



County of Fairfax, Virginia

March 4, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-MV-146

BRADDOCK DISTRICT

APPLICANT: Janet Yamoah
d/b/a Janent Home Daycare

OWNERS: Yaw Fordjour
Peter Amankona-Diawuo

SUBDIVISION: Timothy Park

STREET ADDRESS: 8208 Cooper Street, Alexandria, 22309

TAX MAP REFERENCE: 101-3 ((2)) 560

LOT SIZE: 13,110 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISIONS: 3-303, 8-305

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

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-MV-146 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.

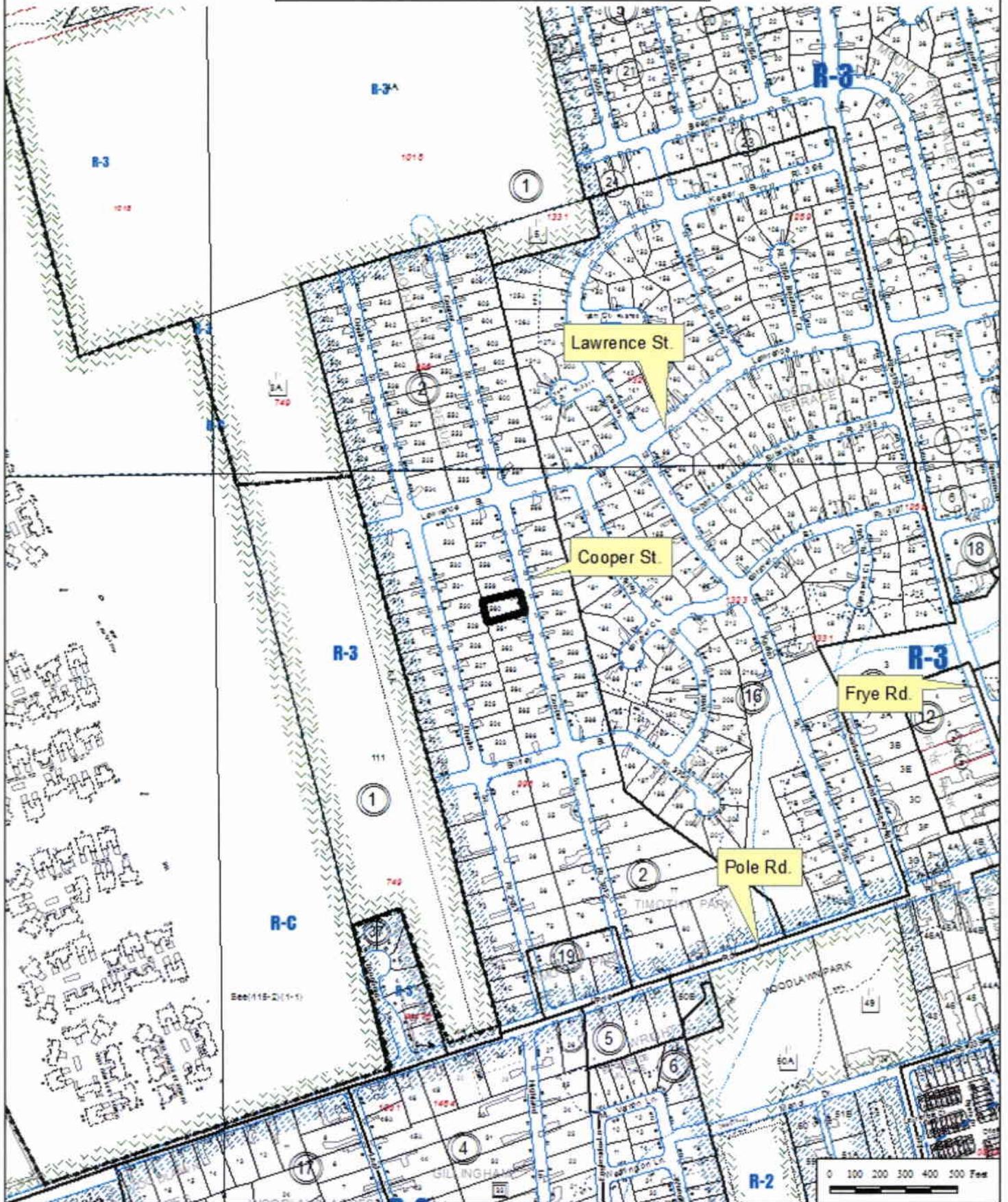
Erin M. Haley

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.**

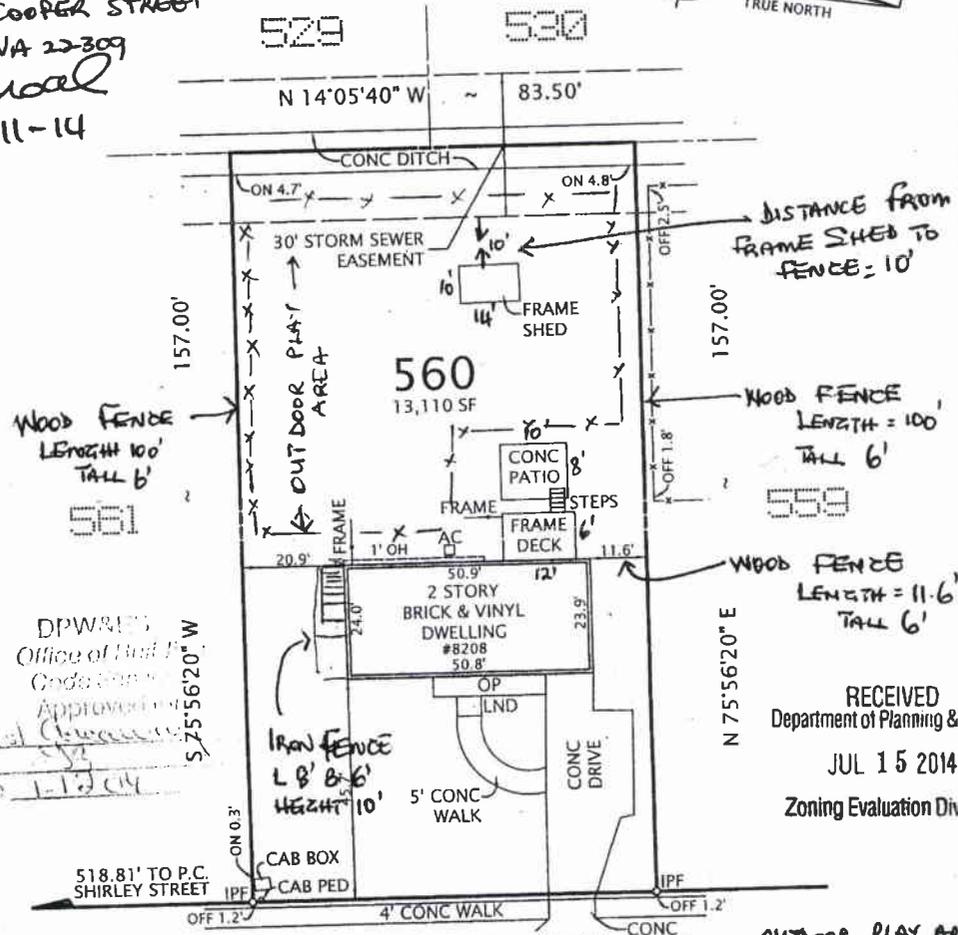
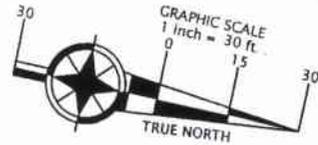
Special Permit

SP 2014-MV-146
JANET YAMOAH / JANETHOME DAYCARE



NOTES: 1. FENCES ARE CHAIN LINK UNLESS NOTED.
