



APPLICATION ACCEPTED: July 18, 2014
BOARD OF ZONING APPEALS: March 11, 2015
TIME: 9:00 a.m.

County of Fairfax, Virginia

March 4, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-BR-147

BRADDOCK DISTRICT

APPLICANT/OWNER: Rosa I. Fuentes
SUBDIVISION: Burke Centre, Section 13B
STREET ADDRESS: 6105 Calico Pool Lane, Burke, 22015
TAX MAP REFERENCE: 77-4 ((5)) 141
LOT SIZE: 1,429 square feet
ZONING DISTRICT: PRC
ZONING ORDINANCE PROVISIONS: 6-300, 8-305
SPECIAL PERMIT PROPOSAL: To permit a home child care facility.

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-BR-147 for the home child care facility with the adoption of the proposed development conditions contained in Appendix 1.

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

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

Laura Arseneau

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

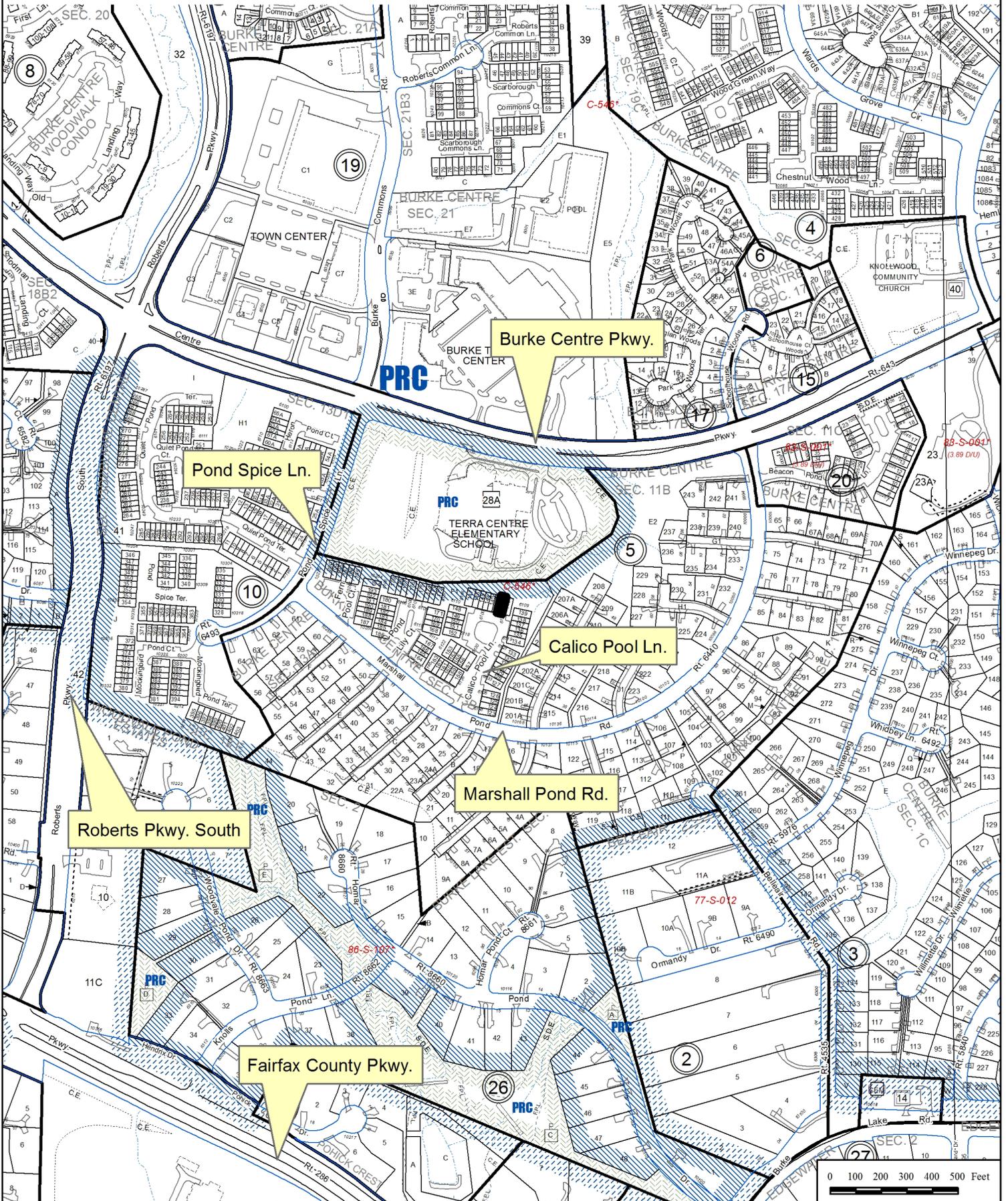
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government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



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

Special Permit

SP 2014-BR-147
ROSA FUENTES



Burke Centre Pkwy.

Pond Spice Ln.

Calico Pool Ln.

Marshall Pond Rd.

Roberts Pkwy. South

Fairfax County Pkwy.



- 1. NO TITLE REPORT FURNISHED.
- 2. THIS PLAT IS NOT TO BE USED FOR THE CONSTRUCTION OF FENCES.
- 3. BOUNDARY INFORMATION OBTAINED FROM AVAILABLE RECORDS.
- 4. THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF LOT 141 ANY FENCES SHOWN ARE APPROXIMATE
- 5. NO CORNER MARKERS SET.

