



# County of Fairfax, Virginia

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April 8, 2015

## STAFF REPORT

SPECIAL PERMIT SP 2014-MA-177

### MASON DISTRICT

**APPLICANT:** Fabiola Canedo – Happy Kids Home Daycare LLC

**OWNER:** David Ashley

**SUBDIVISION:** Edsall Park

**STREET ADDRESS:** 6810 Hopewell Ave., Springfield 22151

**TAX MAP REFERENCE:** 80-2 ((2)) 47

**LOT SIZE:** 10,500 square feet

**ZONING DISTRICT:** R-3, HC

**ZONING ORDINANCE PROVISIONS:** 8-305, 3-303

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

### STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-MA-177 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.

*Casey V. Gresham*

A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

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

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



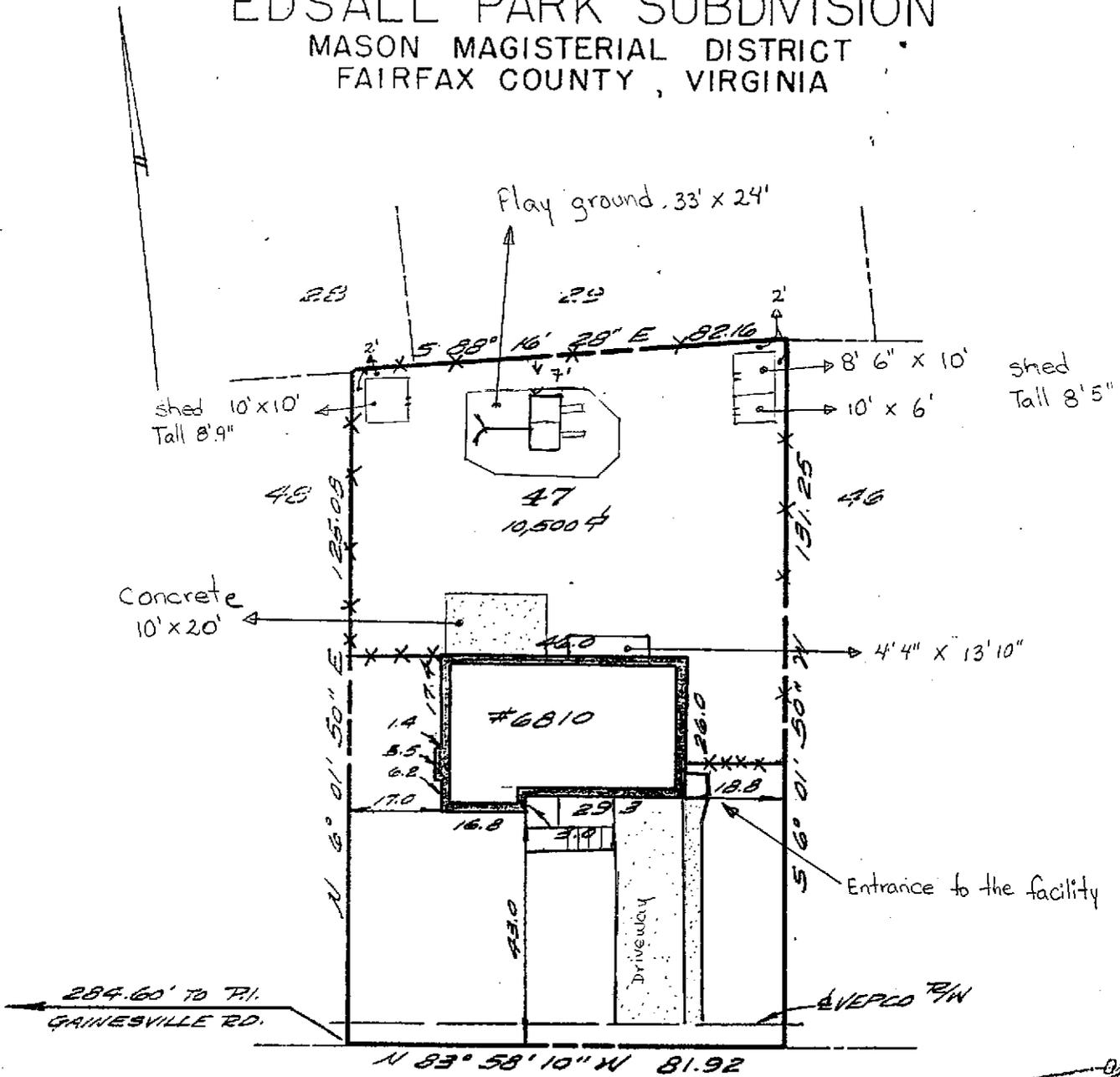
# EXTERIOR

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Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division

HOUSE LOCATION SURVEY  
LOT 47 SEC 2  
EDSALL PARK SUBDIVISION  
MASON MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VIRGINIA



Out door area approximately 5,300 sq ft

x-x-x fence 4' x 4'

shed Tall 8' 9"

shed Tall 8' 5"

Swing set tall 7' play structure 9' 6" H

HOPWELL AVENUE  
(50' WIDE)

APPROVED  
ZONING ADMINISTRATOR  
DATE AUG 20 1957

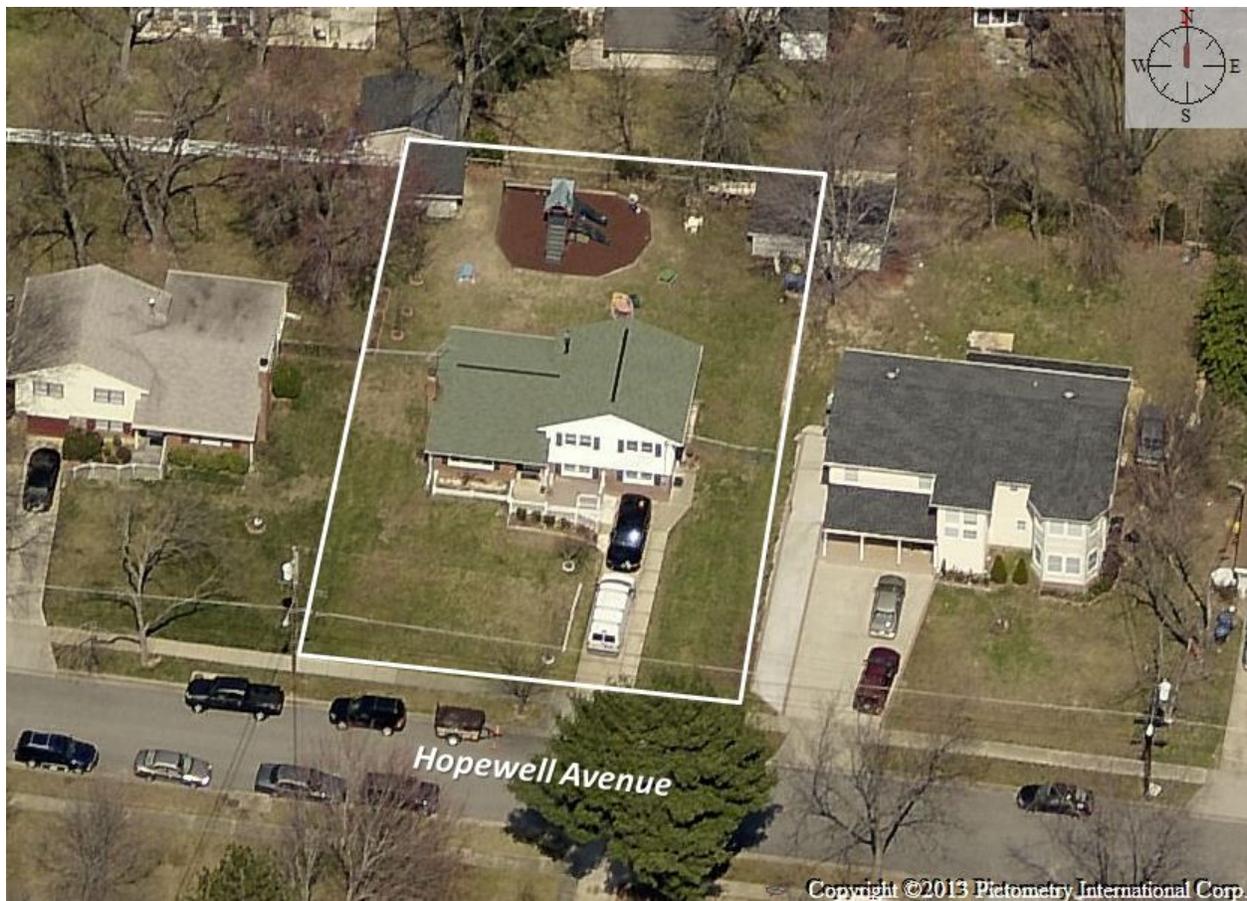
*Fabiola Canedo* 8-14-14  
Fabiola Canedo 3-28-2014

