



APPLICATION ACCEPTED: June 27, 2014
BOARD OF ZONING APPEALS: February 25, 2015
TIME: 9:00 a.m.

County of Fairfax, Virginia

February 18, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-SP-130

SPRINGFIELD DISTRICT

APPLICANT: Susan Gallier

OWNERS: Susan H. Gallier
Bryan T. Gallier

SUBDIVISION: Cherry Run, Section 3

STREET ADDRESS: 9754 Oatley Lane, Burke, 22015

TAX MAP REFERENCE: 88-1 ((7)) 242

LOT SIZE: 14,424 square feet

ZONING DISTRICT: R-3, Cluster

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-SP-130 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.

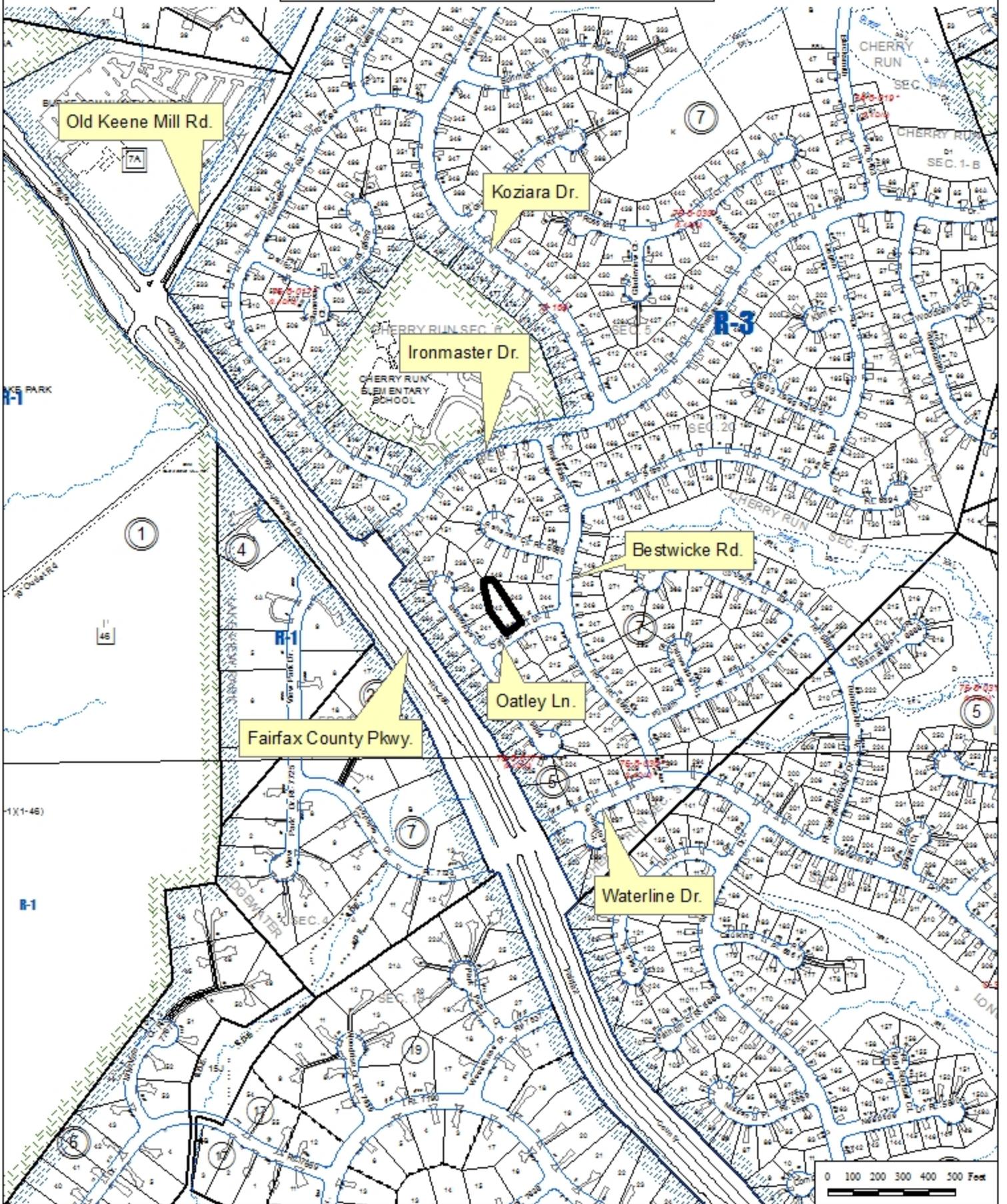
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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-SP-130
SUSAN GALLIER

