



APPLICATION ACCEPTED: August 6, 2014
BOARD OF ZONING APPEALS: April 8, 2015 @: 9:00 a.m.

County of Fairfax, Virginia

April 1, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-DR-169

DRANESVILLE DISTRICT

APPLICANT: Masomeh Azadi
(Kiddo Land Day Care)

OWNERS: Hamdy M. Eisa
Mona A. Eisa

SUBDIVISION: Elkins

STREET ADDRESS: 9031 Old Dominion Dr., McLean, 22102

TAX MAP REFERENCE: 13-4 ((1)) 20

LOT SIZE: 2.71 acres

ZONING DISTRICT: R-E

ZONING ORDINANCE PROVISIONS: 3-E03, 8-305

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

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-DR-169 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

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

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

Laura Arseneau

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

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

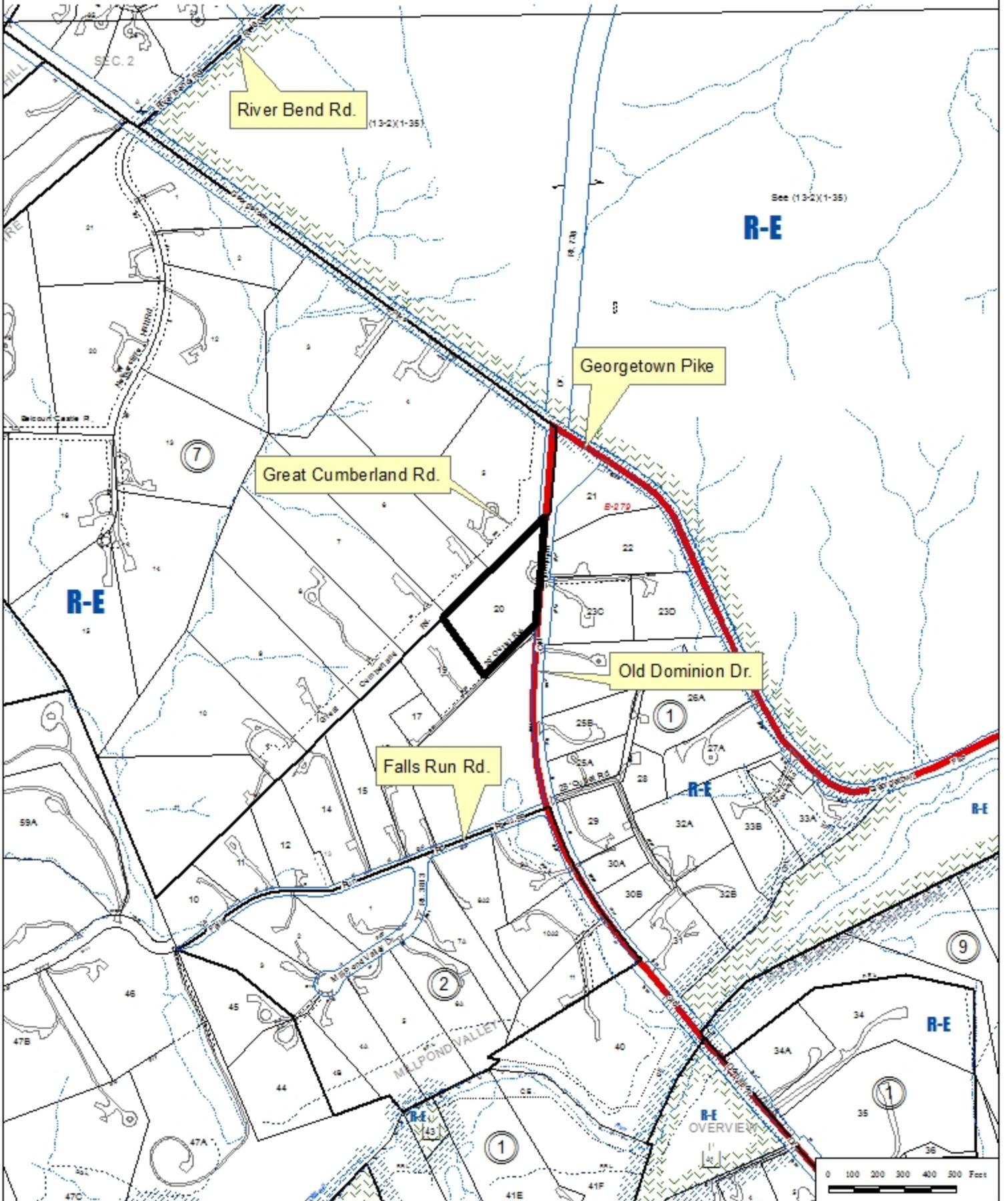


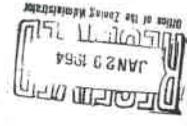
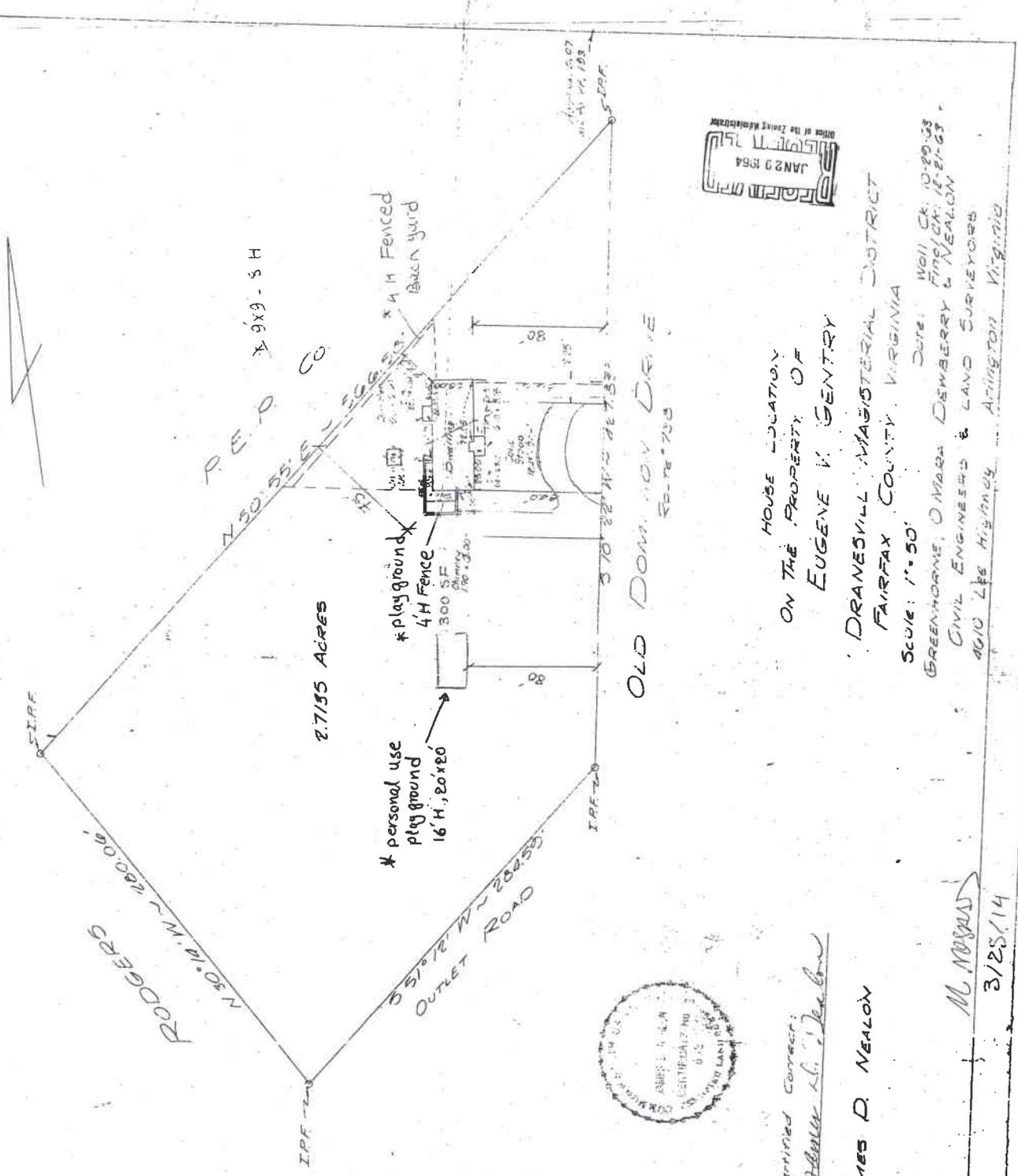
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-DR-169

MASOMEH AZADI (KIDDO LAND DAYCARE)





HOUSE LOCATION
ON THE PROPERTY OF
EUGENE V. GENTRY

DRANESVILLE MAGISTERIAL DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: 1" = 50'
DATE: WALL CK: 10-29-63
GREENHORNE, OMARA DEWBERRY & NEALON
CIVIL ENGINEERS & LAND SURVEYORS
4010 LEB Highway, ARLINGTON, VIRGINIA



