



APPLICATION ACCEPTED: May 15, 2014
BOARD OF ZONING APPEALS: October 8, 2014
TIME: 9:00 a.m.

County of Fairfax, Virginia

October 1, 2014

STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2014-LE-068

LEE DISTRICT

APPLICANT: Muna Hassan

OWNERS: Muna M Hassan
Ali Jemil

SUBDIVISION: Monticello Woods, Section 7, Block B

STREET ADDRESS: 6305 Wayles Street, Springfield, 22150

TAX MAP REFERENCE: 81-3 ((13)) (B) 723

LOT SIZE: 13,252 square feet

ZONING DISTRICT: R-3, H-C

ZONING ORDINANCE PROVISIONS: 8-305

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

STAFF RECOMMENDATION: Staff recommends approval of SP 2014-LE-068 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.

Megan Duca

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



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

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

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**

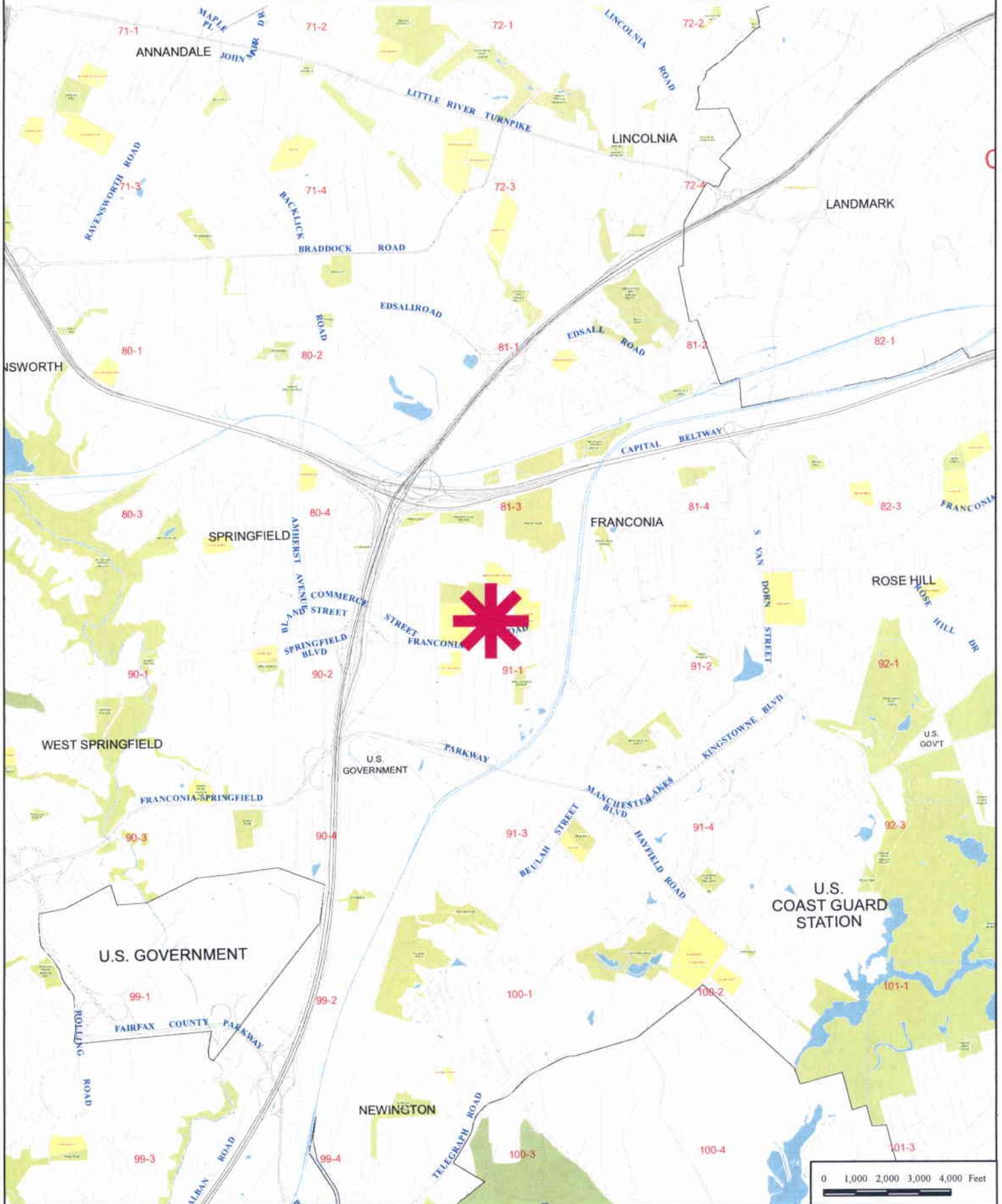


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-LE-068

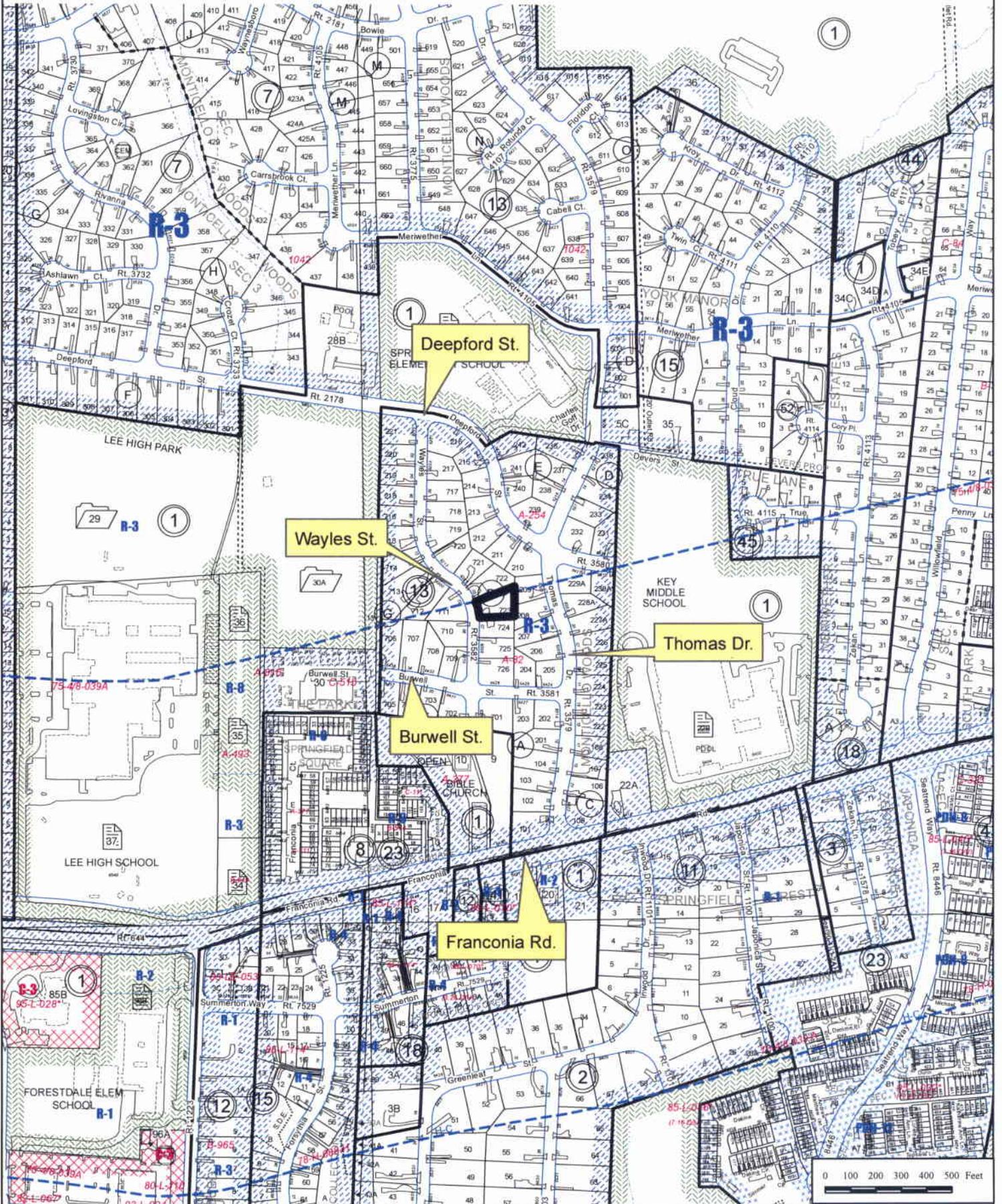
MUNA HASSAN

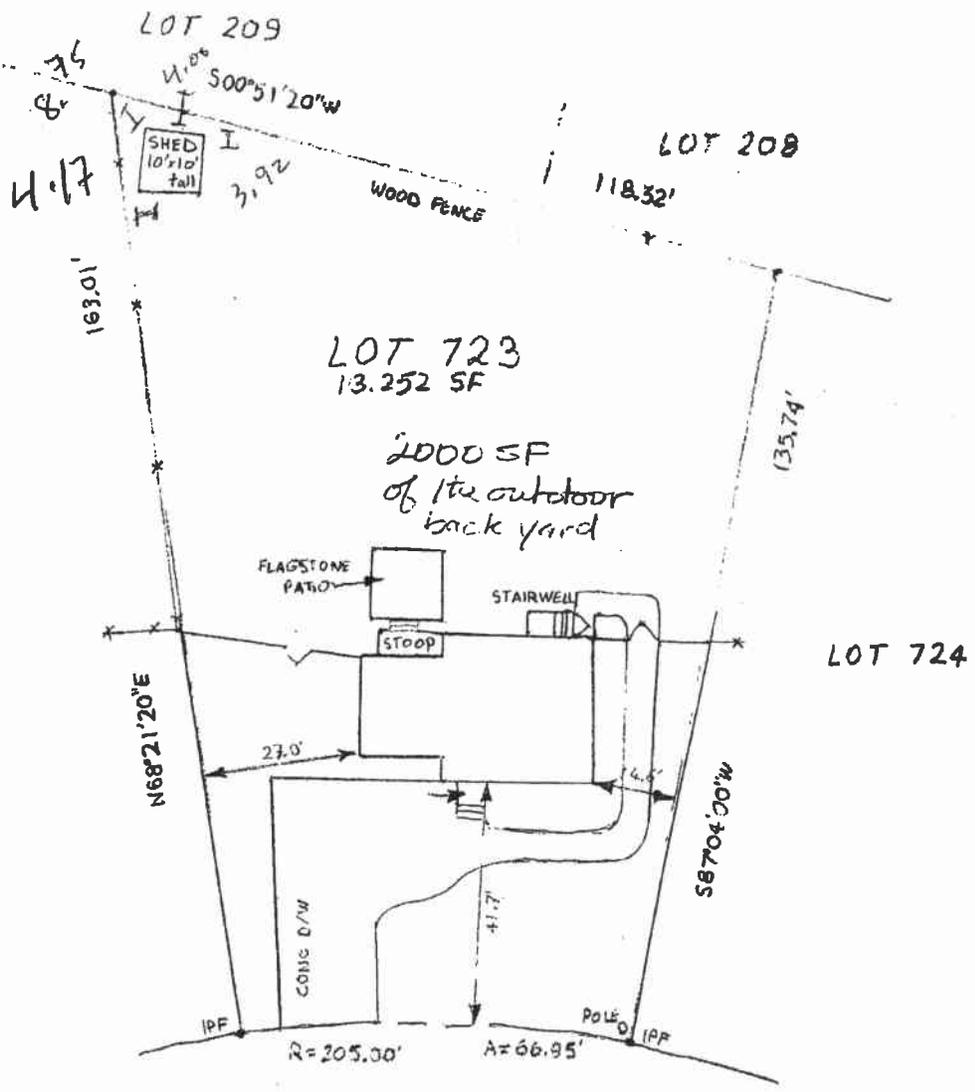


Special Permit

SP 2014-LE-068

MUNA HASSAN





WAYLES STREET
 (50' R/W)

RECEIVED
 Department of Planning & Zoning
 MAY 01 2014
 Zoning Evaluation Division