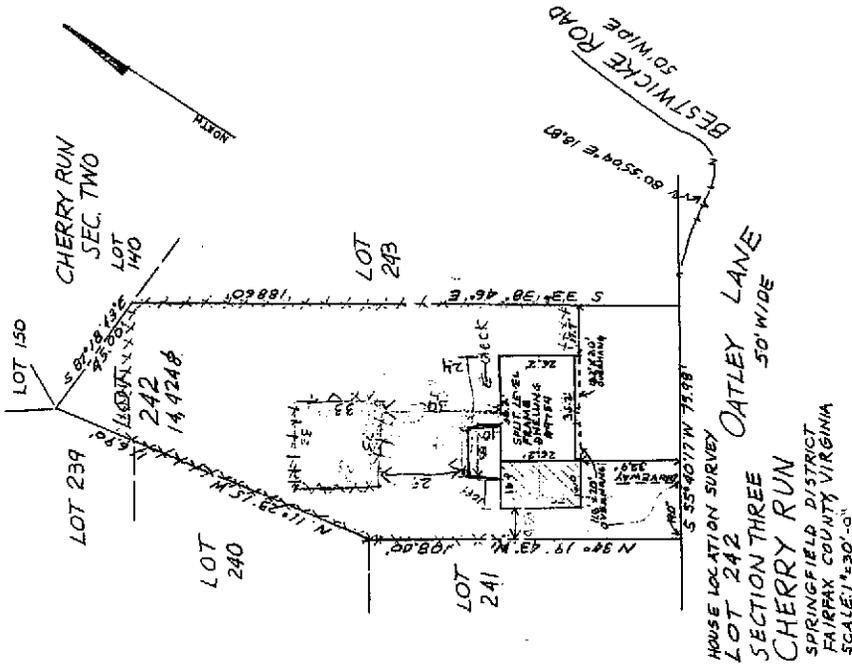


GALLIER RESIDENCE

9754 OATLEY LANE
BURKE, VA 22015

SHEET TITLE

- 1 COVER SHEET / PLAT
- 2 LOWER LEVEL PLAN
- 3 UPPER LEVEL PLAN
- 4 SECTIONS / FRAMING PLANS
- 5 EXT. ELEVATIONS - SIDE
- 6 EXT. ELEVATION - SOUTH / FRONT
- 7 EXT. ELEVATION - NORTH / REAR
- 8 ELEC. PLUMB. / MECH. - BOTH LEVELS
- 9 FINISH SCHEDULE



deck 10x18 10ft high

once is 11 feet high
X = fence on property boundary

Sharon Washburn 6-20-14
Sharon Washburn 9-28-13

SHARON WASHBURN, ARCH-PC 5410 HUNTINGTON PARKWAY BETESDA, MD 20814 301-656-5500 FX. 301-907-1184	1" = 30'-0" GALLIER RESIDENCE 9754 OATLEY LANE, BURKE, VA 22015	Nov. 28, 2003 PLAT / TITLE SHEET	JOB NO. 0330 SHEET NO. 9 OF 9
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SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children. A copy of the special permit plat, titled "Gallier Residence," prepared by architect Sharon Washburn, dated November 28, 2003, as revised by the applicant, Susan Gallier on June 20, 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 split level, single-family detached dwelling. A two story addition with a garage is located on the southwest side of the dwelling. An asphalt driveway accesses Oatley Lane. An open deck and a play area are located to the northwest of the dwelling. A four foot high wood fence encloses the play area. A separate four foot high wood fence runs along the southeastern and northwestern property lines.



The property is located east of Fairfax County Parkway and north of Oatley Lane. The subject property and surrounding properties to the north, east, west and south are zoned R-3 Cluster and developed with single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1978, purchased by the property owners in 1994 and remodeled in 2004.

On December 3, 2003, a building permit was issued for the construction of a two story addition, interior alterations and a retaining wall (Appendix 4). A final building inspection took place and the building permit was approved on November 23, 2004.

There is no building permit for the deck located on the north side of the dwelling.

However, county aerial photos show evidence of the existence of the deck since 1997. A development condition has been included in Appendix 1 to require the applicant to obtain a finalized building permit for the existing deck.

There are no complaints filed on the property related to the current property owners.

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

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home child care facility for up to 12 children on-site at any one time, between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. There is an existing staggered drop-off and pick-up schedule for the children. Currently, there are two assistants, one full-time and one part-time.

The home child care facility is operated on the top level of the dwelling. The enclosed play area is located in the rear yard and north 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 December 2, 2015, from the Commonwealth of Virginia, Department of Social Services. The license lists the business hours as 7:30 a.m. to 5:00 p.m., Monday through Friday. The license also permits a capacity of twelve children, from one month through 12 years, 11 months of age. A copy of the license is included as Appendix 5.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area III, Pohick Planning District
Planning Sector: Middle Run Community Planning Sector (P6)
Plan Map: Residential, 2-3 du/ac

On-Site Parking and Site Circulation

The existing driveway can accommodate approximately four vehicles. The applicant parks their car on the street. The assistants also park on the street.

Vehicular access to the site is provided by an asphalt driveway from Oatley Lane. A concrete walkway connects the driveway to the bottom floor entrance of the home child care on the southwestern side of the dwelling. A set of interior stairs lead to the home child care area on the top floor of the dwelling.

Zoning Inspection Branch Comments (Appendix 6)

Staff found that a wood deck at the northwestern part of the dwelling was missing two balusters. The applicant was made aware of the concern and has corrected the issue.

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 negatively affect 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 a 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.
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 property conforms to the lot size and bulk regulations of the R-3 Cluster district. 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 Employees	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 provides screening of 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 Fairfax Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	The applicant has a valid home child care license through December 5, 2015 for 12 children from 7:30 a.m. to 5:00 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.
Part B	The applicant is a state licensed home child care provider and

Licensed Provider/ Primary Residence	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 and they shall only be at the home child care between 7:00 a.m. to 6:00 p.m., Monday through Friday.
Part E Provider is a Resident	The provider is a resident of the property.
Part F Code of Fairfax, Chapter 30 and 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. A development condition has been added in Appendix 1 to ensure the home child care will continue to meet state license requirements.
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 12 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-SP-130 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-SP-130****February 18, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SP-130 located at Tax Map 88-1 ((7)) 242 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, Susan Gallier, and is not transferable without further action of the Board, and is for the location indicated on the application, 9754 Oatley Lane, 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 "Gallier Residence," prepared by architect Sharon Washburn, Architect, dated November 28, 2003, as revised by the applicant Susan Gallier on June 20, 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, 7:30 a.m. to 5:00 p.m., until granted a revised state license approving the requested hours of operation. After receipt of the state license, the applicant shall operate with the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday.
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.
7. A maximum of two non-resident employees may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
8. All pick up and drop off of children shall 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 rear deck shall receive all applicable permits and inspections within 12 months of Special Permit approval. The deck shall not be used in any way for the home child care use, including but not limited to use as a play area or for access to the rear yard until approval of the final inspection.