Certified Correct:
James D. Nealon

JAMES D. NEALON

M. Masomah
3/25/14

M-471
M-959

2/3 Masomah Azadi * M. Masomah
Kidido land daycare
7/25/14

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 “House Location on the Property of Eugene V. Gentry,” by Greenhorne, O’Mara, Dewberry & Nealon, dated December 12, 1963, as revised by the applicant on March 16, 2015, is included in the beginning of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a split level, single-family detached dwelling. A garage is located to the right (north) side of the dwelling. An outdoor fireplace, an accessory storage structure and a detached garage exist to the rear (west) of the dwelling. A fenced in play area associated with the home child care is located immediately to the south (left side) of the dwelling. A playset that is not used for the home child care is also located to the south of the dwelling. A semi-circular gravel driveway is located to the east of the dwelling and provides vehicular access to Old Dominion Drive. It should be noted that the property also has two front yards, one along Old Dominion Drive and one along the rear property line abutting Great Cumberland Road (which is a private outlet road).



The property is located south of Georgetown Pike and west of Old Dominion Drive. The subject property and surrounding properties are zoned R-E and developed with single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1963, purchased by the property owners in 1995. The applicant is currently renting the property.

On February 24, 1994 a final inspection took place for the construction work for the finished basement (Appendix 4). The basement passed final inspection.

Staff found no building permits for the outdoor fireplace, the gazebo in the front yard or the detached garage used as storage in county records. Using aerial photography, staff found that the detached garage has been in its current location on the property since at least 1974 and predates the subdivision to the north and the associated private road. Therefore the shed is legal and may remain pursuant to Sect. 15-101 of the Zoning Ordinance, but may not be enlarged or replaced.

A development condition has been included in Appendix 1 to require the applicant/owner to obtain finalized building permits if required for the existing outdoor fireplace and the gazebo.

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 from 7:00 a.m. and 5:30 p.m., Monday through Friday. There is an existing staggered drop-off and pick-up schedule for the children. Currently, there are no assistants, but the applicant is requesting two.

The home child care facility is operated in the basement of the dwelling. The enclosed play area is located in the side (south) yard. Photographs 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 which expires on July 16, 2015, from the Commonwealth of Virginia, Department of Social Services. The license lists the business hours as 7:00 a.m. to 6:00 p.m., Monday through Friday. The license also permits a capacity of seven children, from birth through 12 years, 11 months of age. Following a decision of the BZA, the license will need to be amended to reflect the number of children the applicant is approved for. A copy of the license is included as Appendix 6.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area III, Upper Potomac Planning District
Planning Sector: Hickory Community Planning Sector (UP3)
Plan Map: Residential, 0.2- 0.5 du/ac

On-Site Parking and Site Circulation

The existing two car garage and driveway can accommodate approximately 10 cars. The applicant parks their cars in the garage. There is adequate room for parking for any future assistants. No on-street parking is available.

Vehicular access to the site is provided by a semi-circular gravel and concrete driveway from Old Dominion Drive. A concrete walkway connects the driveway to the front door of the dwelling. A set of interior stairs lead to the home child care area in the basement.

Zoning Inspection Branch Comments (Appendix 7)

During the inspection, staff found that there was inadequate clearance around the electric service panel and inadequate space around the water heater and other mechanical equipment. The applicant was made aware of these concerns and has provided photographic evidence to demonstrate that these issues have been resolved; these photographs are included in Appendix 8.

Staff also noted the location of an outdoor fireplace in the rear yard that is 5 feet from the fence line and is 9 feet in height. Staff has proposed a development condition to bring the fireplace's height and location into conformance to address this concern.

Additionally staff found an inoperable vehicle on the property that was not stored properly. Staff has proposed a development condition requiring the removal or proper storage of the vehicle to address this concern.

Zoning Ordinance Requirements (Appendix 9)

- 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-E 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	There is no prescribed open space requirement in the R-E 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 of the R-E district. The applicant is requesting six months to bring the following items into compliance: the outdoor fire place and an accessory structure in the rear yard that do not meet minimum yard setbacks. A development condition has been included to address these issues. No exterior modifications are proposed with this application.
Standard 2 Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 Site Plan	Home child care facilities are not subject to the provisions of Article 17, Site Plans.