 2. UTILITIES ARE UNDERGROUND.

JANET YAMOUTH
 8208 COOPER STREET
 ALEX. VA 22309
Januel
 07-11-14



DPWR/DES
 Office of Building
 Code Administration
 Approved
 By: [Signature]
 Date: 1-15-14

DISTANCE FROM
 FRAME SHED TO
 FENCE = 10'

WOOD FENCE
 LENGTH = 100'
 TALL 6'

WOOD FENCE
 LENGTH = 11.6'
 TALL 6'

RECEIVED
 Department of Planning & Zoning
 JUL 15 2014
 Zoning Evaluation Division

NOTE:
 NO Construction
 Shall Encroach into
 County Easements
 (Ground or Air Space)

COOPER STREET
 50' WIDE ~ STATE ROUTE #3012

OUTDOOR PLAY AREA
 TOYS = 5'250x

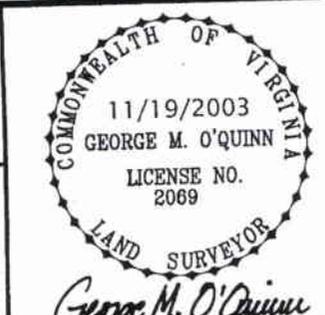
- SHED HEIGHT 8'
- PATIO (CONC) 10x8'
- FRONT DECK 12x6'

JM 1-12-14
 Height 2'

PLAT
 SHOWING HOUSE LOCATION ON
 LOT 560
 TIMOTHY PARK
 FAIRFAX COUNTY, VIRGINIA
 MOUNT VERNON DISTRICT
 SCALE: 1" = 30' NOVEMBER 19, 2003

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
 A TITLE REPORT WAS NOT FURNISHED.
 OWNER MARKERS SET.