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, 12 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.

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

508
509

Name: Susan H Gallier
Address: 9754 Oatley Ln ~ Burke VA 22015

Phone #: 703-866-2266

E-mail: Susangallier@verizon.net

Date 2-28-2014

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

RECEIVED
Department of Planning & Zoning
JUN 25 2014
Zoning Evaluation Division

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

Tax Map #: 0881-07-0242

Zoning District: R-3C

Lot Size: 14,424 sq ft

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I own and live in a attached / detached (circle one) dwelling at 9754 Oatley Ln ~ Burke VA 22015 (your address). The property is zoned R-3C 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 7am to 5pm

Number of Children. I care for up to 12 children at any one time. This number does not include my own 4 child/children. who are 25-24-17+16 years

Employees. I have 0 assistant(s) who work part-time and 1 assistant(s) who work full-time.

Arrival Schedule. 12 of the children arrive between 7 AM and 9:30 AM.

Departure Schedule. 12 of the children are picked up at 2 PM. 5

Area Served. My families come from Burke and Springfield
(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):

Split foyer 2 level house with one car garage

The house has 2310 square feet. The following rooms are where I conduct the day care:

Living - dining - Kitchen - bed rooms

These rooms are 1362 square feet total.

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

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

Outdoor Play Area. I use my back yard for outdoor play for the children. The area is approximately 10,000 square feet. The outdoor play area consists of: 1089 square foot play ground fence within back yard that is fenced

Parking. I use my street/driveway to park my family car(s). My parents park drive way and street - we do not have any problems with parking

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 have a special permit to run my day care with a capacity of 12. I feel my property and neighborhood meet requirements.

Sincerely,

Susan H Gallier Susan H Gallier

Owner of 9754 Outley Ln ~ Burke, VA 22015

Proposed Arrival and Departure Schedule for: Susan GallierAddress: 9754 Oatley Ln - Burke VA 22015

Proposed Arrival Schedule

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

Proposed Departure Schedule

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

June 19, 2014

Addition to my Justification for a home child care

I did not have any hazardous substances on my property.

My proposed application conforms to the provisions of all
Applicable ordinances, regulations and adopted standards.

Susan Gallier

Susan Gallier

9754 Oatley Ln

Burke VA 22015

703-866-2266

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Department of Planning & Zoning

JUN 25 2014

Zoning Evaluation Division

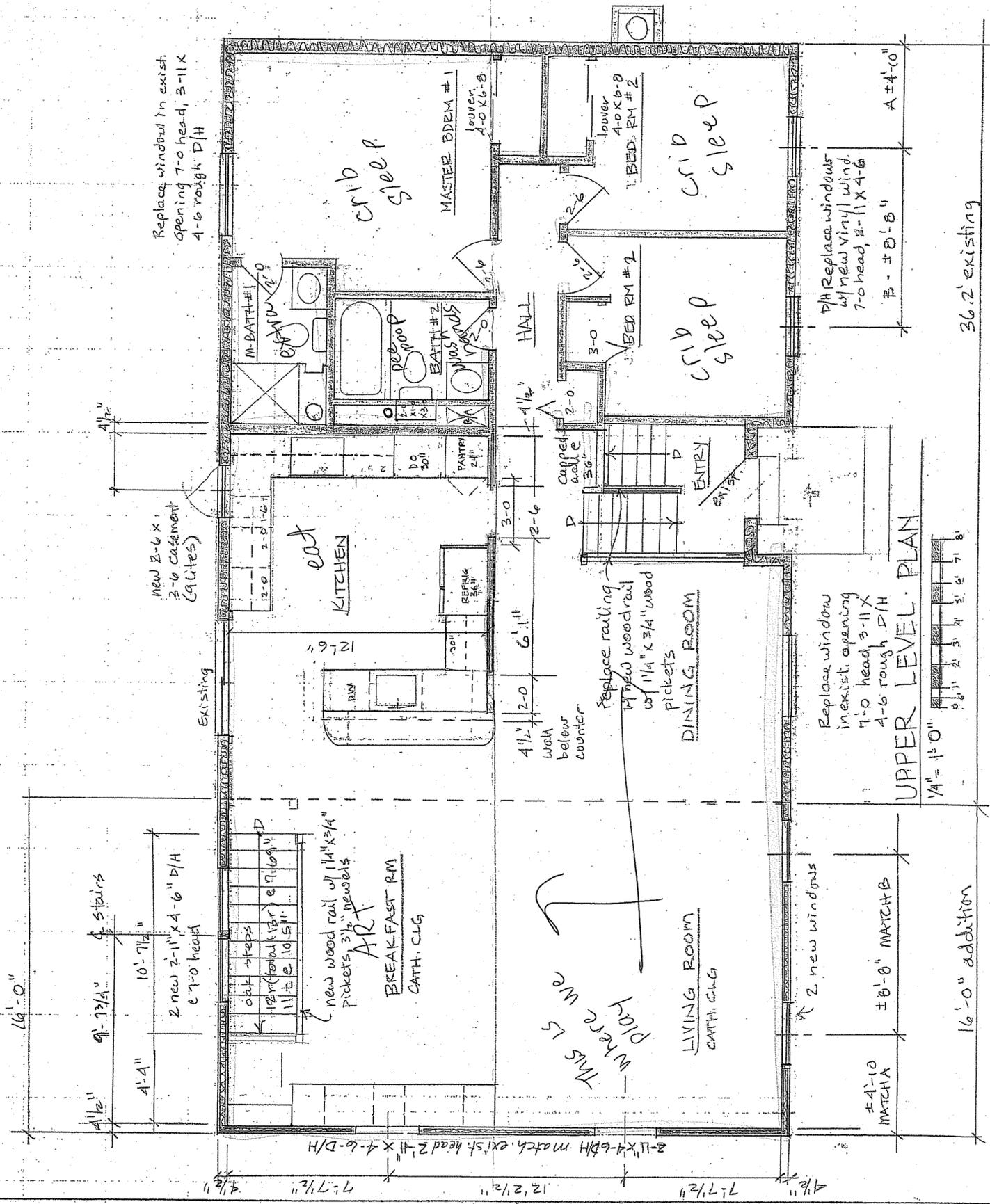
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 JUN 25 2014
 Zoning Evaluation Division