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

Standard 1 Maximum of 12 Children & Non-Resident Employees	The applicant is proposing a maximum of 12 children at any one time, which does not exceed the maximum number of children permitted at any one time. The applicant requests two non-resident employees.
Standard 2 Access and Parking	Arrival and departure times of the children are staggered and parking is available on the driveway. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 3 Landscaping/Screening	There is an existing 4 foot tall fence in the rear yard that provides screening of the outdoor play area.
Standard 4 Submission Requirements	The applicant submitted a house location survey in lieu of a special exception plat, which is a permissible alternative.
Standard 5 Code of Fairfax Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	The applicant has a valid home child care license through July 16, 2015 for 7 children from 7:00 a.m. to 6:00 p.m.

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

Part A Maximum Number of Children	The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling. The applicant requests special permit approval to allow a maximum of twelve children at any one time.
Part B Licensed Provider/ Primary Residence	The applicant is a state licensed home child care provider and the subject property is the provider's primary residence.
Part C No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use except play equipment and toys.
Part D Non-Resident Employee	The applicant is proposing two non-resident employees and they shall only be at the home child care between 7:00 a.m. to 6:00 p.m., Monday through Friday.
Part E Provider is a Resident	The provider is a resident of the property.

<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-DR-169 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. Complaint History
6. State Family Day Home License
7. Zoning Inspections Branch Comments
8. Photos of Corrected Violations
9. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-DR-169****April 1, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-DR-169 located at Tax Map 13-4 ((1)) 20 to permit a home child care facility pursuant to Sects. 3-E03 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, Masomeh Azadi (Kiddo Land Day Care), and is not transferable without further action of the Board, and is for the location indicated on the application, 9031 Old Dominion Drive, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled "House Location on the Property of Eugene V. Gentry," by Greenhorne, O'Mara, Dewberry & Nealon, dated December 12, 1963, as revised by the applicant on March 16, 2015, and approved with this application, as qualified by these development conditions.
3. A copy of the special permit conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The applicant shall continue to operate with the approved hours of operation, 7:00 a.m. to 6:00 p.m., until granted a revised state license approving the requested hours of operation.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
7. A maximum of two non-resident employees may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
8. All pick up and drop off of children shall occur in the driveway.
9. There shall be no signage associated with the home child care facility.

10. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
11. The height and location of the outdoor fireplace shall be brought into conformance with Zoning Ordinance regulations within 6 months of Special Permit approval, and shall be demonstrated to the satisfaction of the Department of Planning and Zoning, Zoning Administration Division.
12. All applicable permits and inspections for the gazebo and the outdoor fireplace shall be obtained within 6 months of Special Permit approval.
13. The inoperable vehicle existing on-site shall be removed from the site or stored in a fully enclosed building or structure, or kept completely screened or shielded from view within 6 months of Special Permit 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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

Name: Masomeh Azadi
 Address: 9031 Old Dominion Dr.
Melean, VA 22102
 Phone #: 703 430-0222
 E-mail: Alsoon15@gmail.com

Date 6/21/2014

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

RECEIVED
 Department of Planning & Zoning
 AUG 04 2014
 Zoning Evaluation Division

Re: Special Permit Application

Applicant: Masomeh Azadi (Kid's Land Daycare)
 Zoning Ordinance Section 8-305 for Home Child Care Facility
 Section 8-004 of General Standards

Tax Map #: 0134010020
 Zoning District: RE
 Lot Size: 2.7135

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I ~~own~~ and live in a attached (detached) (circle one) dwelling at 9031 Old Dominion Dr. Melean, VA 22102 (your address). The property is zoned _____ 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 7 children in my child care facility in my home. Below is information about my child care facility's operations:

Hours. The child care is open from 7 am - 6 pm

Number of Children. I care for up to 4 children at any one time. This number does not include my own 2 child/children. I wish to care for up to 12 children.

Employees. I have ~~2~~ assistant(s) who work part-time and ~~1~~ assistant(s) who work full-time.

Arrival Schedule. 3 of the children arrive between 7:00 AM and 8:00 AM.

The Fourth one arrival time is 9:00 am.

Departure Schedule. 3 of the children are picked up at 5:00 PM.
The Forth child leave before 2:00 pm.

Area Served. McLean, Great Falls, Vienna
(what neighborhood/general area do the children live in?)

Operations. As I stated, my house is a single-family attached / detached (circle one) dwelling. It has (explain the general layout of the house): walk out basement, two car garage 5 bed rooms, big land, half moon easy access drive through, and it is close to road and has fenced area behind the house and a fenced play ground at left side yard.

The house has 2,700 square feet. The following rooms are where I conduct the day care:

Basement area

These rooms are 700 square feet total.