OUTDOOR PLAY AREA
20' x 20' (400 S/F)

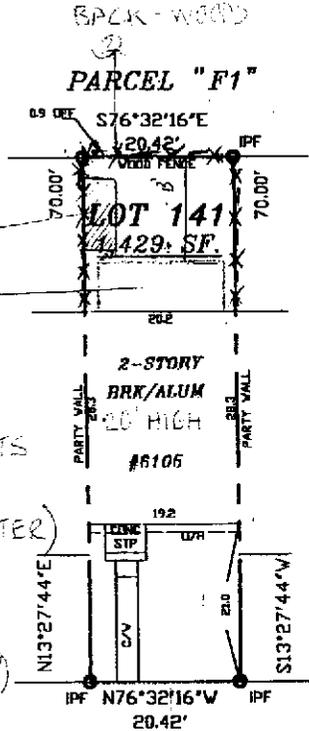
X-X-X FENCE 6' HIGH
SHED 4' x 6' 7' H
DECK 7' x 16' x 9' H

LOT 142

LOT 140

NON-STATIONARY PLAYSETS
IN OUTDOOR PLAY AREA

- SANBOX (3 1/2' DIAMETER)
- WATER TABLE (3' x 5')
- SLIDE (3' x 6')
- CLIMBER (3' x 3')
- BASKETBALL SET (15' x 2' x 4')



DP/W&ES
Office of Building
Code Services
Approved for
By: [Signature]
Date: 10-1-03

CALICO POOL LANE
(PRIVATE STREET)
PARCEL "F1"

OPEN DECK APPROVED
NO Privacy screening.
Lattice, plant hanger, trellis, or arbor
(Nothing above the rail and nothing
below the deck flooring)

LEFT NEIGHBOR

FRONT
PARK

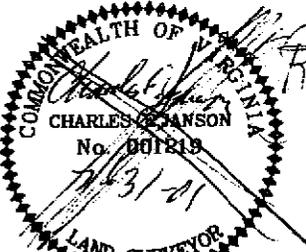
RIGHT NEIGHBOR

APPROVED

JM 10-1-03
William E. Abouge
Zoning Administrator

FLOOD NOTE

THIS LOT CLASSIFIED AS ZONE "X"
AREA DETERMINED TO BE OUTSIDE
OF 500 YEAR FLOODING.



ENCLOSURES AND TIERS MUST BE
PLACED ON COMPETENT MATERIAL

PLAT SHOWING
HOUSE LOCATION SURVEY
LOT 141
SECTION 13B
BURKE CENTRE
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

FLOOD ZONE: "X"
COMMUNITY NO: 5155250075 D

PANEL: 75 D
DATE: 3/5/90

DATE: 7/23/01

SCALE: 1"=20'

CASE NAME:
RIEGG / FUENTES / RODRIGUEZ

PLAT SUBJECT TO RESTRICTIONS OF RECORD



SUBURBAN DEVELOPMENT ENGINEERING

I, HEREBY CERTIFY THAT THE POSITIONS OF ALL
THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY
ESTABLISHED BY A TRANSIT TAPE SURVEY AND
UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE
ENCROACHMENTS

ENGINEERS, PLANNERS, SURVEYORS, LANDSCAPE ARCHITECTS,

7777 LEESBURG PIKE, SUITE # 405N
FALLS CHURCH, VIRGINIA 22043 703-556-0800

[Signature]

DRAWN BY: S. RANJBER CHECKED BY: CHUCK J.

RECEIVED
Department of Planning & Zoning
JUL 16 2003
Zoning Evaluation Division

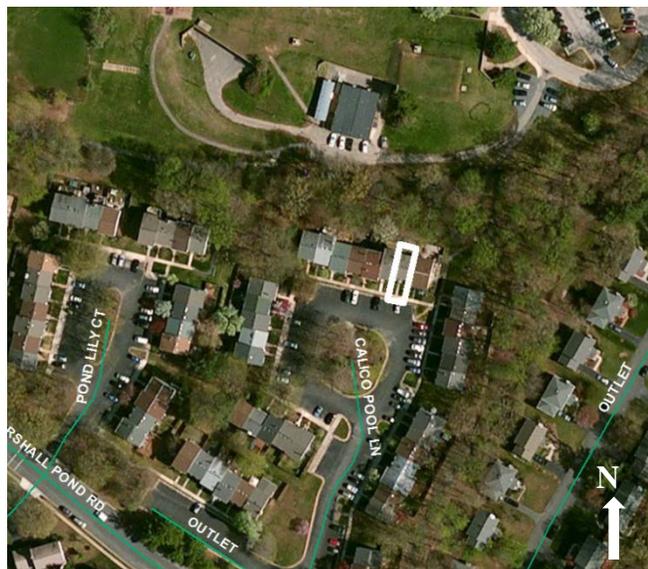
SPECIAL PERMIT REQUEST

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 "Plat Showing House Location Survey, Lot 141, Section 13B, Burke Centre," prepared by Charles E. Janson, L.S., of Suburban Development Engineering, dated March, 5, 1990, as revised by the applicant R. Flores, and accepted by the Department of Planning and Zoning on July 16, 2014. 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 attached dwelling. A deck and shed are located to the north of the dwelling. A six foot high fence encloses the rear yard.

The property is located south of Burke Centre Parkway and east of Roberts Parkway. The subject property and surrounding properties to the east, west and south are zoned PRC and developed with single family attached dwellings. The property to the north is zoned PRC and is owned by the Burke Centre Conservancy. Terra Centre Elementary School is also located north of this property.



BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1979 and purchased by the property owners in 2001.

On October 1, 1993, a building permit was issued for the construction of an elevated deck with no stairs to the north of the dwelling (Appendix 4). A final inspection was never conducted for the construction of a deck. A development condition is proposed to address this concern.

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 7:30 a.m. and 6:00 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 in a walk-out basement. Children nap in an area that has adequate emergency egress. 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 April 24, 2015, from the Commonwealth of Virginia, Department of Social Services. The license lists the business hours as 7:30 a.m. to 6:00 p.m., Monday through Friday. The license also permits a capacity of twelve children, from two months through 5 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: Planned Residential Community

On-Site Parking and Site Circulation

There are two parking spaces assigned to the dwelling directly in front of the dwelling. The applicant and the assistant park their cars on Marshall Pond Lane.

A concrete walkway connects the sidewalk to the front stoop of the dwelling, which accesses the main level. An interior stairway is used to enter the home child care in the basement.

Zoning Inspection Branch Comments (Appendix 6)

Staff found that one of the emergency egress points from the nap area was obstructed with storage. The applicant was instructed to clear the egress area from any obstruction and has provided photo documentation to staff that she has removed the obstructions.

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)

Standards 1 and 2 Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The PRC District permits a home child care facility 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 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 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.
Standard 5 Landscaping/Screening	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.
Standard 6 Open Space	All common open space lands shall be controlled by provisions of Part 7 Article 2.
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 PRC district. No exterior modifications are proposed with this application.
Standard 2 Performance	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.

Standards	
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 complies with the ordinance requirements. The applicant requests one non-resident employee.
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 permit 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 April 24, 2015 for 12 children from 7:30 a.m. to 6:00 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 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 and they shall only be at the home child care between 7:00 a.m. to 6:00 p.m., Monday through Friday.