CASE NAME:
 HENRY ~ AMANKONA-DIAWUO/FORDJOUR
 ALLIANCE TITLE & ESCROW, INC.

DOMINION SURVEYORS, INC.
 8808-H PEAR TREE VILLAGE COURT
 ALEXANDRIA, VIRGINIA 22309
 703-619-6555
 FAX 703-799-6412

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children in a detached dwelling on Cooper Street in the Alexandria area. A copy of the special permit plat titled, "Plat Showing House Location on Lot 560, Timothy Park," as revised by Janet Yamoah, through July 11, 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 two story, single-family detached dwelling. A concrete driveway provides access to the dwelling from Cooper Street. A walkway leads from the driveway to the front porch. A deck 6 feet in height is located at the rear of the house with a concrete patio at grade. A shed 8 feet in height is located in the rear yard 10 feet from a 30 foot storm sewer easement located across the rear yard of the property. A playground area is enclosed by a 6 foot wood fence in the rear yard.

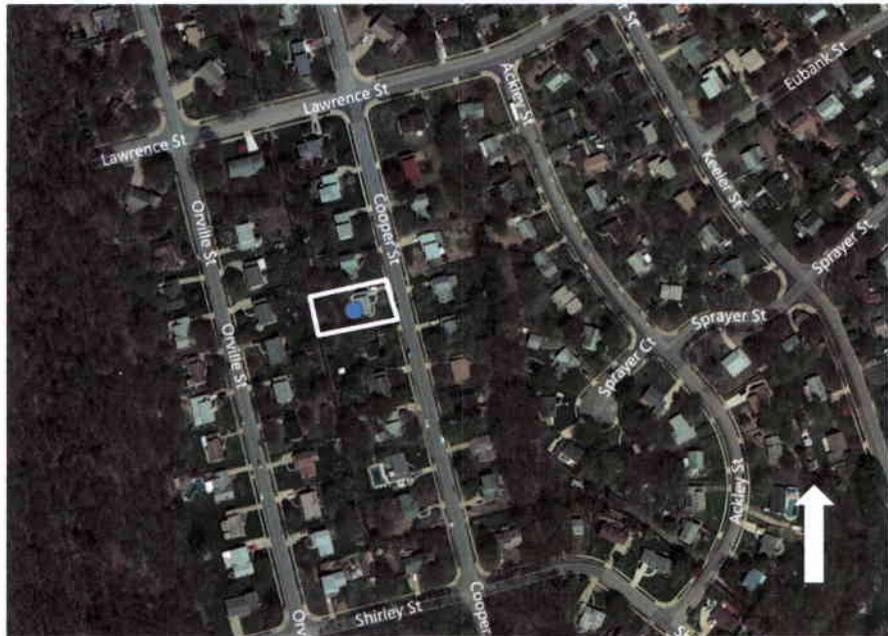


Figure 1- Aerial View of Subject Property

The property is located east of Fort Belvoir and north of Pole Road in the Timothy Park subdivision. The subject property and surrounding properties are zoned R-3 and developed with single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1970 and purchased by the property owners in 2003.

Records indicate that no other special permit 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 6:00 a.m. and 12:00 a.m., Monday through Saturday. The applicant is requesting to allow four children after 6:00 p.m. The applicant has a staggered drop-off and pick-up schedule for the children. Currently, there is one full-time assistant. The home child care facility is operated in the walk-out basement of the dwelling. The play area is located in the rear yard of the property. Pictures provided by the applicant show toys and play equipment located in this area.

The applicant holds a current Family Day Home License valid through March 24, 2015, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of twelve children, from birth through 12 years 11 months of age. A copy of the license information is included as Appendix 4.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Mount Vernon Planning District
Planning Sector: Woodlawn Community Planning Sector (MV8)
Plan Map: Residential, 3-4 du/ac

On-Site Parking and Site Circulation (Appendix 5)

The existing driveway can accommodate approximately four vehicles and the applicant keeps her family vehicles parked on the street. Staff believes that the driveway provides sufficient room for pick up and drop off of children. Development conditions are proposed to require pick up and drop off of children in the driveway.