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

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

Outdoor Play Area. I use my left side yard for outdoor play for the children. The area is approximately 300 square feet. The outdoor play area consists of: a 4' fenced area with seat & table, slides, little plastic cars, trieycles little house, ... that are suitable for the daycare kid's age.

Parking. I use my Two car garage to park my family car(s). My parents park there is a huge drive way and half moon access road that can hold more than 10 cars at a time, still let the car go through

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

In conclusion, I am proposing to increase my max capacity to 12 as I have perfect access to road, more than enough parking space, enough room at basement that can be extended to first floor including office and guest room which will add a full bathroom and about 350sq space to daycare area. please see the detailed drawings

Sincerely,

that I submitted with original application.

Owner of Masomeh Azadi (kiddo land Daycare)

M. Azadi

Proposed Arrival and Departure Schedule for: Masomeh Azadi
Kiddo land Day care

Address: 9031 Old Dominion Dr. Melean, VA 22102

Proposed Arrival Schedule

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

Proposed Departure Schedule

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

Appendix 1

RECEIVED
 Department of Planning & Zoning
 AUG 04 2014
 Zoning Evaluation Division

To: Fairfax County Zoning Evaluation Division

Department of Planning and Zoning

Sub: Kiddo Land Home day care

Ref: Special Permit

Date: 3/25/2014

RECEIVED
Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

My name is Masomeh Azadi and I am a Virginia State licensed home day care service provider. My house is a split level family house located at 0931 Old Dominion Dr., McLean, VA 22102 . I am an accountant who has to stay home to take care of my kids. Beside my own kids I used to care for family and friend kids and I was enjoying it all the time.

My license allows me to take care of 7 kids , and I would like to take care of up to 12 children in my house. The hours of operation is and will remain 7am-6pm, Monday through Friday .At the meantime I have only one full time child, but I expect to get much more during next month and so. Based on the families reaction, I will reach my limit soon.

I will have one or two full time helper based on the number of the children and point system requirement. I will use part time associates (half day most probably 7am-12 pm and 1pm to 6 pm) , if I need accordingly. Based on my experience most of the drop-offs will be between 7-7:30 am and most of pick-ups will be around 4:30 -5:30pm.

We are located at 9031 Old Dominion Dr. , McLean, VA 22102, Which is at the boarder of McLean and Great Falls and also about 5-10 minutes away from Vienna down town, so families who live or work in McLean, Great Falls and Vienna could use my service. Parent mostly drive to drop-off and pick-up their kids. we have two cars garage with big drive way that four car can park there . Even if first four cars park in our drive way, still more cars can get into our half moon drive way from one side , stop on side or get out easily. Much more parking space can be assigned if needed as there is more space available.

The half moon drive way make it an easy entrance and exit and it won't make any trouble to the Old Dominion Dr.traffic.

My place is a unique split level single family house with a big lot, surrounded by three small streets and all neighbors are located at the other side of street on three sides. The only next door neighbor house is hundreds feet away from our house (please take a look at zoning map).

The child care is located at basement with a big picture window at front, another window in the back and two doors to make access to back yard and playground. Basement is accessible through main entrance door thought 7 steps down. We have a big room as toddler/ playroom and an smaller room for infant s. I have a modified laundry room with new sink. Refrigerator, Microwave and Countertop that will be used for project , snak and food prep. Work area. At entrance level there are two offices and a big full bathroom that can be used for the day care if I need to.

There is a half bath next to playroom inside laundry room. The main room is separated and secured by two gates from laundry room and steps. There are two doors to back yard from infant room and laundry room .infant room door opens to an attached new 4' high gated fenced playground which is about 14' X 25' with exterior Playground features.