<p>Part E Provider is a Resident</p>	<p>The provider is a resident of the property.</p>
<p>Part F Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17</p>	<p>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.</p>
<p>Part G Increase in Children or Non-Resident Employees</p>	<p>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.</p>

CONCLUSION/ RECOMMENDATION

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

Staff recommends approval of SP 2014-BR-147 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-BR-147****March 4, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-BR-147 located at Tax Map 77-4 ((5)) 141 to permit a home child care facility pursuant to Sects. 6-300 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, Rosa Fuentes, and is not transferable without further action of the Board, and is for the location indicated on the application, 6105 Calico Pool 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 "Plat Showing House Location Survey, Lot 141, Section 13B, Burke Centre," prepared by Charles E. Janson, L.S., of Suburban Development Engineering, dated March, 5, 1990, as revised by the applicant R. Flores, and accepted by the Department of Planning and Zoning on July 16, 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 operate with the approved hours of operation, 7:30 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. 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 take place in the two assigned parking spaces, which shall be reserved exclusively for that purpose during hours of operation of the home child care facility. Arrival and departure of children shall be staggered to ensure that the driveway will be available to accommodate pick-up/drop-off of children.

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 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 which will be obtained within 12 months of approval.

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.

Rosa I. Fuentes
6105 Calico Pool Lane
Burke, VA 22015
703-239-1257
Vfuentes1985@msn.com

RECEIVED
Department of Planning & Zoning
JAN 28 2014
Zoning Evaluation Division

January 16, 2014

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

Re: Special Permit Application

Applicant: Rosa Fuentes

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

Tax Map # 0774050141

Zoning District: PRC

Lot Size: 1,429 square feet

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 dwelling at 6105 Calico Pool lane Burke, VA 22015 with my son. The property is zoned PRC 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's operations:

Hours. The Child care is open from 7:30 am to 6:00 pm Monday through Friday.

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

Employees. I have 1 assistant who works full- time

Arrival Schedule. Two of the children arrive between 7:45AM and 8:00AM. Four Children arrive between 8:00AM and 9:00AM. Four children between 9:00AM and 10:00AM. Two arrive between 12:00pm - 12:30PM.

Departure Schedule. Two of the children are picked up between 4:15PM to 4:30PM. Three of the Children leave between 4:30PM and 5:00PM. Four leave from 5PM to 5:30PM. Three between 5:30PM- 6:00PM.

Area Served. Currently, most of the children live in the general vicinity of my

neighborhood close to Burke Center Parkway. These parents drive their children to my house and Two children live in the immediate area, their parents walk them to my day care.

Operations. As I stated, my house is a single - family attached dwelling. It has a walk out basement, which is where the children spend most of their time. Children have meals and snacks in this area. The house has 1,429 square feet. The basement area where I conduct the day care consist of approximately 532 square feet.

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 of 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 400 square feet. The outdoor play area consists of a wooden fence around this area and a 4x8 shed. For the children I have slides, a small climber, sand box, sand water table, a basketball set, and a container that holds toys like small balls, buckets, shovels, toys for the sand water table. I have a plan drawn to scale by me which I have added.

Parking. I use both my parking for the parents. I only own one car and my son uses it for School and work. Both employee and my son park outside my street close to my home. In addition I have come to an agreement with three of my neighbors letting me use their parking between 8AM to 10AM and 5 PM to 6PM. I have attached letters from my neighbors verifying this agreement.

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 no changes outside my home. With the help and agreement of many years from my Three neighbors regarding their parking spaces, adequate parking is available for my parents and employees. For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