New Windows:
 Vinyl w/ Mullins (inside glass) 47/16 Jamb
 D/H, Casement as noted
 Alternate pricing add new 2-6 x 3-6
 in Master Bath #1

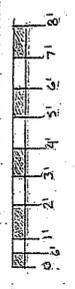
Where I do day care



KEY

- Existing 2x4 walls, add new 1/2" d.w., both sides
- Existing 2x4 walls, add new 1/2" d.w. int, full th, R-19 insul. & new vinyl siding over existing sheathing (patched as needed)
- new int. 2x4 wall w/ 1/2" d.w. & 2x4's e16" o.c.
- new ext. wall 2x4's e16" o.c. w/ 1/2" d.w., 1/2" sheathing & vinyl siding, R-19 insulation
- 40 psf - floors
- 30 psf - roof/snow
- 10 psf

UPPER LEVEL PLAN



SHARON WASHBURN, ARCH. PC
 5410 HUNTINGTON PARKWAY
 BETHESDA, MD 20814

SCALE:
 1/4" = 1'-0"

GALLIER RESIDENCE
 9754 OATLEY LANE
 BURKE, VA 22015

Nov. 28, 2008

UPPER LEVEL PLAN

JOB NO 0330
 SHEET # 17
 OF 19

2



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MAR 20 2014
Zoning Evaluation Division

1
taken 8-17-13 outside the front door to the left

2
straight out front door taken 8-17-14



3
Outside right of the front door
taken 8-17-13

4
across the street straight on
taken 8-17-13

5



Left side rear of house taken 8-17-13



right side rear of house taken 8-17-13

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Zoning Evaluation Division

6

7



Front, left side of house taken 8-17-13



Right side of the back of the house
taken 8-17-13

8

9



Across the stree view right
8-17-13 taken

10



left side of the house front
taken 8-17-13

11



Closer look of left side
taken 8-17-13

12



rear view taken 8-17-13

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MAR 20 2014
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14

13



Right side from rear of house (on the deck)

taken 8-17-13

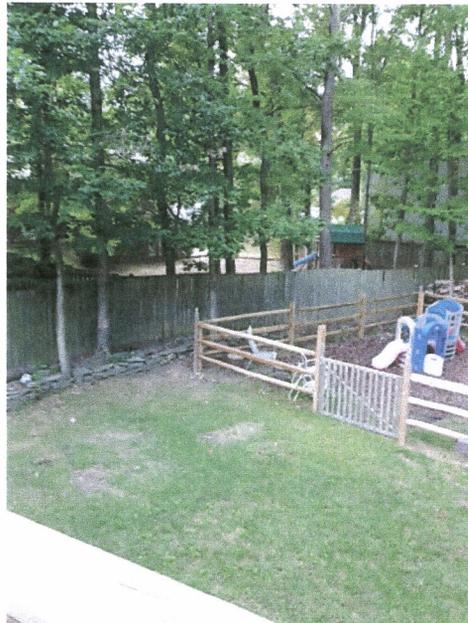


taken 8-17-13 on deck looking left

15



16



17



back yard deck view

taken 8-17-13 all from the deck
right side of deck looking back

middle of deck looking straight

Left side of deck looking right

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MAR 20 2014
Zoning Evaluation Division

Inside Pictures

Family room diaper area in corner taken 3-9-14 upper level



1

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MAR 20 2014
Zoning Evaluation Division

Family room taken 3-9-14 upper level



2

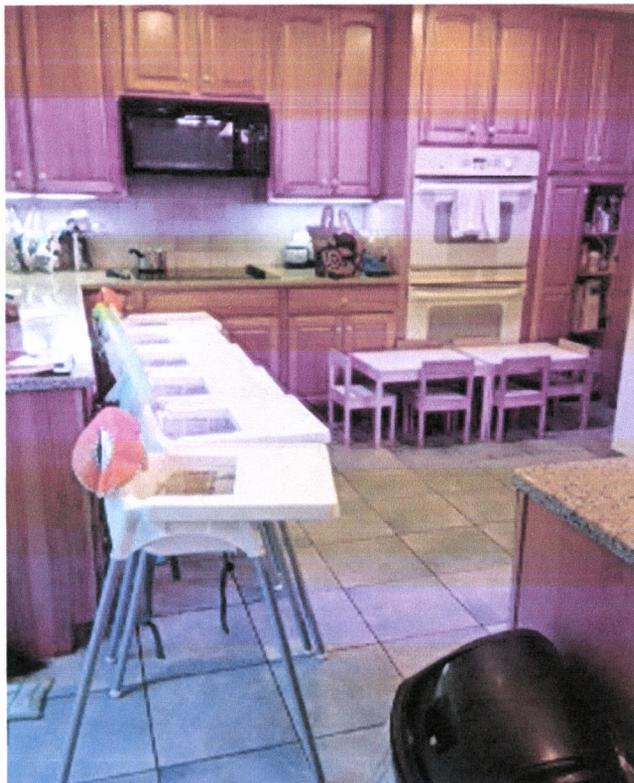
Kitchen taken 3-9-14 upper level



-4

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MAR 20 2014
Zoning Evaluation Division