Zoning Inspection Branch Comments (Appendix 6)

Staff found that the area around the utility equipment did not contain the required clearance area. Since the time of the original site visit, the applicant has removed the storage around the utility area. Staff has proposed development conditions in Appendix 1 to address these concerns. There were no other issues identified during the inspection of the home child care facility.

Zoning Ordinance Requirements (Appendix 6)

- 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)

| | |
|--|---|
| Standards 1 and 2 Comprehensive Plan/ Zoning District | 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 for up to 12 children as an accessory use with special permit approval. |
| Standard 3 Adjacent Development | 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 property value. |
| Standard 4 Pedestrian/Vehicular Traffic | Arrival and departure times of the children are staggered and staff has proposed a development condition for the driveway to be used for pick up and drop off of children. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood. |
| Standard 5 Landscaping/Screening | There is existing vegetation and fencing that screens the play area from neighbors. Staff is not aware of any complaints from neighbors about the existing home child care use. |
| Standard 6 Open Space | There is no prescribed open space requirement for conventional subdivisions in the R-3 District. |
| 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 for the R-3 district. No exterior modifications are proposed with this application aside from the applicant adjusting the front step to bring the riser height into conformance. |
| Standard 2 Performance Standards | The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance. |
| Standard 3 Site Plan | Home child care facilities are not subject to the provisions of Article 17, Site Plans. |

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

| | |
|--|--|
| Standard 1 Maximum of 12 Children & Non-Resident Employee | The applicant is proposing a maximum of 12 children at any one time. The applicant has one full-time non-resident employee. |
| Standard 2 Access and Parking | Arrival and departure times of the children are staggered and parking will be made 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 existing vegetation and a fence in the rear yard that provide screening to the outdoor play area. |
| Standard 4 Submission Requirements | The applicant met the submission requirements for a home child care facility. |
| Standard 5 Code of Virginia, Title 63.2, Chapter 17 | The applicant has a valid home child care license. |

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 12 children at any one time. |
| Part B Licensed Provider/Primary Residence | The applicant is a state licensed home child care provider and the subject property is the provider's primary residence. |
| Part C No Exterior Evidence Except Play Equipment | There is no exterior evidence of the proposed use except play equipment and toys. |
| Part D Non-Resident Employee | The applicant is proposing one non-resident employee. |
| Part E Provider is a Non-Resident | The provider is a resident owner of the property. This part is not applicable. |
| Part F Code of Virginia, Title 63.2, Chapter 17 | Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid state home child care |

| | |
|--|--|
| | license. |
| Part G Increase in Children or Non-Resident Employee | The maximum number of children permitted by-right at any one time is seven 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 employees. |

CONCLUSION/RECOMMENDATION

Staff believes that the subject application is in conformance with the applicable Zoning Ordinance Provisions. Staff recommends approval of SP 2014-MV-146 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. State Family Day Home License Information
5. Zoning Inspections Branch Comments
6. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS

SP 2014-MV-146

March 4, 2015

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MV-146 located at Tax Map 101-3 ((2)) 560 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, Janet Yamoah, Janet Home Daycare, and is not transferable without further action of the Board, and is for the location indicated on the application, 8208 Cooper 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, "Plat Showing House Location on Lot 560, Timothy Park," as revised by Janet Yamoah, through July 11, 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 hours of operation of the home child care facility shall be limited to 6:00 a.m. to 12:00 a.m., Monday through Saturday.
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 12 and after 6:00 p.m. shall not exceed 4.
7. A maximum of two non-resident employees, whether paid or not for their services, may be involved in the home child care facility from 7:00 a.m. to 6:00 p.m.
8. All pick-up and drop-off of children shall take place within the driveway.
9. There shall be no signage associated with the home child care facility.
10. A minimum of 36 inches of clearance shall be maintained around the furnace and water heater.
11. 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.

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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals. 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.

Janet Yamoah
8208 Cooper Street
Alexandria, Virginia 22309
Tel#703 360 3706
Janetyamoa@gmail.com

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

Re: Special Permit Application

Applicant: Janet Yamoah

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

Tax Map#(101 3- 02- 0560)

Zoning District: R-3

Lot size: 13,110sq.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 owe and live in a single family detached dwelling at 8208 Cooper Street Alexandria Virginia 22309 with my husband and 3 children. 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 6 children in my child care facility in my home. Below is information about my child care facility:

RECEIVED
Department of Planning & Zoning
MAR 12 2014
Zoning Evaluation Division

Hours. The child care is open from 6:00AM To 12 midnight, Monday through Sunday.

Number of children. I care for up to 12 children at any one time.