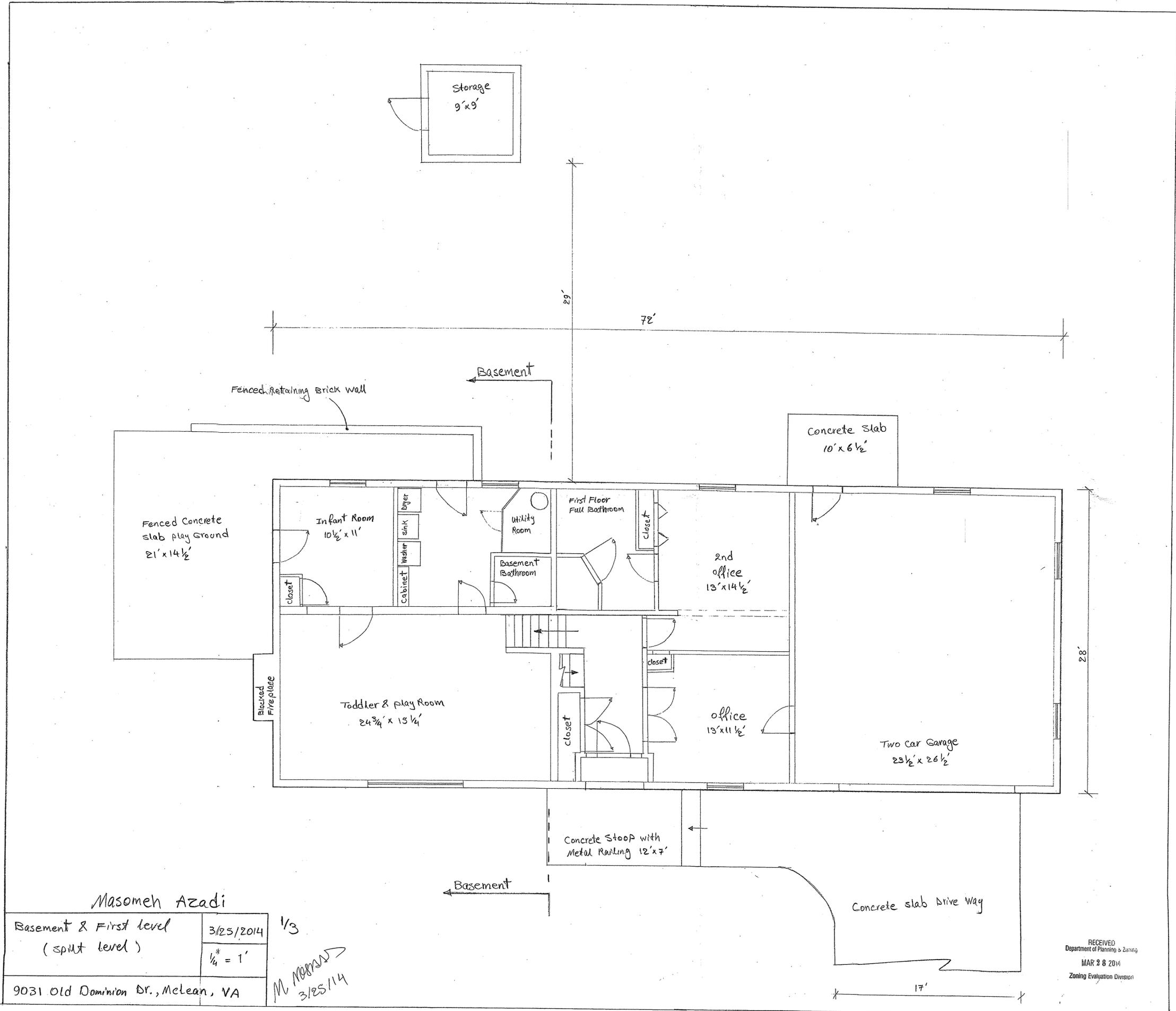
A big part of land is flat and tree free, that can be used for any sport activity. Our kids playground is installed in a corner of this land, and our own kids play there almost every day .There are many trees and shrubs all around the house. We don't have home owner association.

Thanks

Masomeh Azadi (Kiddo Land Day Care)