Kitchen taken 3-9-14 upper level



5

Master bath taken 3-9-14 upper level



6

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MAR 20 2014
Zoning Evaluation Division

Master bed room taken 3-9-14 upper level



7

Upper level hall bath taken 3-9-14 day care bath



8

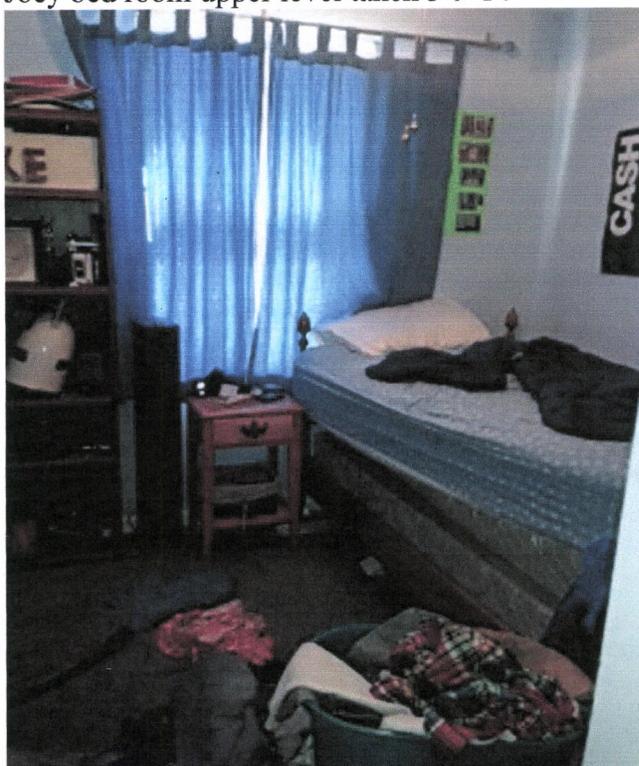
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MAR 20 2014
Zoning Evaluation Division

Upper level hall taken 3-9-14



9

Joey bed room upper level taken 3-9-14



10

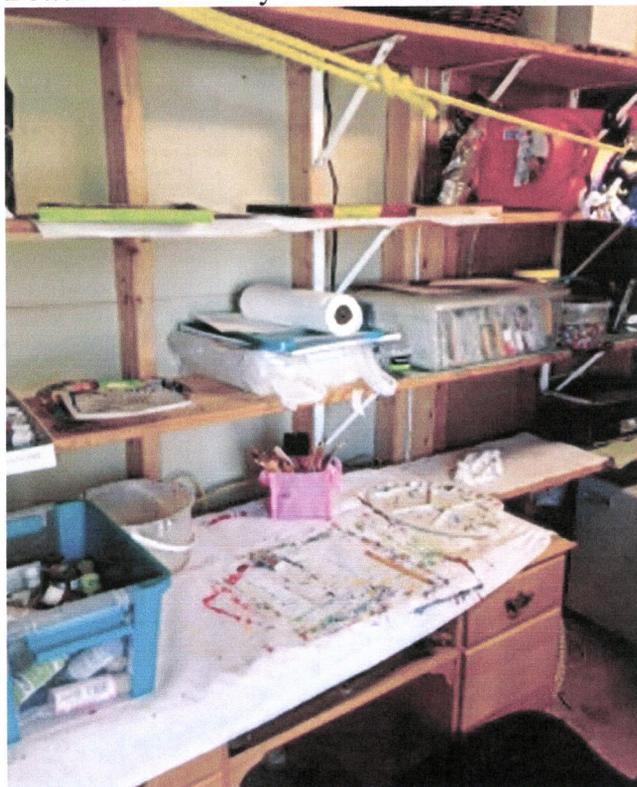
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Betsy room upper level taken 3-9-14



11

Bottom level laundry art studio taken 3-9-14



16

Page 9

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MAR 20 2014
Zoning Evaluation Division

Back stairs looking up taken 3-9-14



17

Application No.(s): SP 2014-SP-130
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5-10-14
(enter date affidavit is notarized)

I, Susan Gallier, 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: 124856

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)
Susan H Gallier	9754 Oatley Ln Burke VA 22015	owner
Bryant T Gallier	9754 Oatley Ln Burke VA 22015	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).

CAT

Application No.(s): SP 2014-SP-130
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5-10-14
(enter date affidavit is notarized)

124956

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)

NA

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-SP-130
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5-10-14
(enter date affidavit is notarized)

124856

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)

NA

(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-SP-130
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5-10-14
(enter date affidavit is notarized)

124856

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.)