Arrival Schedule and Departure Schedule

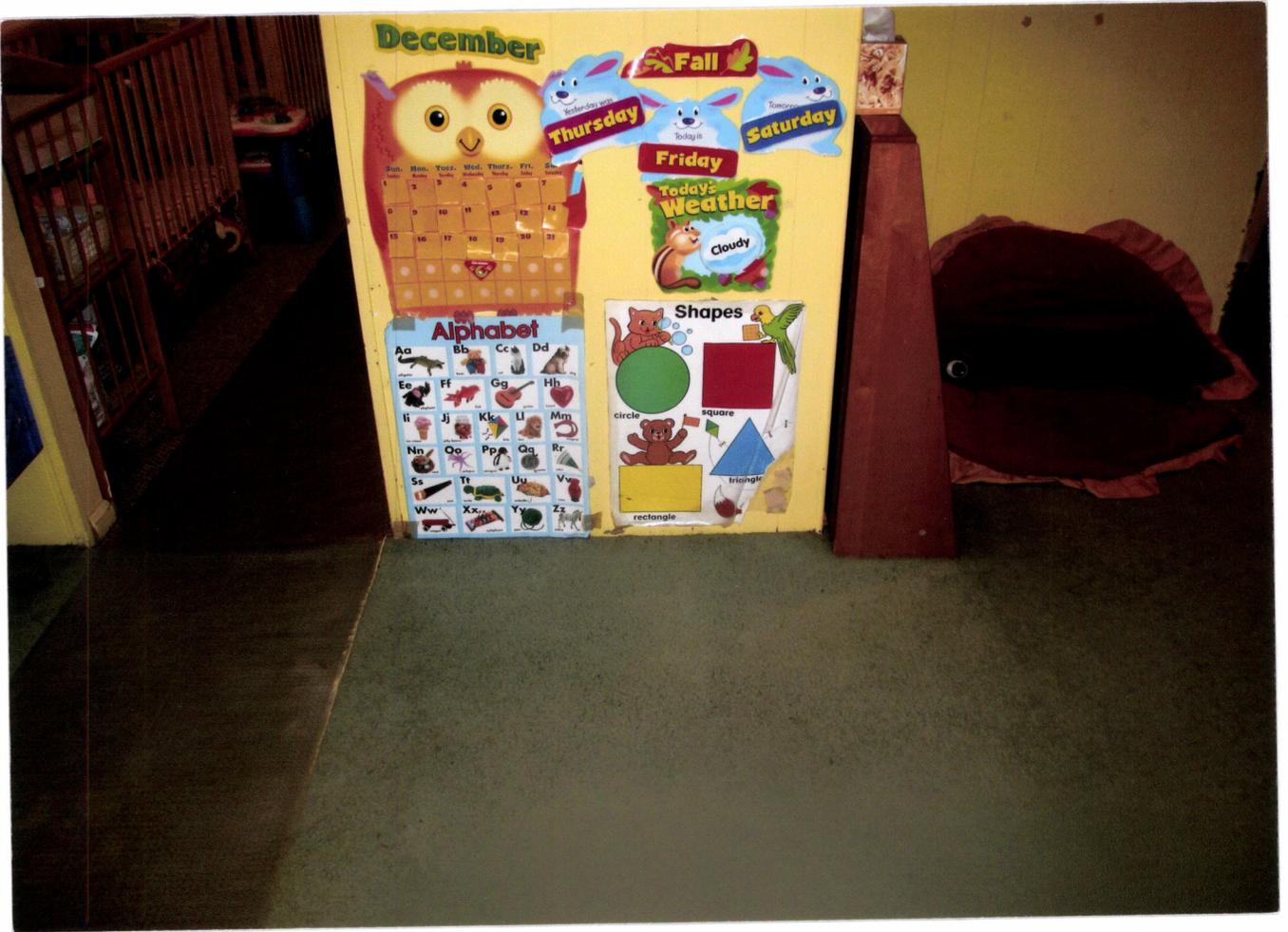
Arrival Schedule

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

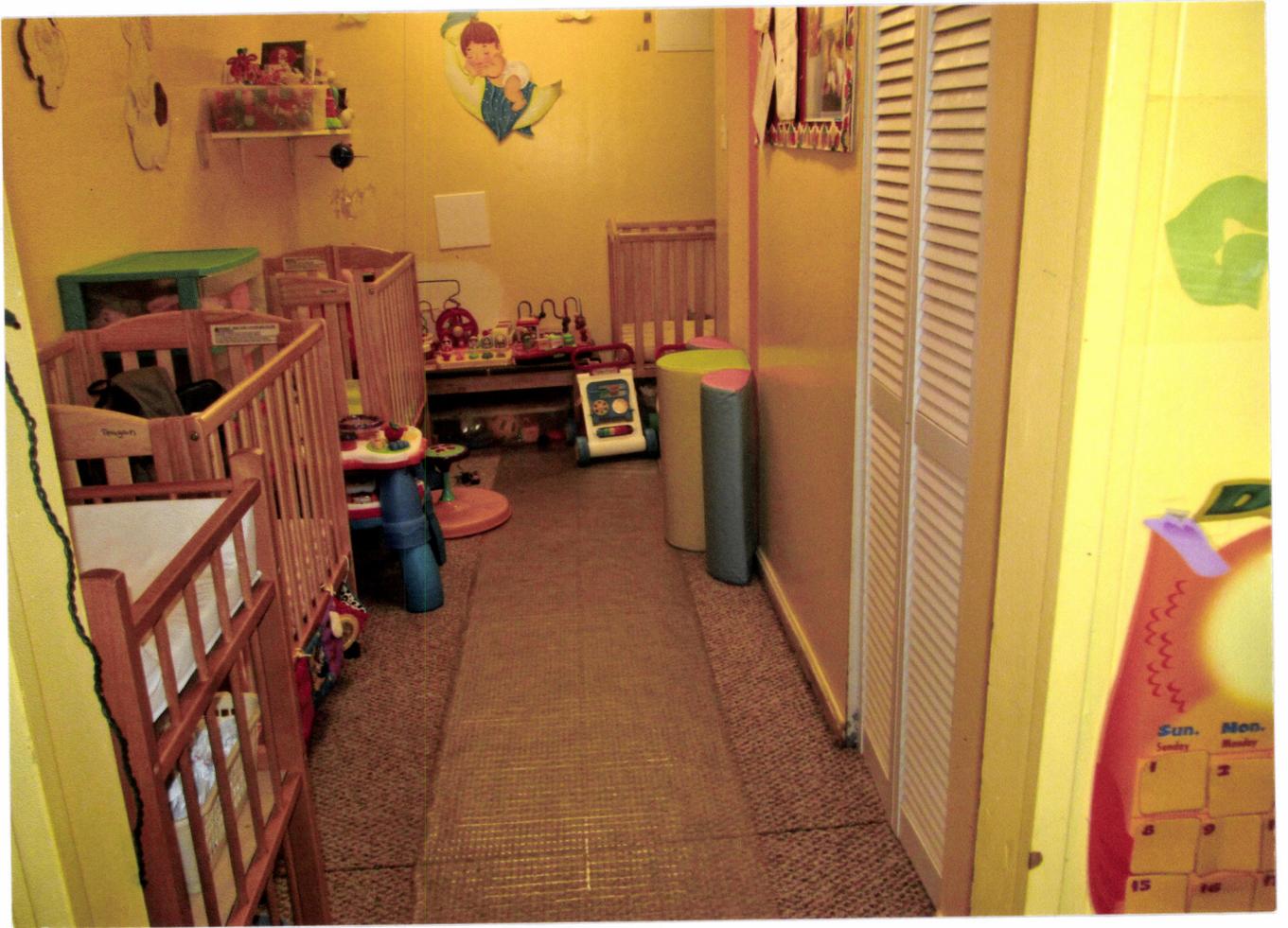