Employees. I have one assistant who works full-time. She works from 7am to 7pm. The assistant uses public transport to and from work.

Presently , I have 6 children. Their arrival and departure time are as follows:

Arrival Schedule.

Two children arrive at 2.30pm

One child arrive at 1.30pm

Three children arrive at 3:30PM

Departure Schedule.

Two children depart at 24.30am

One child depart at 11.30pm

Three children depart at 0100

(See Attachment 1)

In future , with the 12 children their arrival and departure time will be as follows:

Arrival schedule:

2 children will arrive at 2:30pm

1 child will arrive at 1:30pm

3 children will arrive at 3.30pm

3 children will arrive at 6.30pm

3 children will arrive at 7.00pm

Departure Time :

5 Children will depart at 24.30am

1 child will depart at 11.30pm

3 children will depart at 9.00pm

3 children will depart at 0100am.

Area Served. Currently, two of the children are transported to and from the the Day care by their parents per cooper street. Four of the children (child 3, 4, 5, &6) are picked up by provider from their various houses per their parents request to and from the day care .In future; all the children will be picked by their parents to and from the day care.

Photographs of the application property and abutting properties. Photographs attached showing existing structures, terrain and vegetation as viewed from all lot lines and street lines of the application property. The rear back yard, fence, ditch and easement photographs of the parking in the front, the neighboring properties and inside decorations , the size of the rooms used for the day care(height, length and width are included.

Operations. As I stated, my house is a single-family detached dwelling. It has a walk -out basement, which is where the children spend most of their time. Attached is a floor plan that indicates the areas where the day care is located. The house has 13,110square feet. The basement area, which consist of two separate rooms where I conduct the day care consist of approximately 1000 square feet in total. The height is 220ft.The outdoor play area is 5250sq.ft. The house has a fence. The height of fence is 6 feet. The day care rooms have two doors leading to outside and three windows. (See Attachment 2 for floor layout and interior photos)

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 provision 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 5250 square feet. There is a wooden fence around the playing area. The height of the wooden fence is 6 feet .There is a shed Arrow Group Vinyl (Murryhill Shed) 10feetx14feet, height is 14feet. I have drawn the swing set on the plat.

Parking. My driveway provides enough parking for four cars because the driveway is more than 28 feet long and holds two cars side by side. In addition, ample parking is available along the cooper street in front of my house for the parents and employees. I use the parking available on the cooper street to park my two family cars.

Applicant's Affidavit. Special Permit/Variance Affidavit Forms (1-5 pages) Completed, and signed by the applicant.

Plat. Ten copies of updated plat with structures signed and dated by the applicant.

Consent by Co-ownership of the Subject Property. Mr. Amanankona Diawuo and Yaw Fordjour have given their consent that I, Janet Yamoah may apply for the Special Permit Application for a home child care facility to operate on this property. Signed Owner's Consent for Home Child Care Facility Form attached.

For these reasons, I believe that my proposed home day care facility will not impart my neighbors in any negative way.

In conclusion, I am proposing no changes to the outside appearance of my brick and vinyl sided home. I propose no addition and no signs regarding the day care. Adequate parking is available for my parents, employees, and my family. For these reasons, I believe that my proposed home day care facility will not impart my neighbors in any negative way.

Sincerely,

Janet Yamoah

(Owner, Janet Home Daycare.)