M. Azadi

3125/14



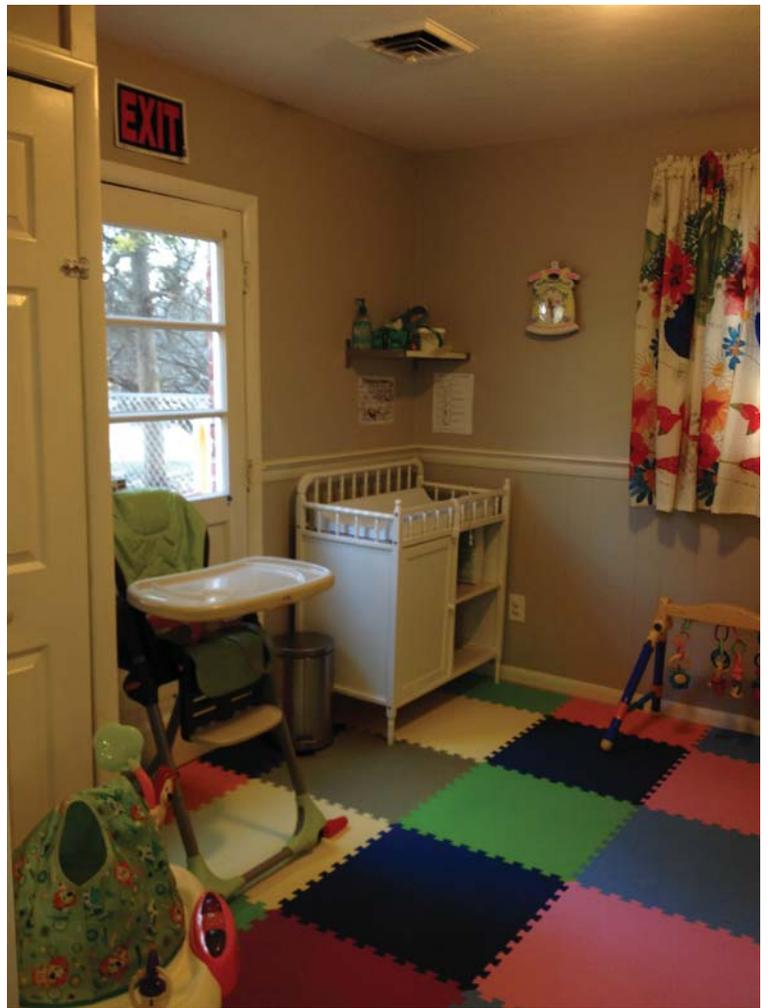
Masomeh Azadi

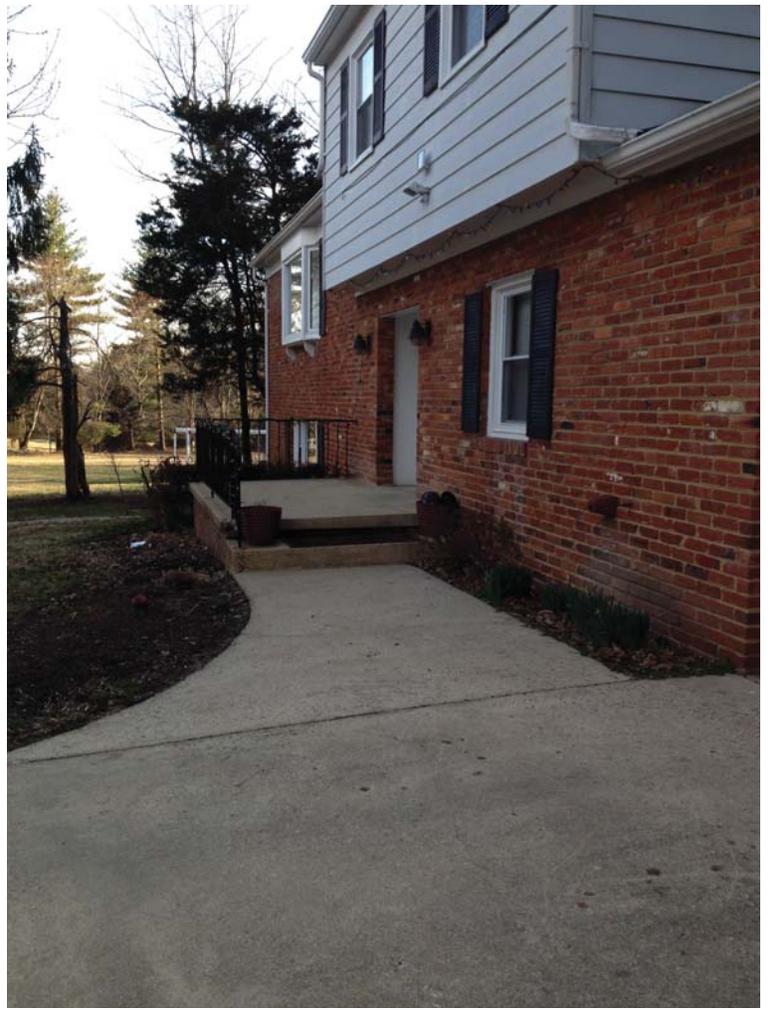
Basement & First level (split level)	3/25/2014	1/3
	1/4" = 1'	
9031 Old Dominion Dr., McLean, VA		

M. Masomeh
3/25/14

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











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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/21/2014
(enter date affidavit is notarized)

I, Masomeh Azadi (Kiddo land Daycare), 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)
Masomeh Azadi (Kiddo land Daycare)	9031 Old Dominion Dr. Melean, VA 22102	applicant
Eisa Hamdy M.	1339 Stuckey way Vienna, VA 22182	Title Owner
B EISA Mona A.		

(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).

Om

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/21/2014
(enter date affidavit is notarized)

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

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

CORPORATION INFORMATION

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

NA

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Or

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/21/2014
(enter date affidavit is notarized)

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

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**)

NA

(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.