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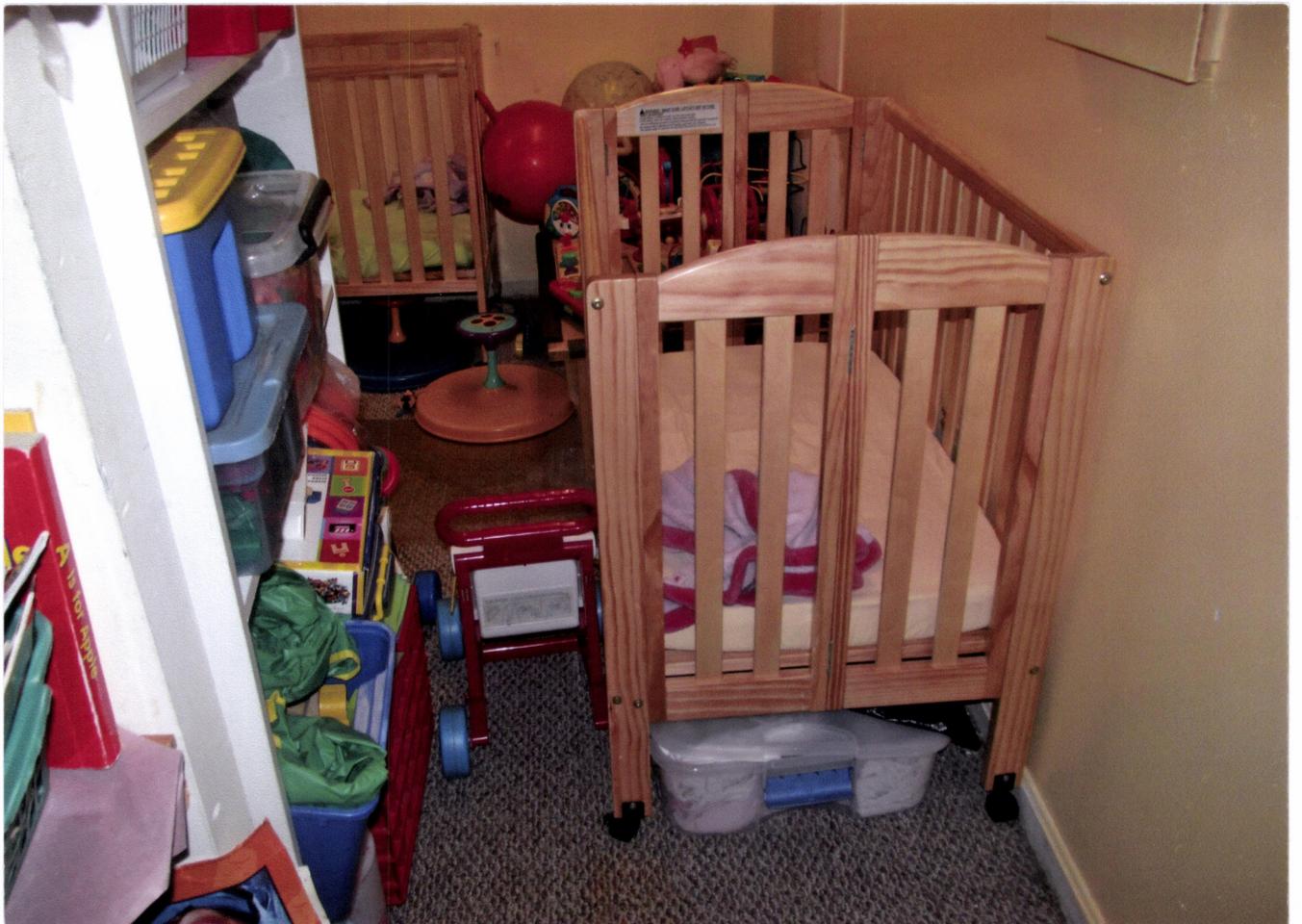
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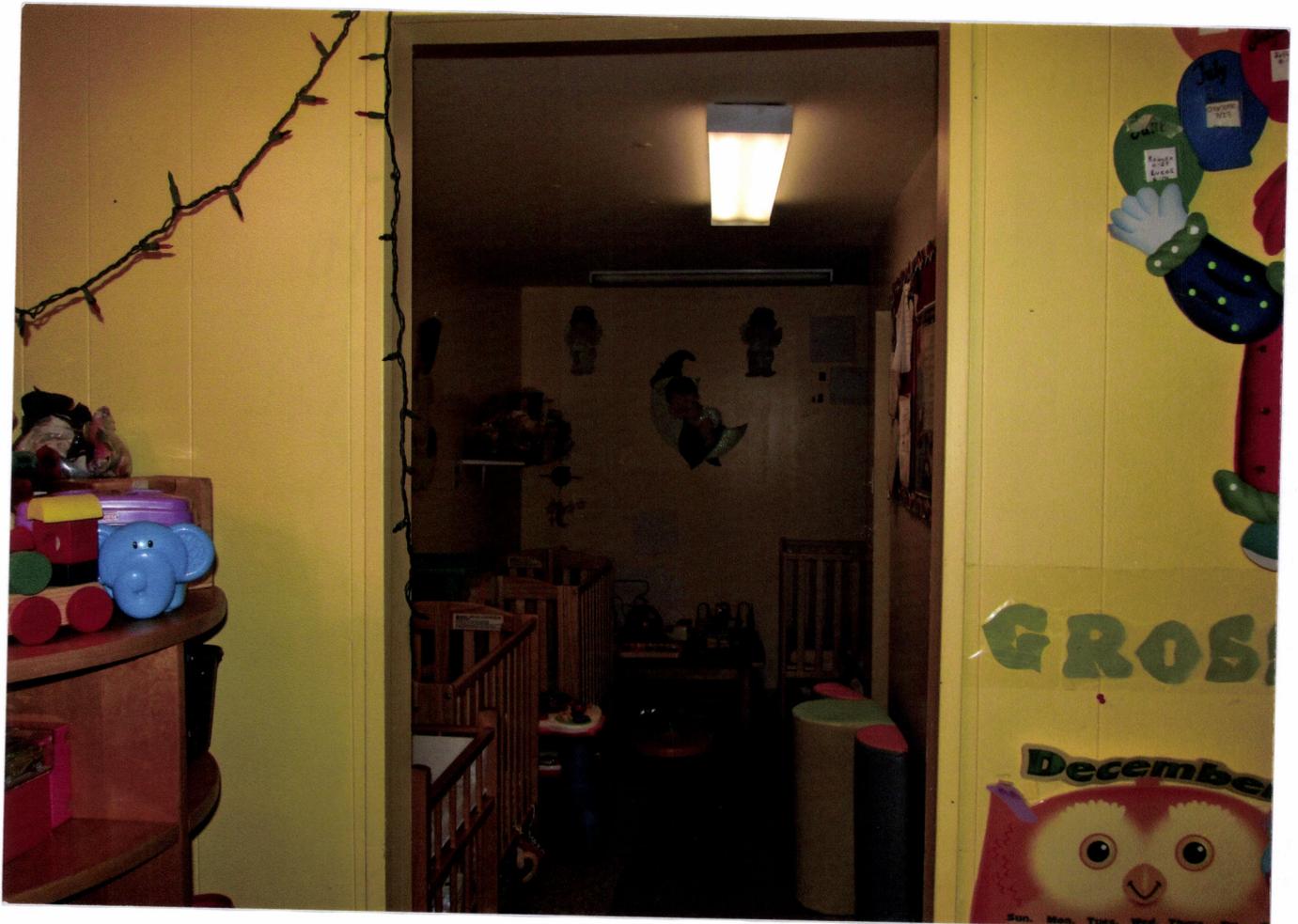