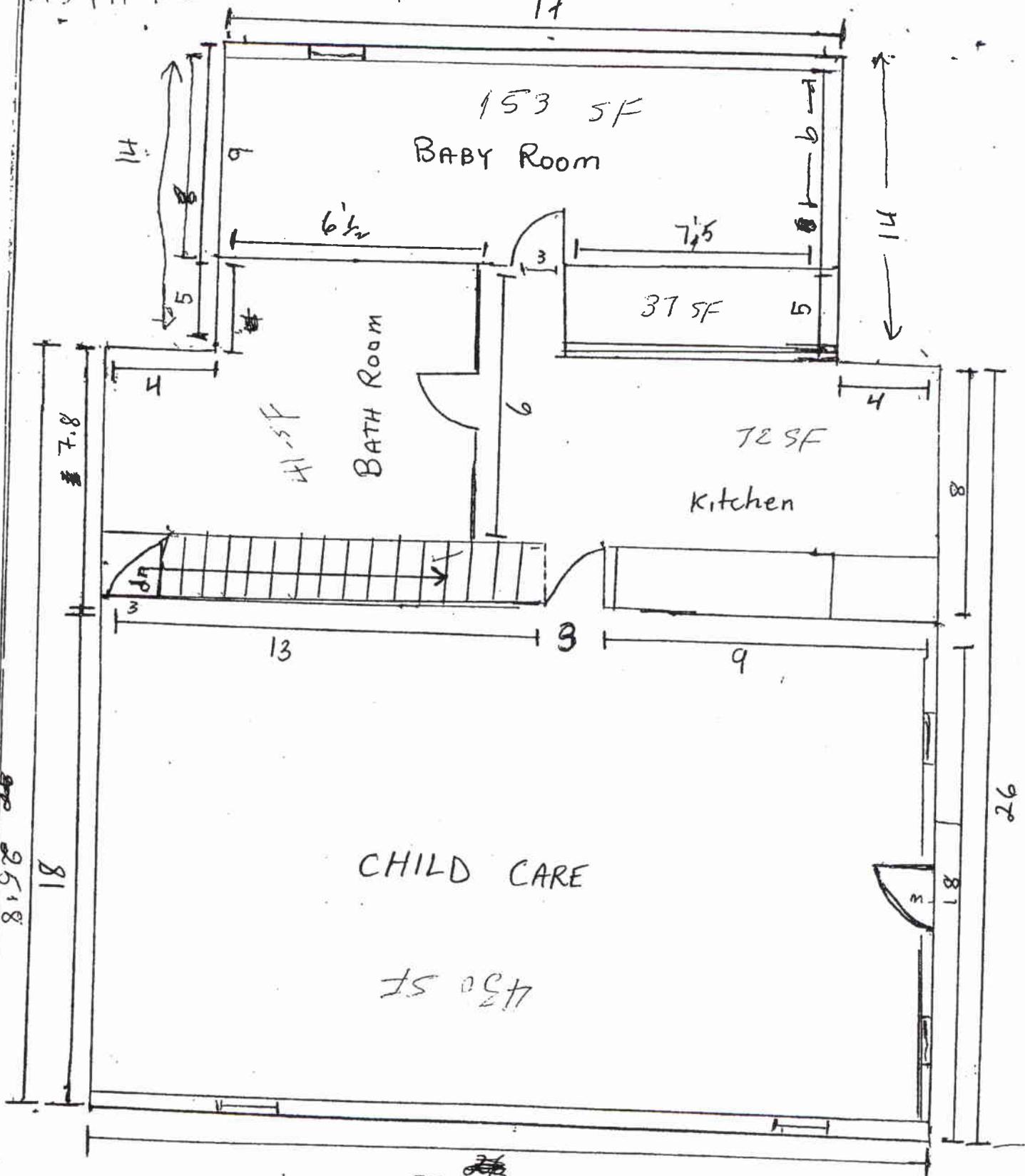
Muna Hassan
Munalti

5/1/14

SCALE: 1" = 30'

04/10/14

* All the basement is used for Child care



OUTDOOR Play AREA FENCED



























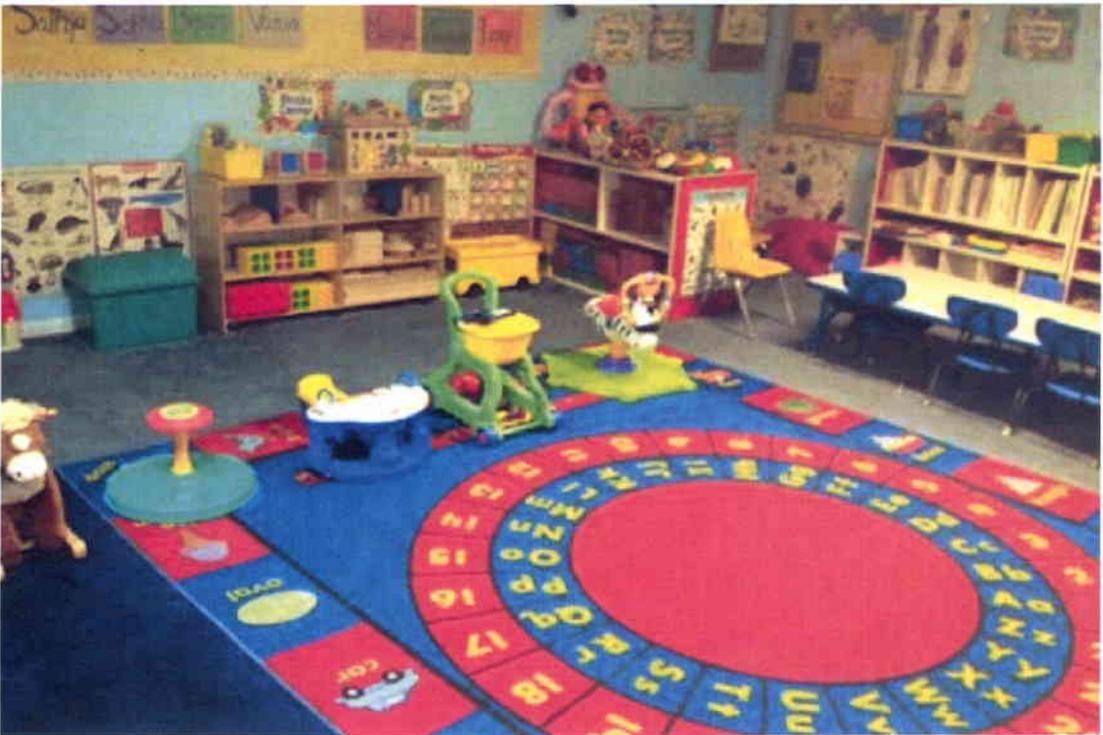
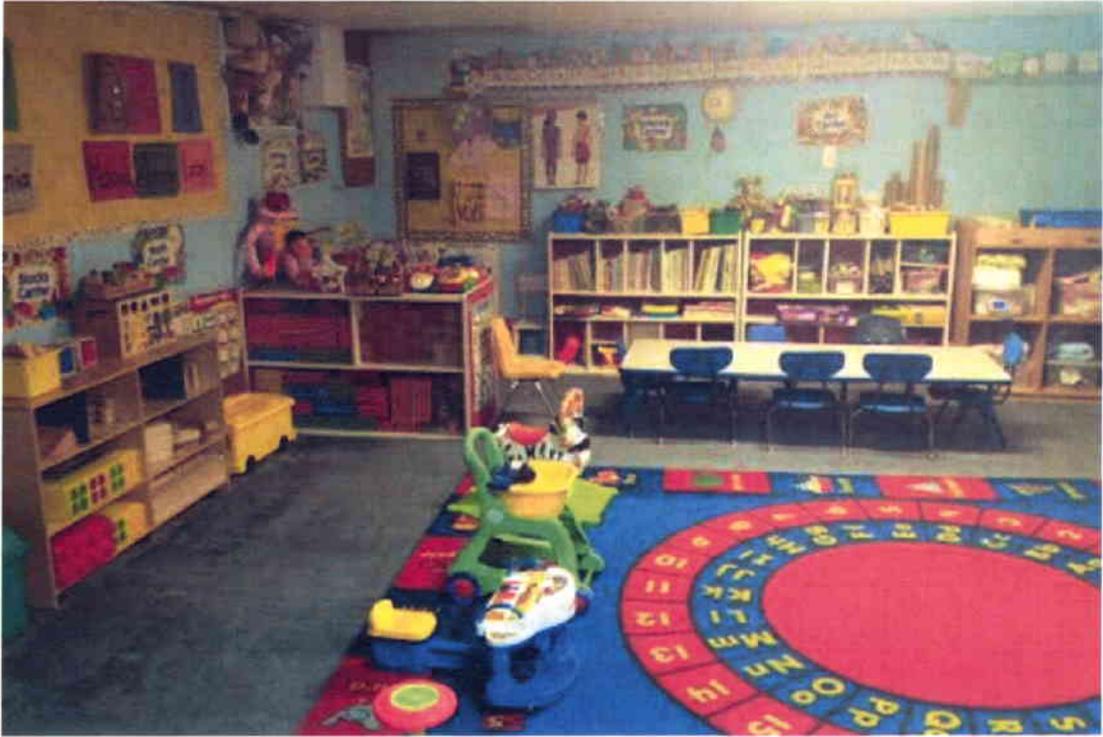