Arrival Schedule and Departure Schedule

Arrival Schedule

Future Schedule

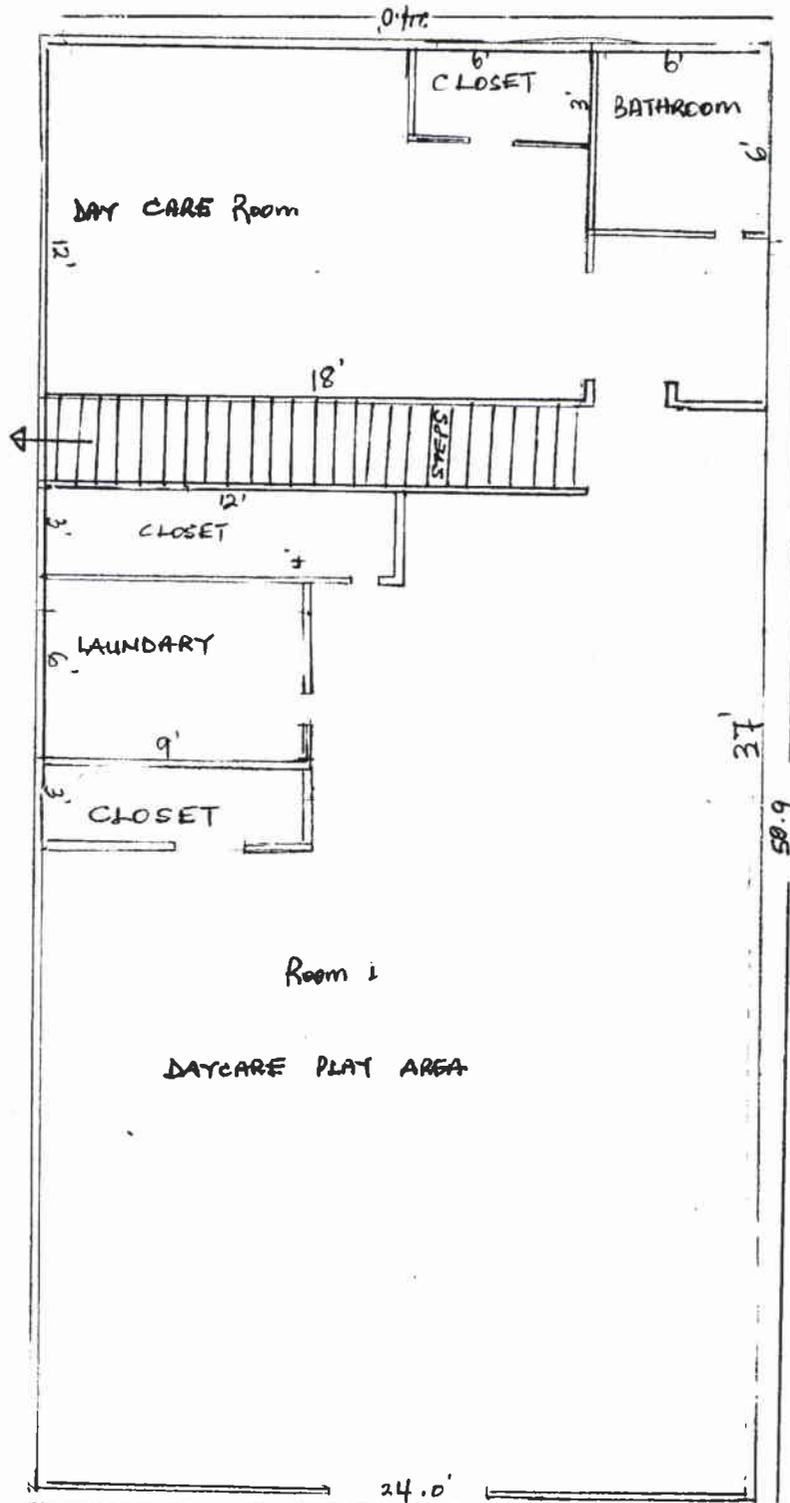
| Child | 6:30 A.M | 7:00 A.M | 1:30 P.M | 2:30 P.M | 3:30 P.M | 4:30 P.M |
|-------|----------|----------|----------|----------|----------|----------|
| 1 | | | | X | | |
| 2 | | | | X | | |
| 3 | | | X | | | |
| 4 | | | | | X | |
| 5 | | | | | X | |
| 6 | | | | | X | |
| 7 | X | | | | | |
| 8 | | X | | | | |
| 9 | | X | | | | |
| 10 | | X | | | | |
| 11 | X | | | | | |
| 12 | X | | | | | |

Departure Schedule

| Child | 6:30 P.M | 7:00 P.M | 11:30 P.M | 24:30 A.M | 01:00 A.M | 9:00 P.M |
|-------|----------|----------|-----------|-----------|-----------|----------|
| 1 | | | | X | | |
| 2 | | | | X | | |
| 3 | | | X | | | |
| 4 | | | | | X | |
| 5 | | | | | X | |
| 6 | | | | | X | |
| 7 | | | | X | | |
| 8 | | | | X | | |
| 9 | | | | X | | |
| 10 | | | | | | X |
| 11 | | | | | | X |
| 12 | | | | | | X |

8208 COOPER STREET
ALEXANDRIA VA. 22309

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



BASEMENT

Internal Photos Showing
Windows of Day Care.