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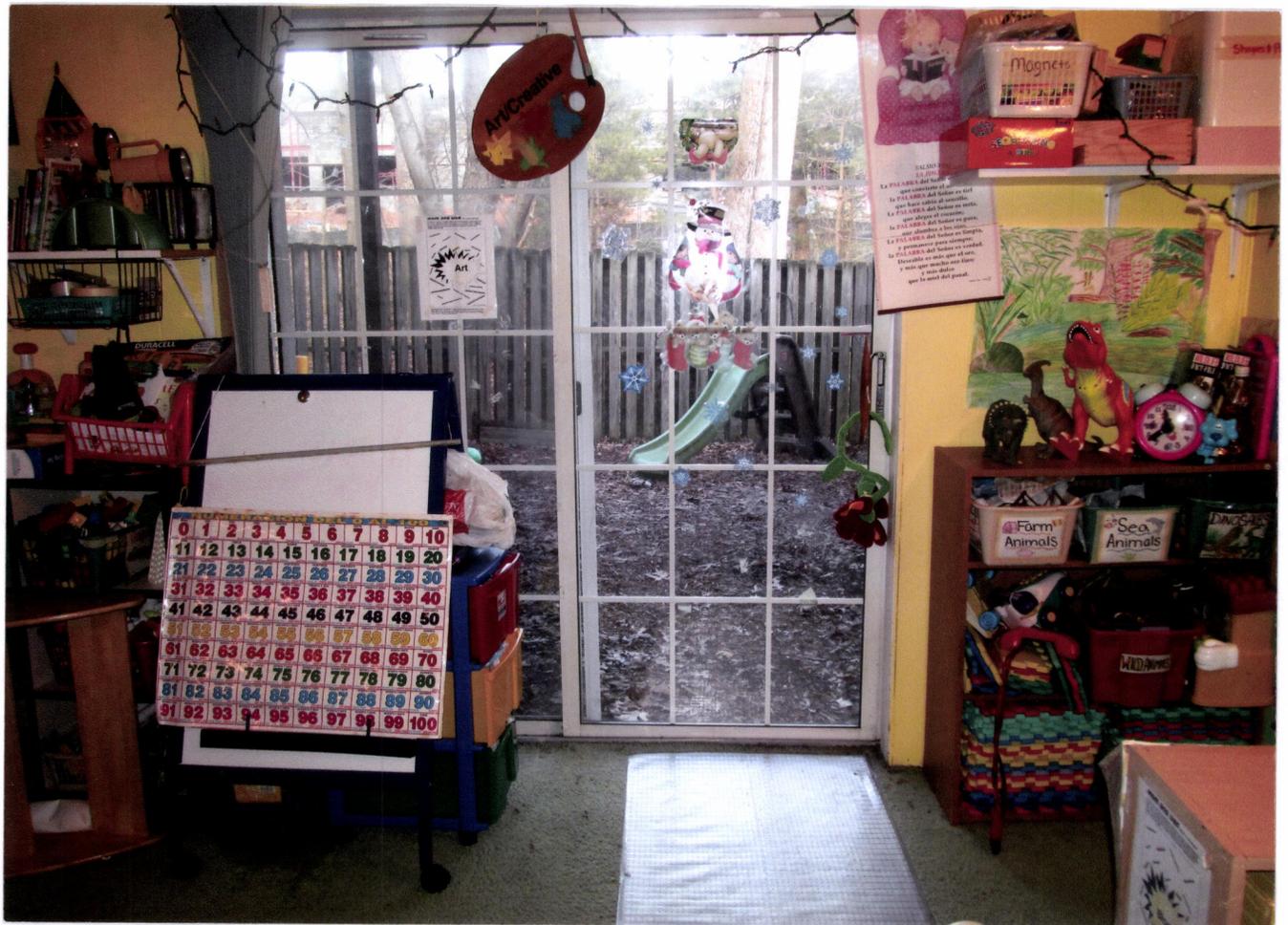
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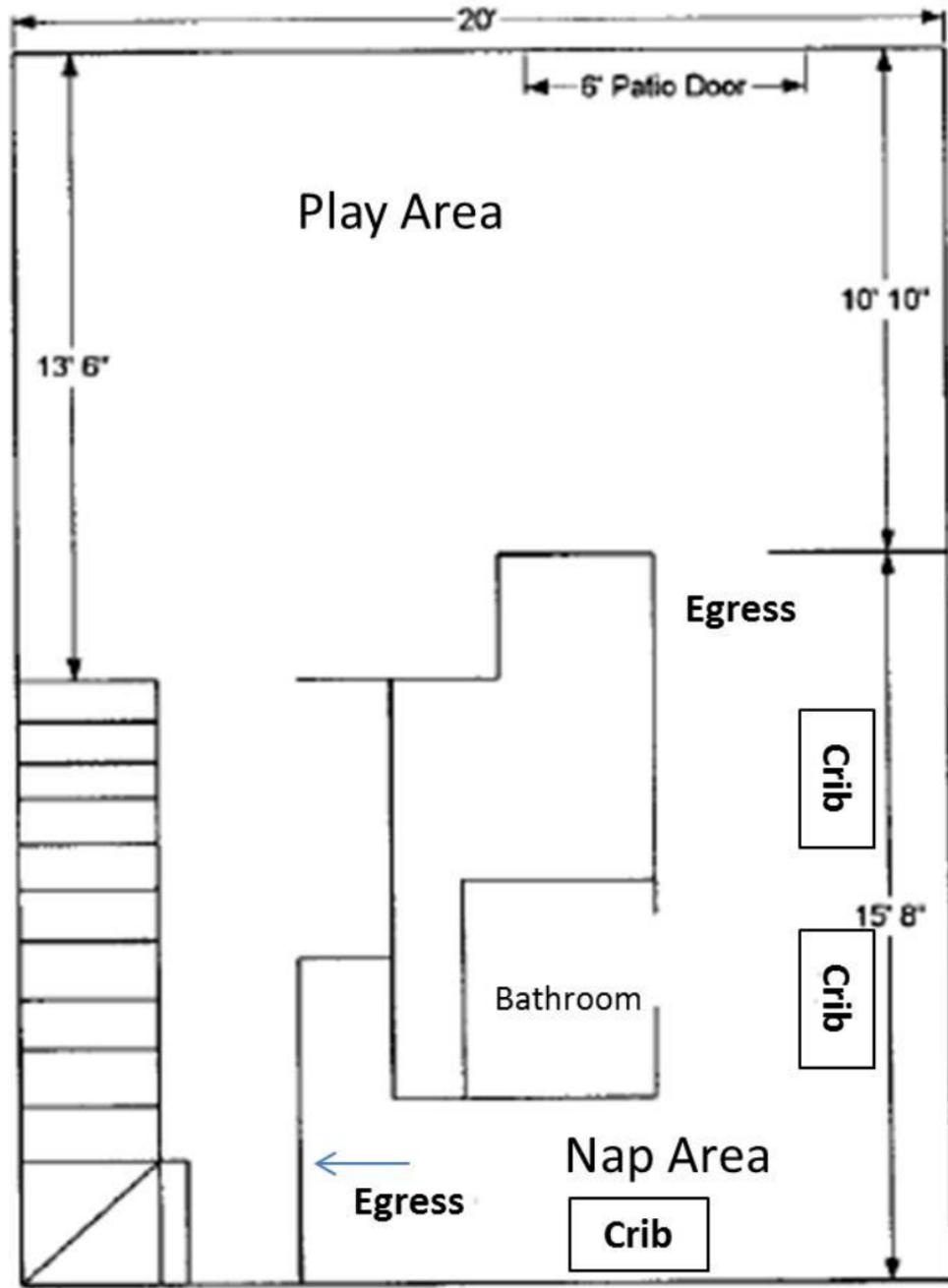