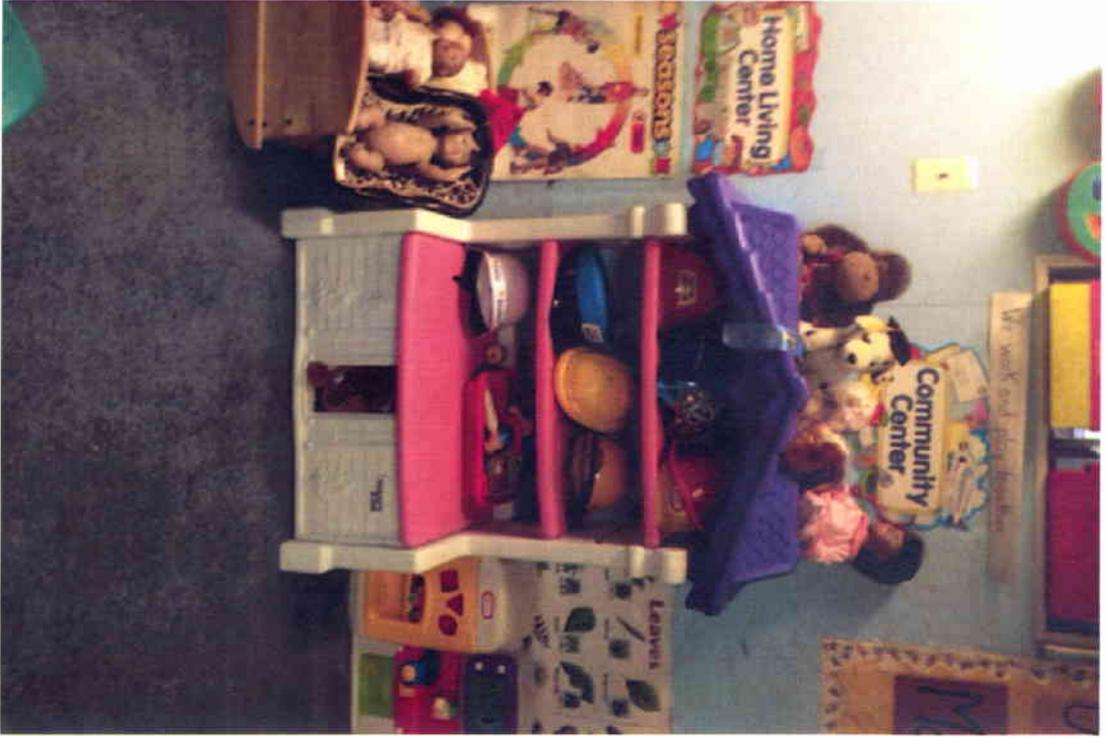


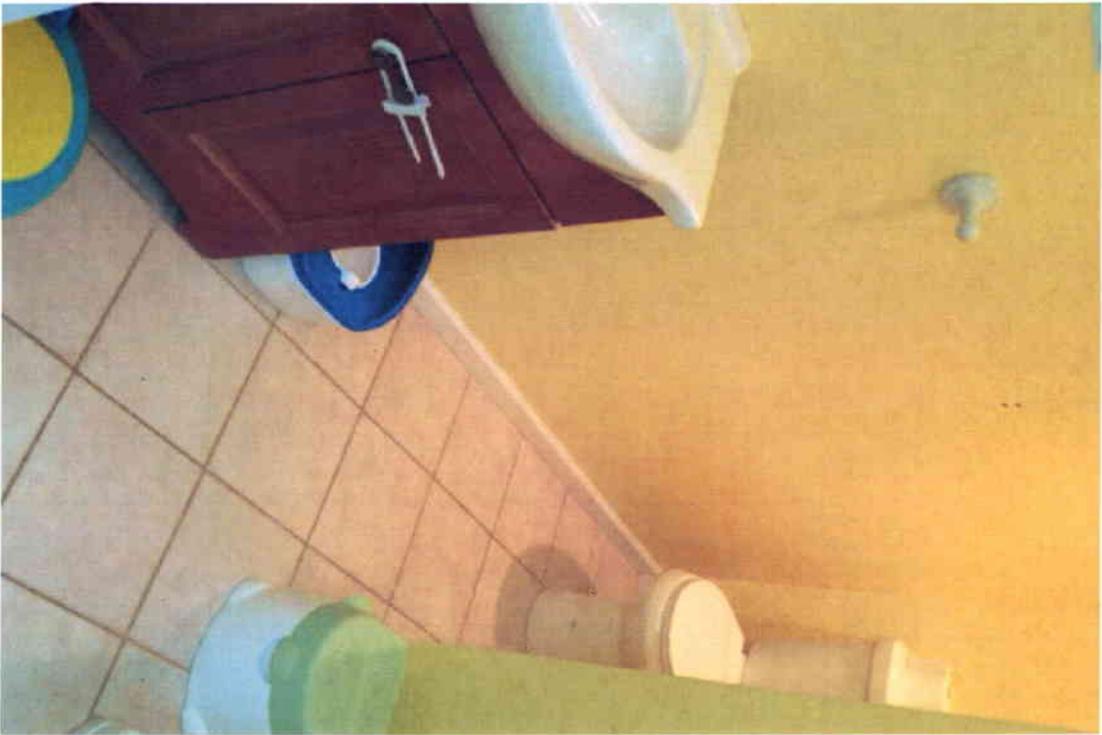


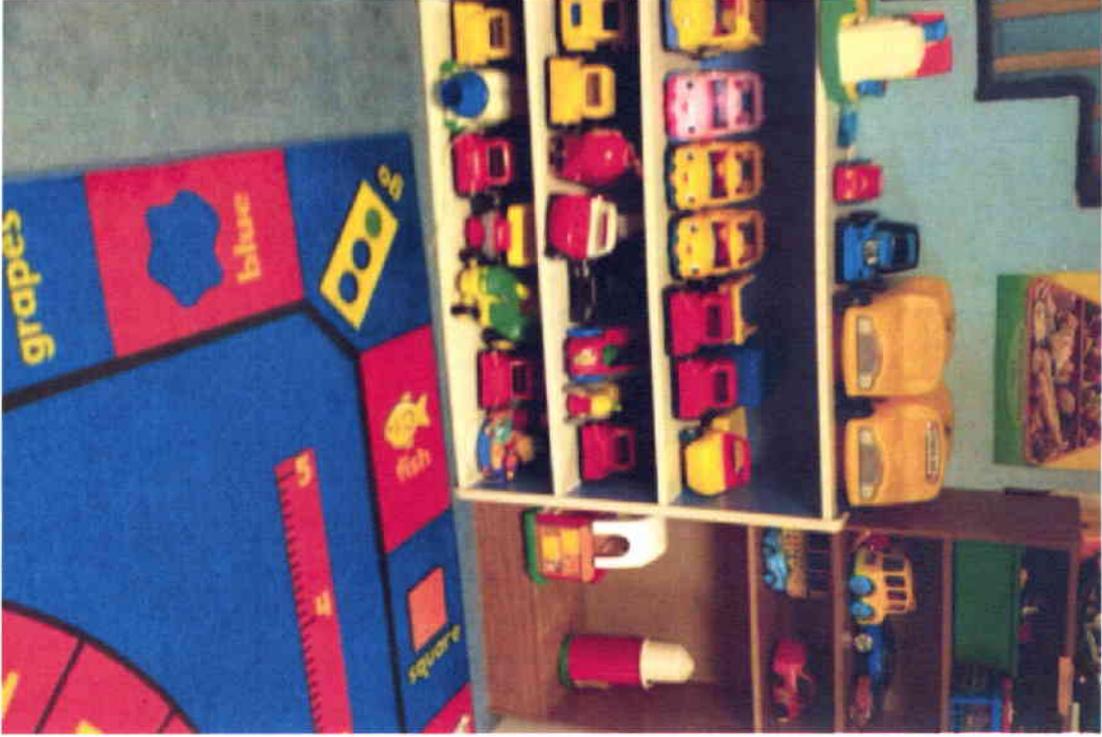


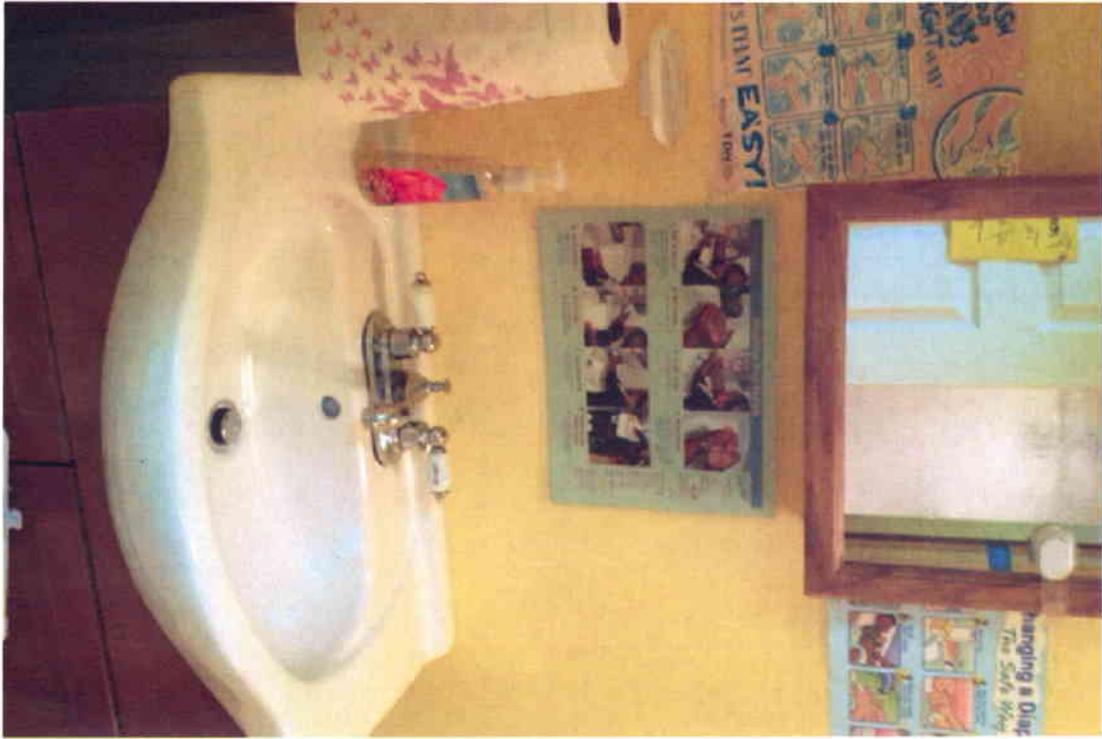










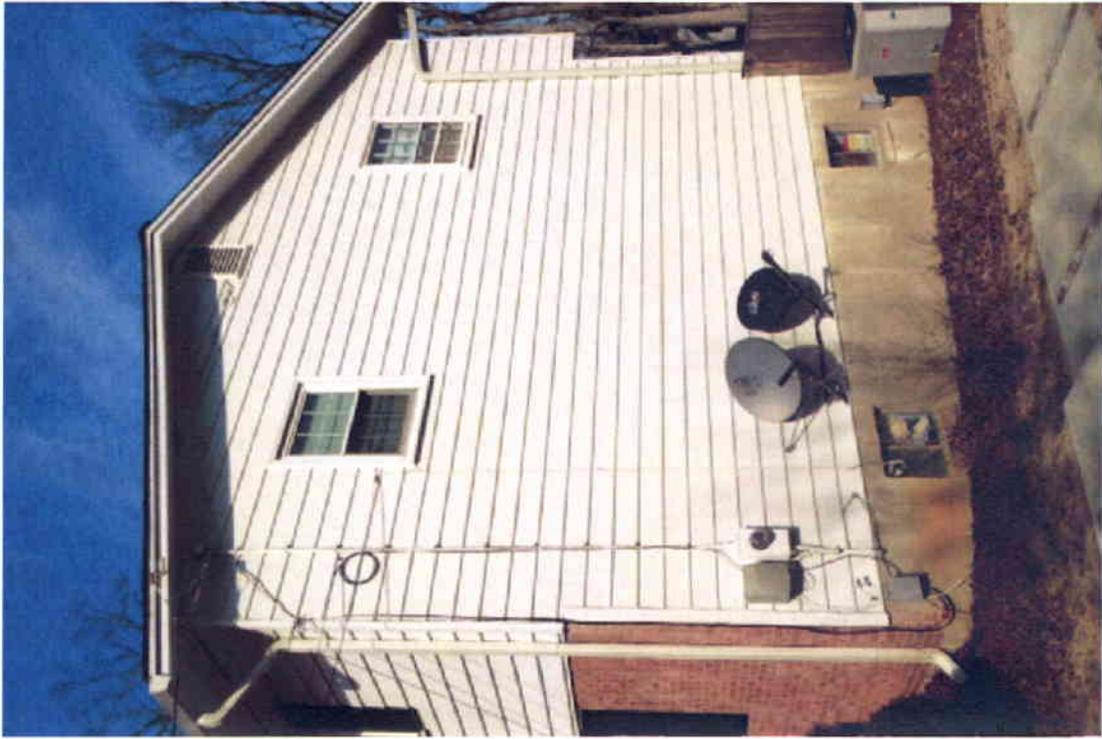














SPECIAL PERMIT REQUEST

The applicant requests approval of a special permit for a home child care facility for 12 children at any one time within an existing single family detached dwelling. A detailed discussion of the request is included on page two of this report.

A copy of the plat titled "Lot 723," prepared by Muna Hassan on May 1, 2014, is included at the front of this report.