Picture taken in January 2014

Door Entrance,
From Day Care to Outside



Picture taken in January 2014

Pictures taken in January 2014
Internal Photos (Day care rooms)

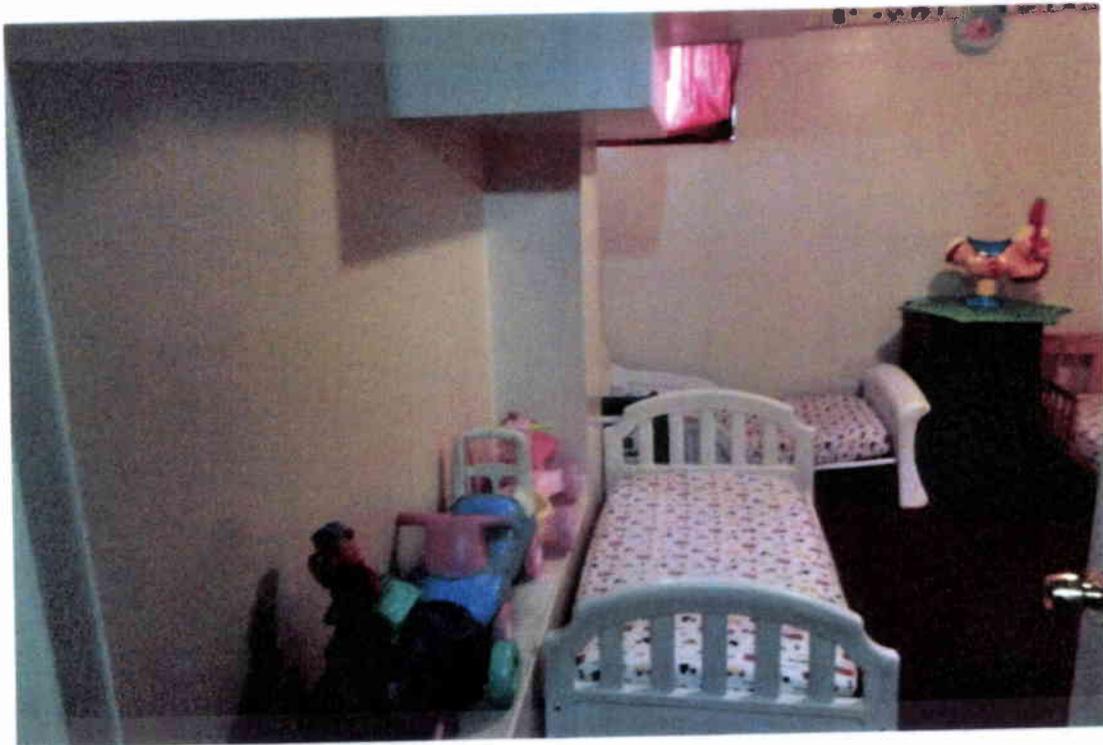


Pictures taken in January 2014
Changing Room (Room #3) (Day Care)



Photos taken (January 2014)

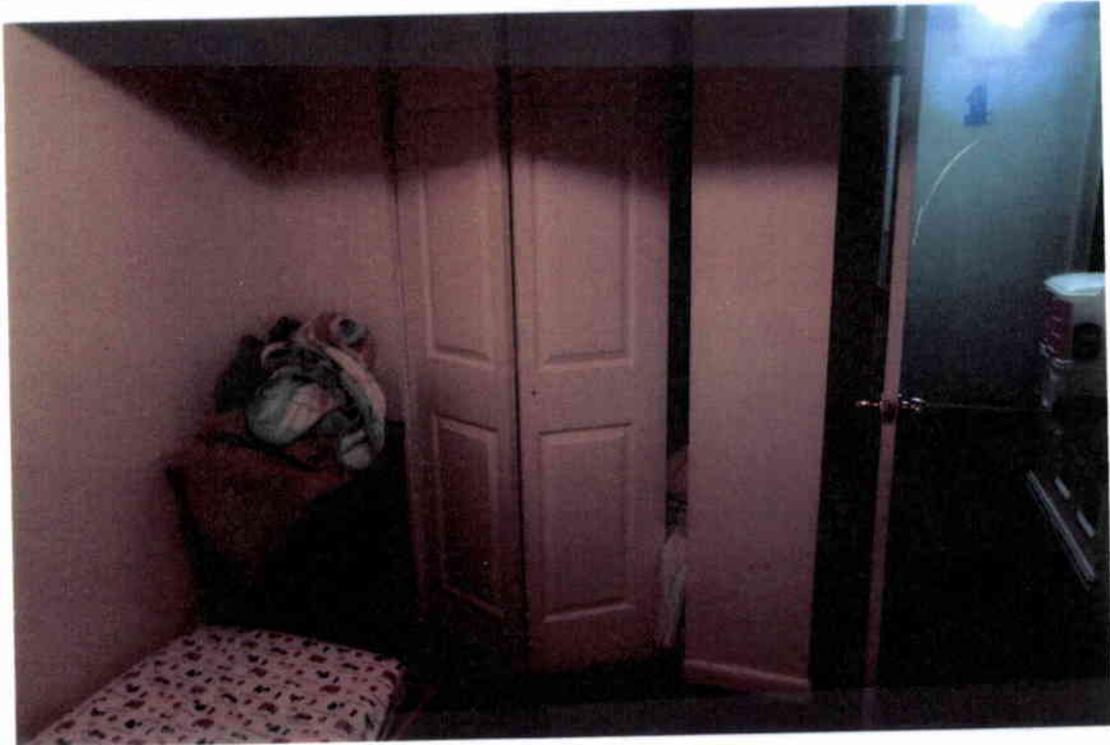
DOORS to Day Care Rooms.