(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-SP-130

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 5-10-14
(enter date affidavit is notarized)

124856

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)

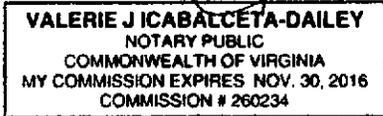
Susan H Gallier
 Applicant [] Applicant's Authorized Agent

Susan H Gallier
(type or print first name, middle initial, last name, and title of signee)

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

Valerie J Cabalceta-Dailey
Notary Public

My commission expires: Nov. 30, 2016



CAB

BUILDING PERMIT AMENDMENT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
 PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504

Telephone: 703-222-0801
 Web site: <http://www.co.fairfax.va.us/dpws>

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION PERMIT # 03338 B0880
ADDRESS 9754 OATLEY LANE
LOT # 242 **BUILDING** _____
FLOOR _____ **SUITE** _____
SUBDIVISION Cherry Run, Sec 3
TENANT'S NAME BRYAN/SUSAN GALLIER

OWNER INFORMATION OWNER TENANT
NAME BRYAN + SUSAN GALLIER
ADDRESS 9754 OATLEY LANE
CITY BURKE **STATE** VA **ZIP** 22015
TELEPHONE (703) 866-2266 / (703) 615-9845

APPLICANT _____

ESTIMATED COST OF CONSTRUCTION \$ 1,000.00
 (Cost of change, not total construction costs)

AMENDMENT REQUESTED

- CHANGE HOUSE TYPE
 FROM _____ TO _____
- RELOCATE HOUSE ON LOT
- FINISH BASEMENT
- ADD DECK/PORCH/SUNROOM
- ADD GARAGE
- ADD CARPORT
- DELETE _____
- CHANGE MECHANICS' LIEN INFORMATION
 DESIGNATED MECHANICS' LIEN AGENT:
 NAME _____
 ADDRESS _____

- NONE DESIGNATED PHONE _____
- OTHER (PLEASE SPECIFY)
ADD Retaining WALL
masonry

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Doug B. Zil 5-27-04
 Signature of Owner or Agent Date

Printed Name and Title

(Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

AMENDED

PERMIT # 03338 B0880

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY

PLAN # R-03-01543
TAX MAP # 088-17-107/0242

ROUTING	DATE	APPROVED BY
ZONING	<u>5-29-04</u>	<u>FM</u>
SITE PERMITS	<u>5-28-04</u>	<u>JA</u>
SANITATION		
HEALTH DEPT.		
BUILDING REVIEW		

AMOUNT DUE = \$ 175.00

APPROVED FOR ISSUANCE OF AMENDMENT

(LOG OUT)
 BY 17 DATE 5/28/04

ZONING REVIEW

USE SFD
 ZONING DISTRICT R-3-C HISTORICAL DISTRICT _____
 ZONING CASE # _____

GROSS FLOOR AREA OF TENANT SPACE

YARDS: GARAGE 1 2 3
 FRONT OPTIONS YES NO
 FRONT pl REMARKS Build RTW per DPWT
 L SIDE plat ES Approval
 R SIDE _____ NO fence
 REAR _____

GRADING AND DRAINAGE REVIEW

SOILS # _____ A B C
 AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT) 760 ft
 IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT) 76 ft
 PLAN # _____ APPR. DATE _____

STAMPS

BF, FF, 2500 Exult, weep
 (See reverse side of application)

REMARKS Plot Attached
800 + 760 = 1,560 Total disturb area

NOTARIZATION (if required)

State (or territory or district) of _____
 County (or city) of _____, to wit:
 I, _____
 a Notary Public in the State and County aforesaid, do certify that

whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.

Given under my hand this _____ day of _____, 20____.
 My commission expires the _____ day of _____, 20____.

(Notary Signature)

APPROVED

12-4-03

William E. Hoop

Zoning Administrator

APPROVED

TM-28-04

William E. Hoop

Zoning Administrator

FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL.

LOT

242

14,424⁵

CHERRY RUN SEC. TWO



REINFORCEMENT ON WALLS MUST BE NOTED BY INSPECTOR. DRAINAGE MATERIAL ADEQUATELY SLOPED TO PREVENT FLOODING OF WATER AROUND THE STRUCTURE.

TOTAL EARTH DISTURBANCE ON THIS LOT SHALL NOT EXCEED 2500 SQ. FT.

NOTES:

- 1) THE POSITION OF ALL EXCAVATED MATERIAL SHALL BE REMOVED FROM SITE. THE EXISTING IMPROVEMENTS HAVE BEEN ESTABLISHED BY A TRANSIT-TAPE SURVEY.
- 2) NO TITLE REPORT FURNISHED.

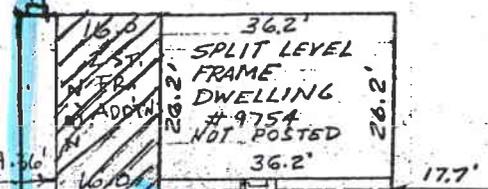
FINAL APPROVAL

NOV 6 1979

DPW&ES
Office of Building Code Services
Approved for
Doby Oude Adriaan
By: _____
Date: 12-4-03

DPW&ES
Office of Building Code Services
Approved for
By: _____
Date: 12-4-03

Amended for field retaining wall
By: _____
Date: 5/27/04



DAMP PROOFING/WATERPROOFING REQUIRED IN ACCORDANCE WITH BUILDING CODES

Weepholes must be provided in retaining wall.

HOUSE LOCATION SURVEY

LOT 242

SECTION THREE

CHERRY RUN

SPRINGFIELD DISTRICT FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=30' DATE: NOVEMBER 6, 1979

PATTON, HARRIS, RUST & GUY

A PROFESSIONAL CORPORATION ENGINEERING SURVEYING PLANNING FAIRFAX, VIRGINIA

OATLEY LANE 50' WIDE

TOTAL EARTH DISTURBANCE ON THIS LOT SHALL NOT EXCEED 2500 SQ. FT.

EXCAVATED MATERIAL SHALL BE REMOVED FROM SITE

BESTWICKE ROAD 50' WIDE



DRAWN BY: C. COOK CHECKED BY: D.D.P.