CHARACTER OF THE SITE AND SURROUNDING AREA

The 13,252 square foot lot is zoned R-3 and developed with a single family detached dwelling consisting of 1,828 square feet of floor area. The property is located along Wayles Street. An open deck extends off the rear of the dwelling. The rear yard is enclosed with a wood fence. A shed approximately ten feet in height is located in the northeast corner of the property approximately four feet from the side and rear lot lines.

Access to the site is provided via a concrete driveway from Wayles Street. Several mature trees exist throughout the property.



Source: Fairfax County GIS with added graphics

As shown in the image on the previous page, the site is surrounded by residential lots zoned R-3 and developed with single family detached dwellings.

BACKGROUND AND HISTORY

County Records show that the dwelling was constructed in 1963. The applicant purchased the property in 2009. The applicant currently operates a home child care facility for up to 12 children. The basement level of the dwelling was converted into the home child care facility. The applicant holds a current license from the Commonwealth of Virginia, Department of Social Services for a Family Day Home with a capacity of twelve children, aged birth through 12 years 11 months that is valid until February 23, 2015 (Appendix 4).

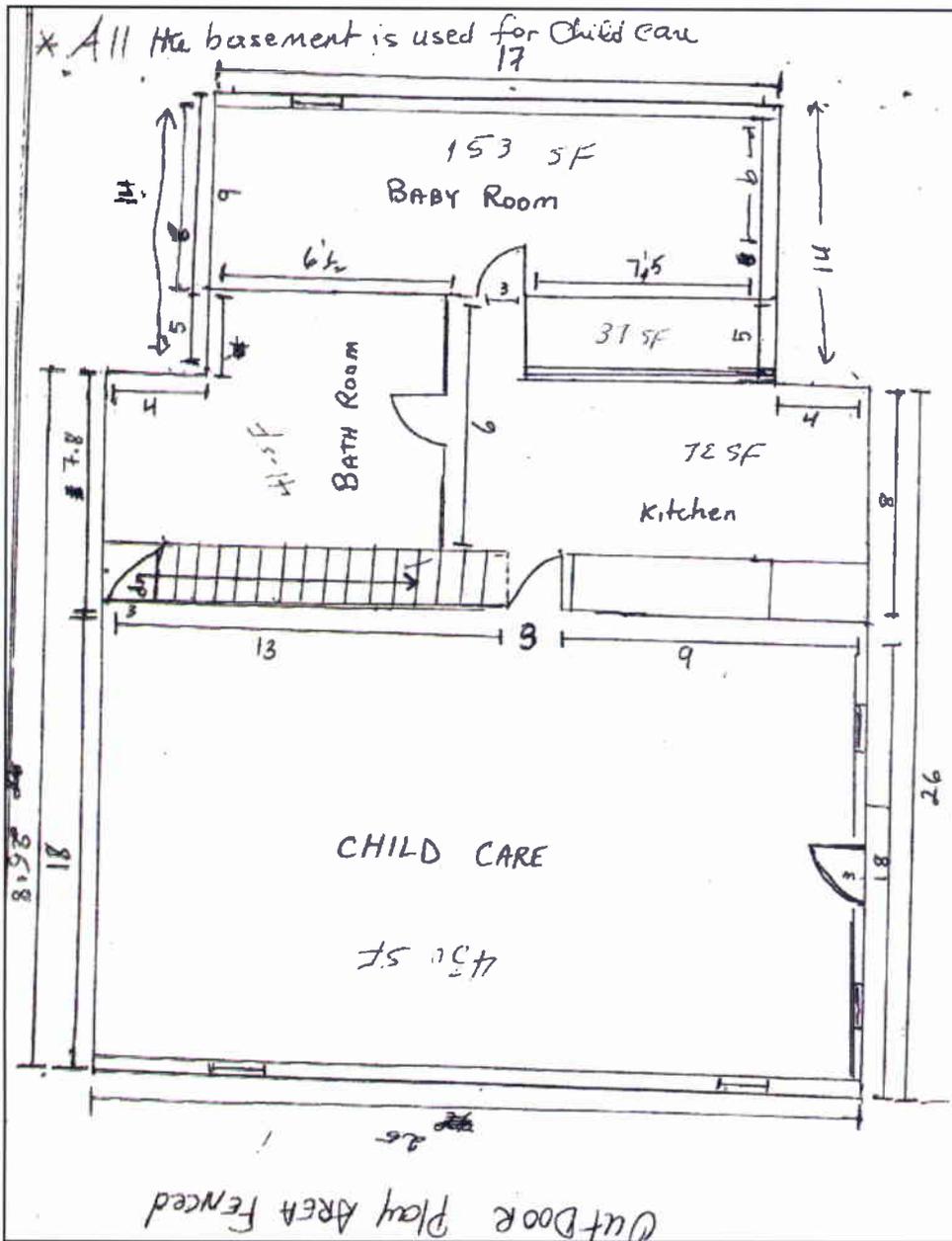
County records reflect that there are currently three other Special Permit applications for home child care facilities that have been accepted in the vicinity of the subject property: SP 2014-LE-077 is located in the York Manor subdivision, SP 2014-LE-082 is located in the Franconia Forest subdivision, and SP 2014-LE-138 is located in the Springfield Estates subdivision.

DESCRIPTION OF THE APPLICATION

The applicant is requesting approval of a special permit for a home child care facility for up to 12 children at any one time to operate between the hours of 6:00 a.m. and 6:00 p.m., Monday through Friday. Drop-off of children is staggered between 6:00 a.m. and 10:00 a.m. and pick-up is staggered between 2:45 p.m. and 6:00 p.m. Employees include the applicant, one full-time assistant, and one part-time assistant.

The home child care facility is operated in the basement of the dwelling and includes a main child care room, kitchen, bathroom, and baby room. The child care is accessed from a door at the rear of the property. There is a fenced rear yard where the children play outside.

The existing driveway appears to be able to accommodate approximately four vehicles in addition to on-street parking spaces on Wayles Street. Parents and guardians park in the driveway or on the street and walk the children on the walkway around the side of the dwelling to the rear entrance. The image below illustrates the floorplan of the home child care facility submitted by the applicant.



ANALYSIS

Comprehensive Plan Provisions

- Plan Area:** Area IV, Springfield Planning District
- Planning Sector:** Monticello Woods Community Planning Sector (SP8)
- Plan Map:** Residential, 2-3 du/ac

Zoning Ordinance Requirements

- Sect. 8-006 General Special Permit Standards
- Sect. 8-303 All Group 3 Uses
- Sect. 8-305 Additional Standards for Home Child Care Facilities
- Sect. 10-103 Par. 6 Use Limitations on Home Child Care Facilities

This special permit is subject to the sections of the Zoning Ordinance outlined above, a copy of which is included as Appendix 7. Subject to development conditions, this special permit must meet these standards.

On-Site Parking and Site Circulation

The parents and children enter the home child care facility through a door down a stairwell at the rear of the property. Vehicular access to the site is provided from Wayles Street. The existing driveway appears to be able to accommodate approximately four vehicles, and there is on-street parking available along Wayles Street. The applicant currently parks one car in the driveway. The applicant has one full-time assistant and one part-time assistant. The assistants park along Wayles Street.