Internal P.

Internal Photo (2nd Room)

Photos taken in January 2014
Internal Photos (Day Care Rooms)



NORTH SIDE OF DAYCARE



1



2

OUTDOOR AREA OF DAYCARE

PICTURES TAKEN: JANUARY 2014

OUTDOOR AREA OF ANCHRE
PICTURES TAKEN JANUARY 2014



3



4

PLAYGROUND AREA

1. NORTHSIDE OF HOUSE



3



WEST
SIDE
OF
HOUSE
SHOWING
ENTRANCE
AND
WINDOWS
OF
DAYCARE

5

HOUSE OF DAYCARE
SOUTH



6

NEIGHBOURS
HOUSES
OPPOSITE
DAYCARE



7

Pictures taken January 2014

SPECIAL EXCEPTION AFFIDAVIT

DATE: 11-24-14
 (enter date affidavit is notarized)

I, JANET YAMOH, 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

in Application No.(s): 124748
 (enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information 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 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) |
|---|--|---|
| JANET YAMOH | 8208 COOPER STREET ALEXANDRIA VA. 22309 | APPLICANT / LESSEE |
| JANET HOME DAYCARE | 8208 COOPER STREET ALEXANDRIA VA 22309 | APPLICANT |
| PETER AMANKONA DIAMUO | 8208 COOPER STREET ALEXANDRIA VA 22309 | TITLE OWNER / LESSOR |
| YANU FORSOUR | 8208 COOPER STREET ALEXANDRIA VA 22309 | CO-TITLE OWNER / LESSOR |

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception 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).

CATS

SPECIAL EXCEPTION AFFIDAVIT

DATE: 11-24-14
(enter date affidavit is notarized)

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

124748

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 and 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 Exception Affidavit 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 11-24-14
(enter date affidavit is notarized)

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

124748

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, and number, street, city, state, and zip code)

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

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

N/A

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 11-24-14
(enter date affidavit is notarized)

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

124748

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 Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

NONE

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: 11-24-14 (enter date affidavit is notarized)

Application No.(s): (county-assigned application number(s), to be entered by County Staff) 124748

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, 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 Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one) [x] Manual [] Applicant [] Applicant's Authorized Agent

Janet Yamoah (type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 24 day of November 20 14, in the State/Comm. of Virginia, County/City of Fairfax



Handwritten signature of Jennifer Maria Hernandez, Notary Public

My commission expires: 10-31-2017

CAB

VIRGINIA DEPARTMENT OF
SOCIAL SERVICES

Janet Yamoah
8208 Cooper Street
ALEXANDRIA, VA 22309
(703) 704-5340 ☎

Facility Type: Family Day Home
License Type: One Year
Expiration Date: March 24, 2015
Business Hours: 24 hours - 24 hours
7 days
Capacity: 12
Ages: Birth - 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: February 4, 2015

To: Erin Haley, Staff Coordinator
Zoning Evaluation Division

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

Subject: Home Child Care Facility Re-inspection

Applicant: Janet Yamoah d/b/a Janet Home Daycare
8208 Cooper Street, Alexandria, Virginia 22309
Timothy Park, Lot 560
Tax Map ref#: 101-3 ((2)) 560
Zone District: R-3
ZIB #: 2015-0026

On February 4, 2015, a re-inspection was made at 8208 Cooper Street, Alexandria, Virginia 22309 to determine if the applicant had corrected deficiencies noted in a January 29, 2015 inspection.

- The applicant has removed all of the items of storage that had previously been placed on the furnace ducts and around both the gas furnace and gas hot water heater.
- The open area at the HVAC connections enter the house, has been repaired.
- The room in the child care facility that had previously been used as a sleeping room and was the subject of improper egress has been changed. The cribs and bedding have been removed and the room is now a play room. The sleeping area has been moved to an area that provides two means of egress, including one means of egress that leads directly to the outside.

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.