Om

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/21/2014
(enter date affidavit is notarized)

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

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

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

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

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

None

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/21/2014
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

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

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.

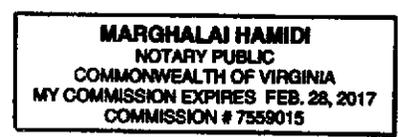
4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, 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: Masomeh Azadi M. Azadi
(check one) [x] Applicant [] Applicant's Authorized Agent
Masomeh Azadi
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 21 day of June 2014, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]
Notary Public

My commission expires: Feb-28-2017



M



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Search Site:

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Links

- [< Back to Search](#)
- [My Neighborhood](#)
- [Real Estate Assessment](#)

Life Cycle

Table of Contents

- [Permit Information](#)
- [Permit Status Summary](#)
- [Inspections](#)
- [Inspection - FINB - 999998](#)

Land Development Information History: ISIS - Building Permit - 92156B1050

Permit Information

Permit Id: 92156B1050 Application Date: Time:
 Job Address: 009031 OLD DOMINION DR Tax Map: 013-4 ((01)) 0020
Permit Status Summary
 Permit Status: Final Inspection: 1994-02-24 RSLT: A BY: DBB

Note
 The original electronic copy of this permit no longer exists. The above permit details are presented for the purpose of displaying the following inspection information.

Inspections

Inspection - FINB - 999998

Req Taken: Phone:
 Time: Floor: NA
 Sched For: Suite/Area: NA
 Assigned To: Comments:
 Branch: Req Taken By:
 Requested By: Ovrd:
 Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FINB		1994-02-24	DBB	C	A	N					00:00:00	00:00:00	00:00:00	1

Contact Us: [General \(Office of Public Affairs\)](#) | [Technical \(Web Administrator\)](#) | [Directed Inquiries \(County Agencies\)](#)
 Phone: [County Main Number - 703-FAIRFAX \(703-324-7329\)](#), TTY 711 | [County Phone Listing](#)

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VIRGINIA DEPARTMENT OF
SOCIAL SERVICES



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

Masomeh Azadi

9031 Old Dominion Drive

MCLEAN, VA 22102

(703) 430-0222

Facility Type: [Family Day Home](#)License Type: [One Year](#)[Expiration Date](#): July 16, 2015Business Hours: 7:00am - 6:00pm
Monday - Friday

Capacity: 7

Ages: Birth - 12 years 11 months

Inspector: Pamela Sneed
(703) 479-4704



County of Fairfax, Virginia

MEMORANDUM

Date: March 17, 2015

To: Laura Arseneau, Staff Coordinator
Zoning Evaluation Division

From: Bruce Miller, Zoning/Property Maintenance Inspector *BM*
Zoning Inspection Branch

Subject: Home Child Care Facility (HCCF), Special Permit # SP 2014-DR-169
Applicant: Masomeh Azadi (Kiddo Land Daycare),
9031 Old Dominion Drive, Mclean Virginia 22102
Legal Description: Elkins
Tax Map Ref: 13-4 ((1)) 20
Zoning District: R-E
Lot Size: 2.7135 acres
ZIB# 2015-0035

On February 18, 2015, an inspection was conducted by Zoning/Property Maintenance Inspector Bruce Miller of the property located at 9031 Old Dominion Drive, Mclean Virginia 22102. The Inspector was accompanied by Staff Coordinator Laura Arseneau and the applicant.

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

- 1. An operable smoke alarm shall be provided outside (or inside) of each sleeping area, with at least one such device on each floor.
- 2. 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.
- 3. 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.
- 4. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- 5. 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.

Department of Planning and Zoning
Zoning Administration Division
Zoning Inspections Branch
12055 Government Center Parkway, Suite 829
Fairfax, Virginia 22035-5508
Phone 703-324-4300 FAX 703-324-1343
www.fairfaxcounty.gov/dpz/



March 17, 2015

Page 2

- 6. 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.

Comment: A working space is not provided for in front of the electrical service panel located in the garage.

- 7. Other Building Code issues:

Comment: The water heater and other mechanical equipment is inaccessible. Clear a path to the water heater and mechanical equipment and provide access to the service areas of each appliance.

- 8. Structures comply with the Zoning Ordinance.

Comment: The outside fireplace that is 9 feet in height is located in a front yard five feet from the fence line.

Comment: There is one inoperable vehicle located on the property that is not kept within a fully enclosed building or structure or are kept completely screened or shielded from view.

Photographs attached.



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.