Two off-street parking spaces are required for the single family dwelling and these are contained in the driveway. Staff believes sufficient parking exists to accommodate the pick-up and drop-off of children for the home child care use.

Section 11-102.8 of the Zoning Ordinance states that no more than thirty percent of any front yard shall be surfaced area for a driveway or vehicle/trailer parking area. During the review of the application, staff questioned whether the coverage within the front yard of the application property exceeds this thirty percent. The applicant provided staff with a certified statement from an engineer verifying that the surfaced area for the driveway and parking does not exceed thirty percent of the area of the front yard (Appendix 6). Therefore, this issue has been resolved.

Zoning Inspection Analysis

During the inspection of the home child care facility on August 14, 2014, staff noted several issues which are described in the Zoning Inspections Branch Report contained in Appendix 5. First, the room shown as "Baby Room" on the floorplan has only one means of egress from the room and that is through another room (the kitchen). Staff observed some cribs and sleeping maps contained in this room during the site visit, but the applicant stated that it is used as a storage room and the children sleep in the room marked as "Child Care." Because the "Baby Room" does not have adequate emergency egress, staff has proposed a development condition to stipulate that 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 egress as defined by the Virginia Uniform Statewide Building Code.

A freestanding accessory storage structure that is approximately 100 square feet in area and 10 feet in height is located approximately four feet from the side and rear lot lines. Section 10-104.10 of the Zoning Ordinance regulates the location of freestanding accessory storage structures and states that an accessory storage structure which exceeds 8.5 feet in height shall not be located closer than a distance equal to its height to the rear lot line or closer than a distance equal to the minimum required side yard to the side lot line. In this case, the 10-foot high structure cannot be located closer than 10 feet to the rear lot line and 12 feet to the side lot line. The applicant has stated that they will reduce the height of the shed to bring it into compliance with the Zoning Ordinance. Staff has proposed a development condition that will require the applicant to bring the shed into conformance with Article 10 of the Zoning Ordinance within 12 months of the approval of the Special Permit.

CONCLUSION

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

RECOMMENDATION

Staff recommends approval of SP 2014-LE-068 for the home child care facility with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report.

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Home Child Care State License
5. Zoning Inspections Branch Report dated August 18, 2014
6. Certified Statement on Front Yard Coverage
7. Applicable Zoning Ordinance Provisions

SP 2014-LE-068

PROPOSED DEVELOPMENT CONDITIONS

SP 2014-LE-068

October 1, 2014

If it is the intent of the Board of Zoning Appeals to approve SP 2014-LE-068 located at Tax Map 81-3 ((13)) (B) 723 to permit a home child care facility pursuant to Section 8-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant only, Muna Hassan, and is not transferable without further action of the Board, is for the location indicated on the application, 6305 Wayles Street, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat titled, "Lot 723," prepared by Muna Hassan on May 1, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 6:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. The maximum number of assistants on-site at any one time shall be two.
8. There shall be no signage associated with the home child care facility.
9. 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 egress as defined by the Virginia Uniform Statewide Building Code.

SP 2014-LE-068

10. Within 12 months of the approval of the Special Permit, the applicant shall bring the existing shed into compliance with Article 10 of the Zoning Ordinance, or a separate Special Permit shall be applied for and diligently pursued.

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

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

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/14
(enter date affidavit is notarized)

I, Muna Hassan, do hereby state that I am an
(enter name of applicant or authorized agent)

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

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Muna Hassan	6305 Wayer St SPRINGFIELD VA 22150	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).

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/14
(enter date affidavit is notarized)

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

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

CORPORATION INFORMATION

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

N/A

DESCRIPTION OF CORPORATION: (check one statement)

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

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

N/A

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special 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): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/14
(enter date affidavit is notarized)

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

N/A

PARTNERSHIP INFORMATION

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

N/A

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

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

N/A

(check if applicable) [] There is more partnership information and Par. 1(c) is continued on a "Special 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): _____

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/14
(enter date affidavit is notarized)

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.)

N/A

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.

notary



Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/14
(enter date affidavit is notarized)

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.)

NOTE 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) Muna Hassan
 Applicant [] Applicant's Authorized Agent
Muna Hassan
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 10th day of February, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 02/28/2015

Darrell Devlin
Notary Public
DARRELL DEVIN NOLTON
Notary Public
Commonwealth of Virginia
7088924
My Commission Expires Feb 28, 2015

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page _____ of _____

Special Permit/Variance Attachment to Par. 1(a)

DATE: 02/10/14
(enter date affidavit is notarized)

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
--	---	--

N/A

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

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page _____ of _____

Special Permit/Variance Attachment to Par. 1(b)

DATE: 02/10/14
(enter date affidavit is notarized)

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

N/A

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

N/A

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

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page ____ of ____

Special Permit/Variance Attachment to Par. 1(c)

DATE: 02/10/14
(enter date affidavit is notarized)

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

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

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

N/A

(check if applicable) There is more partnership information and Par. 1(c) is continued further on a "Special Permit/Variance Attachment to Par. 1(c)" form.

Application No.(s): _____
(county-assigned application number(s), to be entered by County Staff)

Page ____ of ____

Special Permit/Variance Attachment to Par. 2

DATE: 02/10/14
(enter date affidavit is notarized)

N/A

(check if applicable)

There are more financial interests in the subject land to be listed and Par. 2 is continued further on a "Special Permit/Variance Attachment to Par. 2" form.

Special Permit/Variance Attachment to Par. 3

DATE: 02/10/14
(enter date affidavit is notarized)

for Application No. (s): _____
(enter County-assigned application number (s))

N/A

(check if applicable)

There are more disclosures to be listed for Par. 3, and Par. 3 is continued further on a "Special Permit/Variance Attachment to Par. 3" form.

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

Name: Muna Hassan
Address: 6305 Wayles St SPRINGFIELD, VA 22150
Phone #: cell 703 509 2400 / home 703 921 1087
E-mail: Mnhss1@AOL.com

Date 02/20/14

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

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

Tax Map #: 0813 13B 0723
Zoning District: R-3 H-C
Lot Size: _____

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 6305 Wayles St Springfield VA 22150 (your address).

The property is zoned R-3 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 6 am to 6:00 pm.

Number of Children. I care for up to 12 children at any one time. This number does not include my own _____ child/children.

Employees. I have 1 assistant(s) who work part-time and 1 assistant(s) who work full-time.

Arrival Schedule. ^{H am} ~~6:00~~ of the children arrive between 6:00 AM and 10:00 AM.
All

Departure Schedule. All of the children are picked up at 2:45 PM. 6:00pm

Area Served. Springfield & Alexandria
(what neighborhood/general area do the children live in?)

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

Walks out Basement + 2 story
Walks out Basement + 2 Story

The house has 2703 square feet. The following rooms are where I conduct the day care:

Walks out whole basement Baby Room Large Day Care Room 2 full bathroom
These rooms are 875 square feet total. kitchen

Hazardous or Toxic Substances. The house and yard are free from hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed of onsite.