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Application No.(s): SP 2014-BR-147
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 4-25-14
(enter date affidavit is notarized)

124158

I, Rosa I. Fuentes, do hereby state that I am an
(enter name of applicant or authorized agent)

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

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Rosa I. Fuentes	6105 Cahoon Pool Ln Burke VA 22015	Applicant/Title Owner

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

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.
** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SP 2014-BR-147
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 4-25-14
(enter date affidavit is notarized)

124158

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Application No.(s): SP 2014-BR-147
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 4-25-14
(enter date affidavit is notarized)

124158

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

PARTNERSHIP INFORMATION

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

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

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

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

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

Application No.(s):

SP 2014-BR-147

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 4-25-14
(enter date affidavit is notarized)

124158

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

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

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

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

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

none

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 4-25-14
(enter date affidavit is notarized)

124158

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: [Signature]
(check one) Applicant

[] Applicant's Authorized Agent

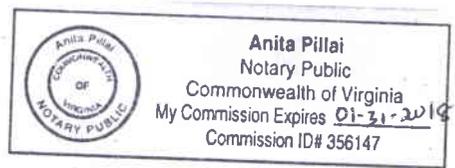
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 25th day of April, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]

Notary Public

My commission expires: 01/31/2018



BUILDING PERMIT APPLICATION

PERMIT # 03274306600

FAIRFAX COUNTY OFFICE OF BUILDING CODE SERVICES
PERMIT APPLICATION CENTER

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

12055 Government Center Parkway, 2nd Floor Telephone: 703-222-0801
 Fairfax, Virginia 22035-5504 Web site: http://www.co.fairfax.va.us/dpwes

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

JOB LOCATION

ADDRESS 6105 CALICO POOL LANE
 LOT # 141 BUILDING
 FLOOR SUITE
 SUBDIVISION BURKE CENTRE, SEC. 13B
 TENANT'S NAME

OWNER INFORMATION OWNER TENANT

NAME ROSA FUENTES
 ADDRESS 6105 CALICO POOL LANE
 CITY BURKE STATE VA ZIP 22015
 TELEPHONE 703-239-1257

CONTRACTOR INFORMATION SAME AS OWNER

CONTRACTORS MUST PROVIDE THE FOLLOWING:
 COMPANY NAME
 ADDRESS
 CITY STATE ZIP
 TELEPHONE
 STATE CONTRACTORS LICENSE #
 COUNTY BPOL #

APPLICANT JONATHAN OLARTE

DESCRIPTION OF WORK

ELEVATED 7x17 Wood Deck
 NO H, tub or stair
 J.O. consulted details

HOUSE TYPE
 ESTIMATED COST OF CONSTRUCTION \$700.-
 BLDG AREA (SQ FT OF FOOTPRINT)
 USE GROUP OF BUILDING
 TYPE OF CONSTRUCTION
 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	HEATING SYSTEM	
BUILDING AREA	# FIREPLACES	
BASEMENT		

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY

PLAN # 03-06513
 TAX MAP # 077-4-105/0141

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	10-1-03	JM
SITE PERMITS	10-1-03	UB
HEALTH DEPT.		
BUILDING REVIEW		
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \$756.00
 FILING FEE - \$
 AMOUNT DUE = \$

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

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 (LOG OUT)
 BY DATE 10-1-03

ZONING REVIEW
 USE JH
 ZONING DISTRICT PRC HISTORICAL DISTRICT
 ZONING CASE #
 GROSS FLOOR AREA OF TENANT SPACE
 YARDS: FRONT A/C L SIDE V R SIDE REAR 15'
 GARAGE 1 2 3
 OPTIONS YES NO
 REMARKS Build open Deck NO stairs

GRADING AND DRAINAGE REVIEW
 SOILS # A B C
 AREA TO BE DISTURBED (TOTAL SQ FT THIS PERMIT)
 IMPERVIOUS AREA (TOTAL SQ FT THIS PERMIT)
 PLAN # APPR. DATE

STAMPS
 OPEN DECK APPROVED
 NO Privacy screening.
 Lattice, plant hanger, trellis, or arbor
 (Nothing above the rail and nothing below the deck flooring)
 (See reverse side of application)

REMARKS \$ Plat Attached

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.