BUILDING PERMIT APPLICATION

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
 PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504
 Telephone: 703-222-0801
 Web site: http://www.co.fairfax.va.us/dpwcs

PERMIT # **0333830882**

FOR INSPECTIONS CALL 703-222-0455 (see back for more information)

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY
 PLAN # **R-02-0343**
 TAX MAP # **093-1-07-024**

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	12-4-03	fm
SITE PERMITS	12-4-03	KAS
HEALTH DEPT.		
BUILDING REVIEW	1-14-04	seg
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \$
 FILING FEE - \$ **537.50**
 AMOUNT DUE - \$ **10,516.13**

BUILDING PLAN REVIEW
 REVIEWER _____ # OF HOURS **JR**
 REVISION FEES \$
 FIRE MARSHAL FEES \$
 FIXTURE UNITS _____ PLAN LOC: J R

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 (LOG OUT)
 BY **MD** DATE **1/28/04**

ZONING REVIEW
 USE **SO-78**
 ZONING DISTRICT **R-3C** HISTORICAL DISTRICT _____
 ZONING CASE # **1-1904**
 GROSS FLOOR AREA OF TENANT SPACE

YARDS: _____ GARAGE 1 2 3
 FRONT _____ OPTIONS YES NO
 FRONT **33'** REMARKS **(1/2) STORY**
 L SIDE **29.30'** addition on side
 R SIDE **17.7'** of house, plat
 REAR **25'** attached

GRADING AND DRAINAGE REVIEW
 SOILS # **32** A B C
 AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT) **493,124.8**
 IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT) **448**
 PLAN # _____ APPR. DATE _____

STAMPS **DP - FF 2500, EXMT**
 (See reverse side of application)

REMARKS _____

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION
 ADDRESS **9754 OATLEY LANE**
 LOT # **242** BUILDING _____
 FLOOR _____ SUITE _____
 SUBDIVISION **CHERRY RUN SECT. TWO**
 TENANT'S NAME _____

OWNER INFORMATION OWNER TENANT
 NAME **BRIAN & SUSAN GALLIER**
 ADDRESS **9754 OATLEY LANE**
 CITY **BURKE** STATE **VA** ZIP **22015**
 TELEPHONE **(703) 800-2266**

CONTRACTOR INFORMATION SAME AS OWNER
 CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME **OWNER**
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 TELEPHONE _____
 STATE CONTRACTORS LICENSE # _____
 COUNTY BPOL # _____

APPLICANT **SHARON WASHBURN ARCH. (301) 656-5510**

DESCRIPTION OF WORK
ADDITION (16' x 28.2') ON BOTH LEVELS, RE DO KITCHEN & ALTERATIONS PER PLANS Add \$80,000 Int Alt \$40,000

HOUSE TYPE **SFD**
 ESTIMATED COST OF CONSTRUCTION **1460.87**
 BLDG AREA (SQ FT OF FOOTPRINT) **RESID. 14**
 USE GROUP OF BUILDING **RESID. 14**
 TYPE OF CONSTRUCTION **03329**
 SEWER SERVICE PUBLIC SEPTIC OTHER
 WATER SERVICE PUBLIC WELL OTHER
 OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT
 (Residential Construction Only)
 NAME _____
 ADDRESS _____
 NONE DESIGNATED PHONE _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS

# KITCHENS _____	EXTER. WALLS _____
# BATHS _____	INTER. WALLS _____
# HALF BATHS _____	ROOF MATERIAL _____
# BEDROOMS _____	FLOOR MATERIAL _____
# OF ROOMS _____	FIN. BASEMENT _____ %
# STORIES _____	HEATING FUEL _____
BUILDING HEIGHT 30'	HEATING SYSTEM _____
BUILDING AREA _____	# FIREPLACES _____
BASEMENT _____	

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Sharon F. Washburn FMA 12-03-03
 Signature of Owner or Agent Date
SHARON F. WASHBURN FMA ARCHITECT
 Printed Name and Title

(Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

NOTARIZATION (if required)
 State (or territory or district) of _____
 County (or city) of _____, to wit:
 I, _____
 a Notary Public in the State and County aforesaid, do certify that
 whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.
 Given under my hand this _____ day of _____, 20____.
 My commission expires the _____ day of _____, 20____.
 (Notary Signature)

APPROVED
12-4-03

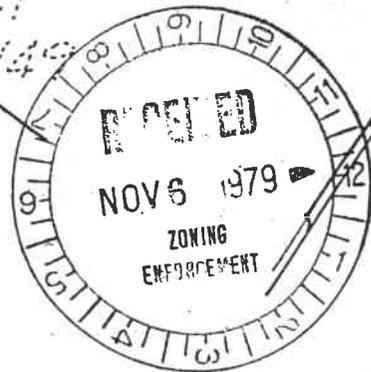
LOT 239

LOT 150

CHERRY RUN
SEC. TWO

LOT
242

14,424[±]



LOT
240

DPW&ES
Office of Building
Code Services
Approved for
By: *DPW Code Admin*
Date: 12/4/03

NOTES:

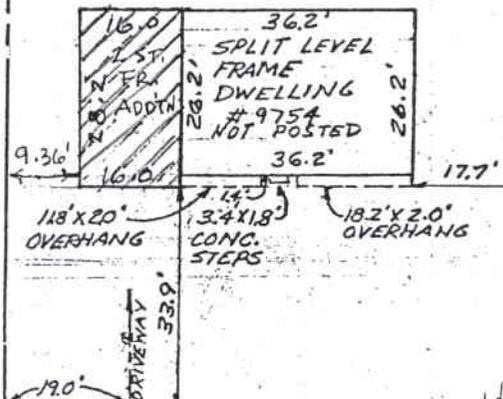
- 1) THE POSITION OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN ESTABLISHED BY A TRANSIT-TAPE SURVEY.
- 2) NO TITLE REPORT FURNISHED.

