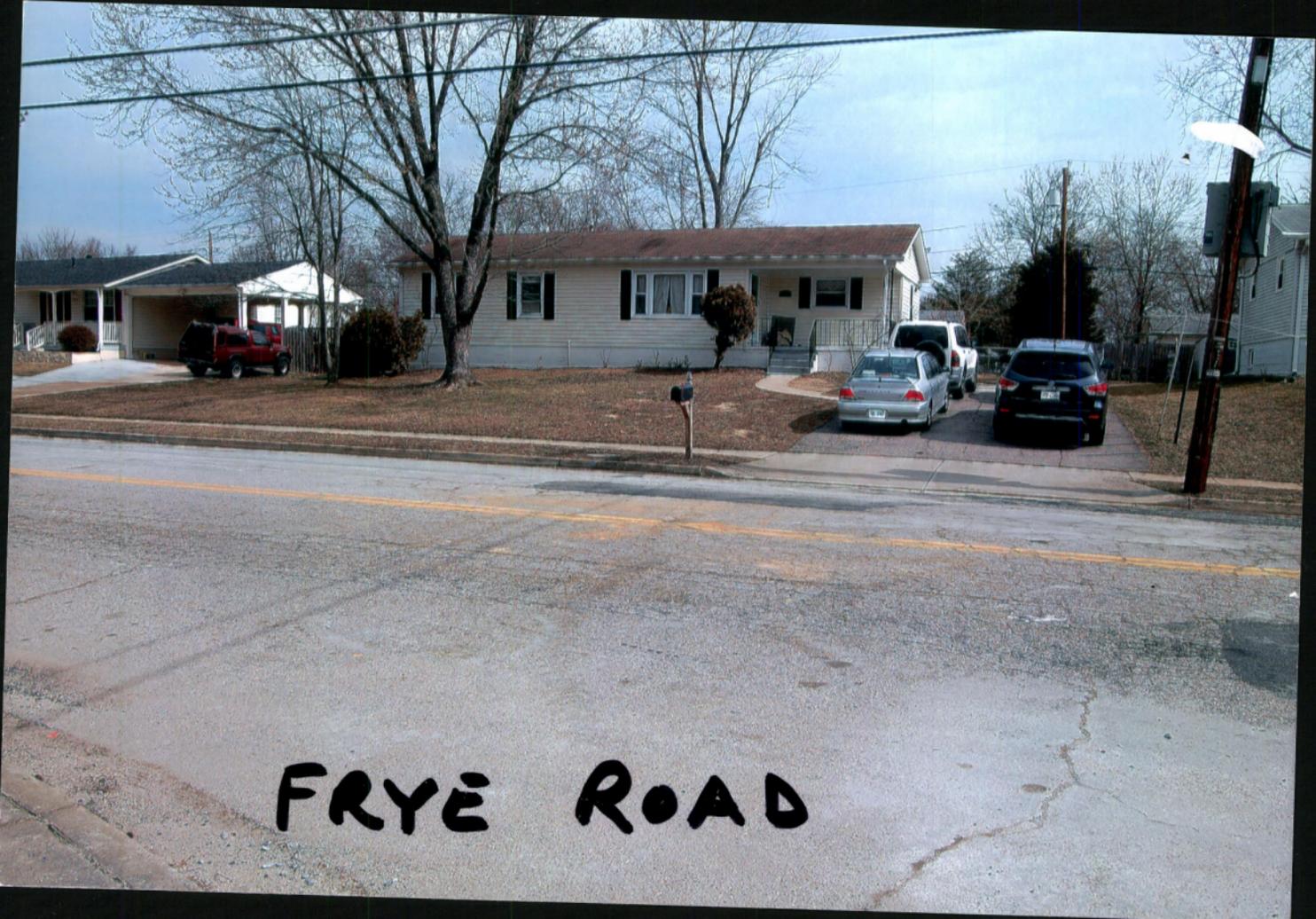
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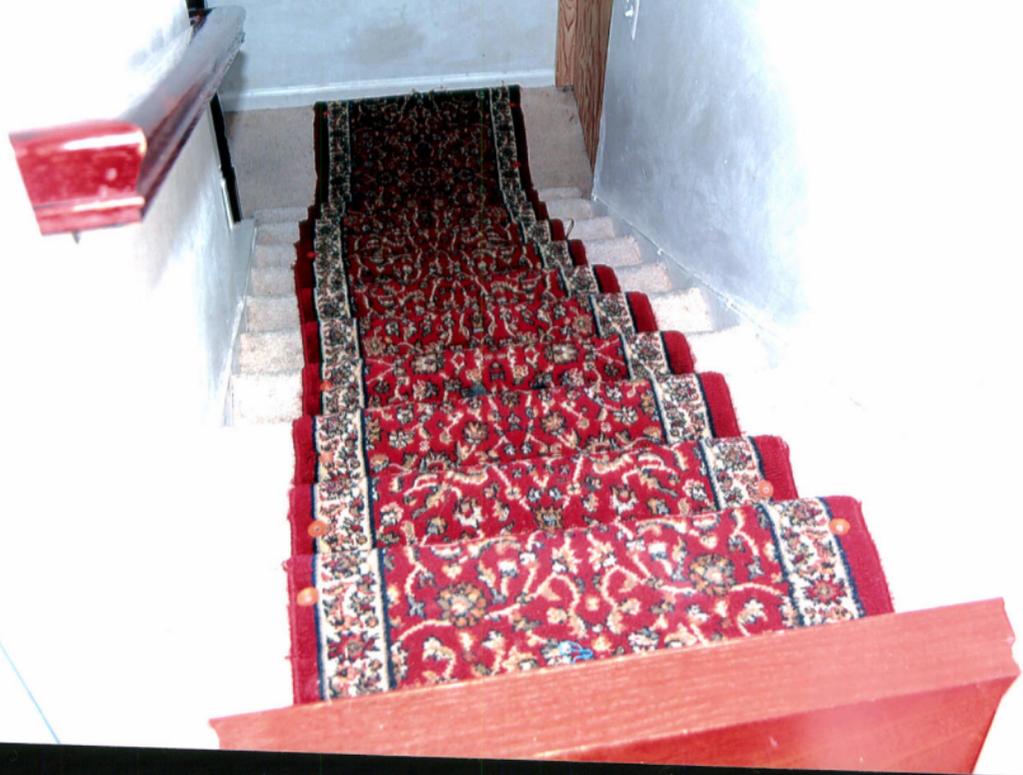
BASEMENT