Signature of Owner or Agent JONATHAN OLARTE
 Date 10/01/03

Printed Name and Title JONATHAN OLARTE

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

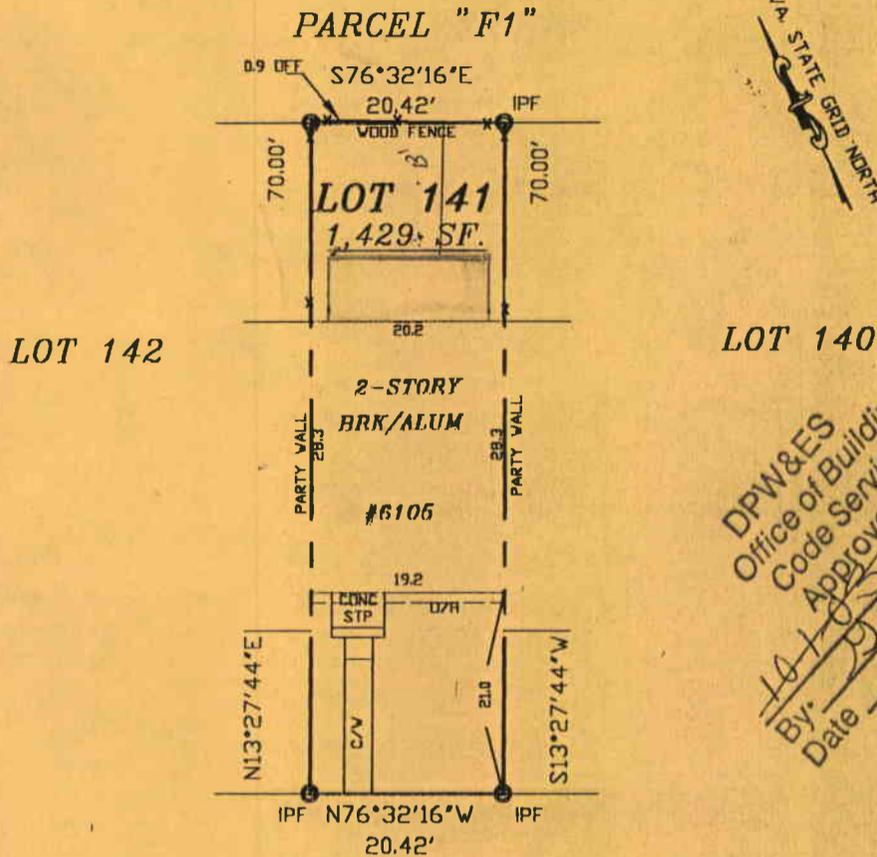
NOTARIZATION (if required)
 State (or territory or district) of
 County (or city) of, to wit: I,
 Notary Public in the State and County aforesaid, do certify that

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)

- 1. NO TITLE REPORT FURNISHED.
- 2. THIS PLAT IS NOT TO BE USED FOR THE CONSTRUCTION OF FENCES.
- 3. BOUNDARY INFORMATION OBTAINED FROM AVAILABLE RECORDS.
- 4. THIS PLAT DOES NOT REPRESENT A BOUNDARY SURVEY OF LOT 141 ANY FENCES SHOWN ARE APPROXIMATE
- 5. NO CORNER MARKERS SET.



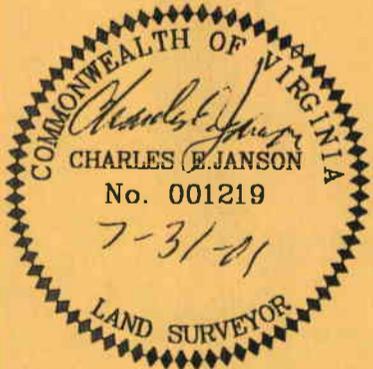
DPW&ES
Office of Building
Code Services
Approved for
By: 10-1-03 Open Deck
Date: 10-1-03

CALICO POOL LANE
(PRIVATE STREET)
PARCEL "F1"

OPEN DECK APPROVED
NO Privacy screening.
Lattice, plant hanger, trellis, or arbor
(Nothing above the rail and nothing below the deck flooring)

FLOOD NOTE

THIS LOT CLASSIFIED AS ZONE "x"
AREA DETERMINED TO BE OUTSIDE
OF 500 YEAR FLOODING.



FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL.

APPROVED
TM 10-1-03
William E. Shoup
Zoning Administrator

PLAT SHOWING
HOUSE LOCATION SURVEY
LOT 141
SECTION 13B
BURKE CENTRE
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

FLOOD ZONE : "X"
COMMUNITY NO : 5155250075 D

PANEL: 75 D
DATE: 3/5/90

DATE : 7/23/01

SCALE: 1"=20'

CASE NAME:
RIEGG / FUENTES / RODRIGUEZ

PLAT SUBJECT TO RESTRICTIONS OF RECORD



SUBURBAN DEVELOPMENT ENGINEERING

I, HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS

Charles E. Janson

ENGINEERS ◦ PLANNERS ◦ SURVEYORS ◦ LANDSCAPE ARCHITECTS ◦
7777 LEESBURG PIKE, SUITE # 405N
FALLS CHURCH, VIRGINIA 22043 703-556-0800

DRAWN BY: S. RANJBER | CHECKED BY: CHUCK J.

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

Rosa Fuentes

6105 Calico Pool Lane

BURKE, VA 22015

(703) 239-1257

Facility Type: [Family Day Home](#)License Type: [Two Year](#)[Expiration Date](#): April 24, 2015

Business Hours: 7:30 am - 6:00 pm

Monday - Friday

Capacity: 12

Ages: 2 months - 5 years 11 months

Inspector: Keesha Minor
(703) 479-4680



County of Fairfax, Virginia

MEMORANDUM

Date: December 22, 2014

To: Laura Gumkowski - Arsenau, Planner II
Zoning Evaluation Division

From: Dawn Curry
Senior Zoning Inspector
Zoning Inspection Branch

Subject: Home Child Care – SP 2014-BR-147

Applicant: Rosa Fuentes
6105 Calico Pool Lane, Burke, Virginia 22015
Burke Centre, Lot 141, Sec 13B
Tax Map# 77- 4 ((5)) 0141
Zoning District: PRC
Magisterial District: Braddock
ZIB # 2014-0527
Date of Inspection: December 18, 2014

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

- 1. Rooms used for sleeping must provide two means of exit, one which leads directly to the outside, as required by the Virginia Uniform Statewide Building Code. (32-12-30.)
- 2. An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
- 3. 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.

- 4. All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.

**The egress pathway in the infants sleeping room is obstructed with storage.*

- 5. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- 6. 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.
- 7. 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.
- 8. 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.