FINAL APPROVAL

NOV 6 1979

J. R. Fournier
Zoning Administrator

DAMP PROOFING/WATERPROOFING
REQUIRED IN ACCORDANCE
BUILDING CODES



HOUSE LOCATION SURVEY

LOT 242

OATLEY LANE
50' WIDE

SECTION THREE
CHERRY RUN

SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA
SCALE: 1"=30' DATE: NOVEMBER 6, 1979

PATTON, HARRIS, RUST & GUY
A PROFESSIONAL CORPORATION
ENGINEERING SURVEYING PLANNING
FAIRFAX, VIRGINIA

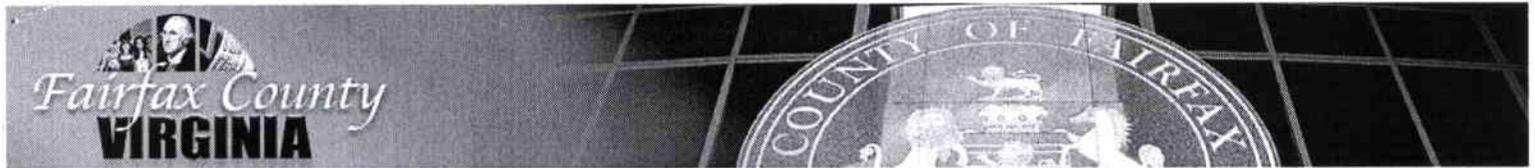
TOTAL EARTH DISTURBANCE
W/IN LOT SHALL NOT EXCEED
2,007 SQ. FT.

EXCAVATED AREAS
REMOVED FROM

BESTWICKE ROAD
50' WIDE



DRAWN BY: C. COOK
CHECKED BY: D.D.P.



Land Development Information History: ISIS - Building Permit - 03338B0880

Permit Information

Permit Id:	03338B0880	Application Date:	2003-12-04	Time:	15:23:16
Job Address:	009754 OATLEY LA	Tax Map:	088-1 ((07)) 0242		
Subdivision:	CHERRY RUN, SEC 003	Permit Status:	Initial/Approved (IA)		
Trade Name:	NA	Subobj:	181 R/C: R		
Applicant Name:	SHARON	Bldg:	NA	Floor:	NA Suite: NA
Work Description:	SFD/BUILD 2 STORY ADD/INT ALTS TO SFD//EDF				
Type Work:	Multiple Work (O24)				
Building Use:	Single-Family, Detached Or Semi-Detached (010)				
Standard:	0295				
Plan Number:	Use Group: R4 Bldg Permit: NA				
Permit Hold Date:	By: QNO: R-03-01543 POF:				
Hold Release Date:	By: Proffer: M Pre-Const Meeting: N Date:				
Comments:	ARCHITECHPULLING PERMIT				

Permit Status Summary

Permit Status:	Initial/Approved (IA)	Real Estate:	2003-12-04	RSLT:	APP	BY:	EDF
Applied Date:	2003-12-04	Zoning:	2003-12-04	RSLT:	APP	BY:	BM
Issued Date:	2004-01-29	Grading / Drainage:	2003-12-04	RSLT:	APP	BY:	GB
Paid Date:	2004-01-29	Building Plan Review:	2004-01-14	RSLT:	APP	BY:	SEG
Expiry Date:	2004-07-30	Final Inspection:	2004-10-01	RSLT:	C	BY:	JHS
Inspection Date:	2004-11-23	Final Inspection:	2004-11-12	RSLT:	R	BY:	JHS
		Final Inspection:	2004-11-23	RSLT:	A	BY:	JRV

Owner Information

Virginia.gov Agencies | Governor Search Virginia.Go



VIRGINIA DEPARTMENT OF
SOCIAL SERVICES



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

Susan Gallier
9754 Oatley Lane
BURKE, VA 22015
(703) 866-2266

Facility Type: [Family Day Home](#)
License Type: [One Year](#)
[Expiration Date](#): Dec. 2, 2015
Business Hours: 7:30 A.M. - 5:00 P.M.
Monday - Friday
Capacity: 12
Ages: 1 month - 12 years 11 months
Inspector: Martha Pauly
(703) 479-4677



County of Fairfax, Virginia

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

Date: January 20, 2015

To: Laura Arseneau, Staff Coordinator
Zoning Evaluation Division

From: Chuck Cohenour, Zoning/Property Maintenance Inspector
Zoning Inspection Branch

Subject: Home Child Care Facility SP 2014-SP-130

Applicant: Susan Gallier
9754 Oatley Lane, Burke, Virginia 22015
Cherry Run, Section 3, Lot 242
Tax Ref. #: 88-1 ((7)) 242
Zone: R-3C
ZIB #: 2014-0519

*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.
- An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
 - *The smoke alarm system could not be tested due to sleeping infants. The system is interconnected and the power light was illuminated. Applicant advised that the last fire drill was conducted on December 8, 2014.*
- All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.
- Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.

Department of Planning and Zoning
 Zoning Administration Division
 Zoning Inspections Branch
 12055 Government Center Parkway, Suite 82
 Fairfax, Virginia 22035-5500
 Phone 703-324-4300 FAX 703-324-1340
 www.fairfaxcounty.gov/dp

9754 Oatley Lane
January 16, 2015

- 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.

- Other
 - *Rear deck is missing two balusters.*

- 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.