Zoning Ordinance Compliance. The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought, such request has been specifically noted with the justification for such modification.

Outdoor Play Area. I use my backyard for outdoor play for the children. The area is approximately _____ square feet. The outdoor play area consists of: _____

Parking. I use my My Driveway and parents car to park my family car(s). My parents park in the Driveway and on the street

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 to be approved for 12 kids

To be approved for 12 kids.

Sincerely,

Muna Hassan
Owner of 6305 Wayles St Springfield, VA 22180

Arrival Schedule and Departure Schedule

Arrival Schedule

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

Child number 9 comes 2 times a week.

- Adult & Child Care ↑
- Child Care ↑
- Child Day Care ↑
- Search for Child Day Care →**
- Certified Preschools (CP) →
- Child Day Centers (CDC) →
- Family Day Homes (FDH) →
- Family Day System (FDS) Homes →
- Religiously Exempt Child Day Centers (REDC) →
- Voluntarily Registered Family Day Homes (VRFDH) →

Search for Child Day Care

[Help](#)
[Opening File](#)
[Print Version](#)
[External Page](#)

[Return to Search Results](#) | [New Search](#) |

Muna Hassan
 6305 Wayles Street
 SPRINGFIELD, VA 22150
 (703) 921-1087 ☎

Facility Type: [Family Day Home](#)
License Type: [One Year](#)
Expiration Date: Feb 23, 2015
Business Hours: 6:00am - 6:00pm
 Monday - Friday
Capacity: 12
Ages: Birth - 12 years 11 months
Inspector: Erika Gibson
 (703) 359-1256 ☎



County of Fairfax, Virginia

APPENDIX 5

MEMORANDUM

DATE: August 18, 2014

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

FROM: Chuck Cohenour
Senior Zoning Inspector
Zoning Inspections Branch

SUBJECT: Home Child Care Application

APPLICANTS: Muna Hassan
6305 Wayles Street, Springfield, Virginia 22152
Monticello Woods, Section 7, Block B, Lot 723
Tax Map Ref #: 81-3 ((13B)) 723
Zoning District: R-3
Mail Log Assignment: 2014-SP-0337

*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.)

Note: The room shown as "BABY ROOM" on the floor plan, contained cribs and numerous sleeping mats. While not a violation at the time of this inspection, this room should not be used as a sleeping room as it has only one means of egress from the room and that is through another room (Kitchen). The windows in this room and all other basement windows are approximately 30" x 20" (4.16 square feet in area) and are approximately 61 inches in height from the floor.

- An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
- All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.

6305 Wayles Street
August 18, 2014

- 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.
 - *An accessory storage structure is located in the left rear side yard. The structure is approximately 10' x 10' (100 square feet) and is 10' in height. This accessory storage structure is located so that it is approximately 4' from both the rear and side lot lines.*



10855 Gambriel Dr. #31
Manassas, VA 20109
Tel.: 703-334-7142
Fax: 703-367-7502
Email: info@bakkagroup.com

September 15, 2014

Mr. Hossein Goal
6305 Wayles Street
Springfield, VA

Re: 6305 Wayles Street
Springfield, VA
Home Child Care Special Permit Application

Bakka Group Project No.: 14-146

Dear Mr. Goal,

Bakka Group has completed the authorized Surveying Services for the above referenced project site.

Following are the findings of our investigation:

Total Area of Front Yard:	3434	SQ.FT.
Area of Concrete Sidewalk:	174	SQ.FT.
Area of Concrete Driveway:	883	SQ.FT.

Please see attached sketch for full details.

Shall you have any questions regarding the content of this report, please do not hesitate to call us at (703-334-7142).

Respectfully submitted,
Bakka Group, LLC.

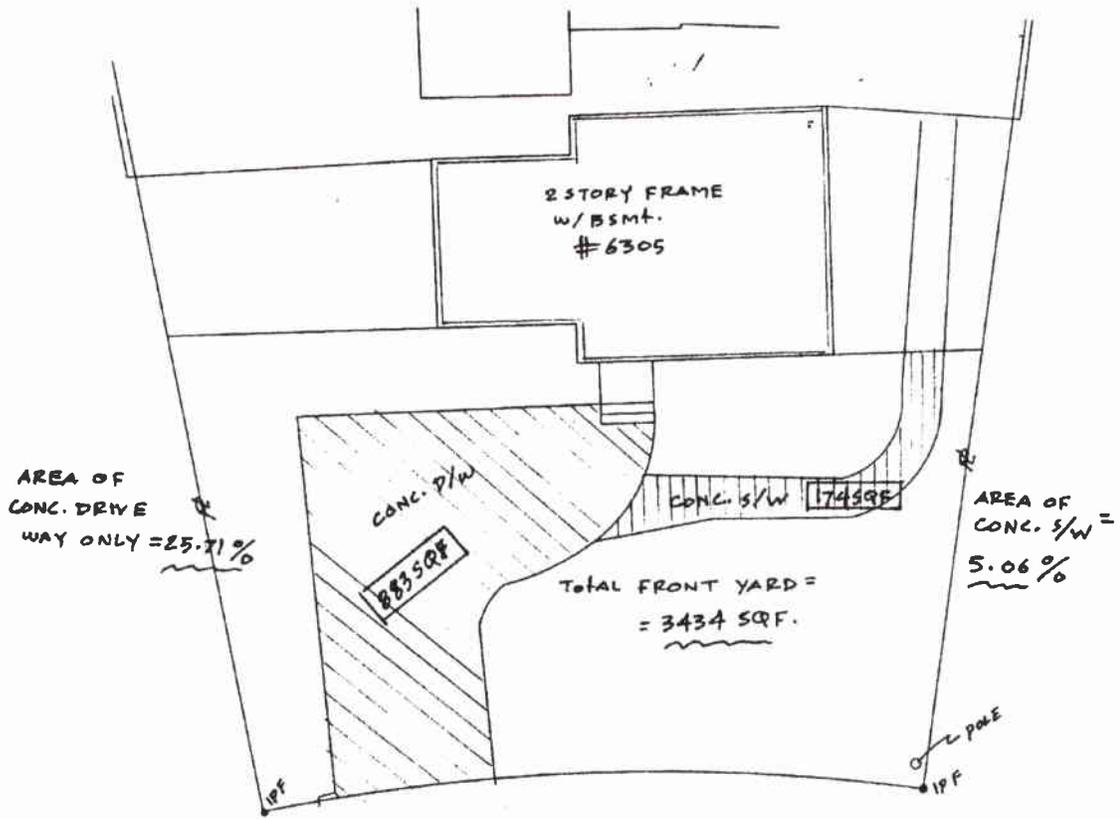


Essam E. Elmesiry, P.E.
Principal

RECEIVED
Department of Planning & Zoning
SEP 3 2 2014
Zoning Evaluation Division

Re: 6305 Wayles Street
Springfield, VA
Home Child Care Special Permit Application

Bakka Group Project No.: 14-146



Wayles Street

RECEIVED
Department of Planning & Zoning

SEP 3 2 2014

Zoning Evaluation Division

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.

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.