FRYE ROAD

STEPS FROM LIVING ROOM
TO BASEMENT (DCLARE)





DAYCARE ROOM (FLOOR)



**BASEMENT
EXIT BACK DOOR**



RIGHT GATE



LEFT GATE

BST-DOOR



Application No.(s): SP 2014-LE-222
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05-22-2014
 (enter date affidavit is notarized)

I, ADKWOA ABRAFI, 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: 125067

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
YAA KODUA AFRAM	8105 FRYE RD ALEX VA 22309	TITLE OWNER
ADKWOA ABRAFI	8105 FRYE RD ALEX VA 22309	APPLICANT

(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).

CAB

Application No.(s): SP 2014-LE-222
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05-22-2014
(enter date affidavit is notarized)

125067

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Application No.(s): SP 2014-LE-222
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05-22-2014
(enter date affidavit is notarized)

125067

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-LE-222
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05-22-2014
(enter date affidavit is notarized)

125067

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

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

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

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

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

NONE

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

Application No.(s):

SP 2014-LE-222

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 05-22-2014
(enter date affidavit is notarized)

125067

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:

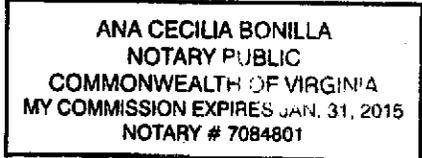
(check one) [X] Applicant [] Applicant's Authorized Agent

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

Subscribed and sworn to before me this 22 day of May 2014, in the State/Comm. of Virginia, County/City of Alexandria

Ana Cecilia Bonilla
Notary Public

My commission expires: 1-31-2015



CAB

Owner: NEW SPRING LLC
 Address: PO BOX 2382
 City: FAIRFAX State: VA Zip: 22031

Contractor Information

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

Applicant Information

Applicant: SIELEWICZ
 Address: 1766 TIGER LILY CI
 City: WOODBRIDGE State: VIRGINIA Zip: 22192

Other Contact Information

Contact:
 Address:
 City: State: Zip:

Inspections**Inspection - R FINAL - FINAL INSPECTION - 5506560**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2012-07-26	DONALD CASSEDY	N	Failed	NO	PENINSULAR RECEPTACLE NEEDED, TEMPERED GLASS OR SAFETY FILM FOR WINDOW LOCATED IN SHOWER, ABANDONED B-VENT NEEDS CAPPING, CAULK EXTERIOR LIGHT AT REAR DOOR, BACKFLOW PREVENTERS FOR HOSE BIBBS

Inspection - R FRAMING - FRAMING INSPECTION - 5696705

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FRAMING	2012-05-24	GARY KENDRICK	N	Passed	NO	

Inspection - R INSLATION - INSULATION INSPECTION - 5699668

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R INSLATION	2012-05-24	GARY KENDRICK	N	Passed	NO	

Inspection - R FINAL - FINAL INSPECTION - 5757133**Reviews**

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2012-07-30	GARY KENDRICK	N	Passed	NO	

Review - BUILDING - (BUILDING REVIEW) - 2062494

Review Type	Review Date	Reviewer	Started	Status
BUILDING	2011-10-14	WILLIAM DOUGHERTY	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](#)

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VIRGINIA DEPARTMENT OF
SOCIAL SERVICES



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

Adwoa Abrafi

8105 Frye Street

ALEXANDRIA, VA 22309

(703) 862-6420

Facility Type: [Family Day Home](#)License Type: [One Year](#)[Expiration Date](#): Jan. 30, 2015Business Hours: 6 am - 7 pm
Monday - Friday

Capacity: 7

Ages: 2 months - 12 years 11 months

Inspector: Cynthia Ford
(703) 479-4649



County of Fairfax, Virginia

MEMORANDUM

Date: December 18, 2014

To: Laura Gumkowski-Arseneau, 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 – SP 2014-LE-222

Applicant: Adwoa Abrafi
8105 Frye Road, Alexandria, Virginia 22309
Mount Vernon Valley, Lot 6, Blk 6, Sec 9
Tax Map# 101-1 ((05)) (06) 0006
Zoning District: R-3(Residential 3 DU/AC)
Magisterial District: Lee
ZIB # 2014-0510
Date of Inspection: December 17, 2014

KEY: A “✓” mark in a box indicates that the item was deficient. An unmarked box indicates that no violation was found.

- Rooms used for sleeping must provide two means of exit, one which leads directly to the outside, as required by the Virginia Uniform Statewide Building Code. (32-12-30.)
- An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
The children's sleeping area was lacking a smoke detector.
- 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.

**The property had a chain link fence around the rear yard which had two gates to exit/enter, both chained & locked.*

- 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.

**The Utility area had numerous items (utility cart, wicker storage, packaged food items, diapers, plastic children's table & chairs) located around/near the furnace and water heater.*

- 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.