## 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 Survey, Lot 47, Sec 2, Edsall Park Subdivision," prepared by Fabiola Canedo, dated August 14, 2014, is included in the front of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The application property is a split-level single-family detached dwelling. A concrete driveway extends to Hopewell Avenue, and a concrete walkway leads to the main entrance of the child care facility. The rear yard contains a conforming concrete patio surrounded by a chain-link fence four feet in height. In addition, two sheds are located in the rear yard along with a playset.



**Figure 1: House Location**  
For illustrative purposes only

The subject property and surrounding properties are zoned R-3 and HC and developed as single family detached homes.

**BACKGROUND**

Fairfax County Tax Records indicate that the house was constructed in 1957 and purchased by the owner in 2004.

Records indicate that a special permit application for a home child care facility was approved by the Board of Zoning Appeals (BZA) on March 11, 2015. This child care is located at 6806 Hopewell Avenue.

**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 5:30 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children. One assistant currently works at the facility, but the applicant requests approval for up to two assistants in the future.

The applicant holds a current Family Day Home License from the Commonwealth of Virginia, Department of Social Services, valid through January 30, 2017. The license permits a capacity of twelve children, ages two months through 12 years, 11 months. A copy of the license is included as Appendix 4.

The home child care facility is operated in the main level of the dwelling, which contains multiple play areas and a napping room. The rear yard is utilized for outdoor play. Photographs provided by the applicant show toys and play equipment located in this area.

**ANALYSIS**

**Comprehensive Plan Provisions**

**Plan Area:** Area I, Annandale Planning District  
**Planning Sector:** Edsall Community Planning Sector (A4)  
**Plan Map:** Residential, 3-4 du/ac

**Zoning District Standards**

Bulk Standards (R-3)		
Standard	Required	Provided
Lot Size	10,500 sf.	10,500 sf.
Lot Width	Interior: 80 feet	81.92 feet
Building Height	35 feet max.	Figure not provided
Front Yard	Min. 30 feet	43 feet

Bulk Standards (R-3)		
Standard	Required	Provided
Side Yard	Min. 12 feet	17 feet
Rear Yard	Min. 25 feet	>25 feet

**On-Site Parking and Site Circulation**

The existing driveway is able to accommodate two vehicles. The assistants do not park in the driveway, and parents conduct drop-off and pick-up activities at staggered times. A condition has been included to require the drop-off and pick-up of children to occur in the applicant’s driveway.

Vehicular access to the site is provided from a concrete driveway from Hopewell Avenue. A walkway connects to the driveway and provides direct access to the main entrance of the home child care.

**Zoning Inspection Report**

The Zoning Inspections Branch report is included in Appendix 5. During the site visit, staff found that there were accessory structures exceeding their respective height requirements and a mulched play area exceeding 30% rear yard coverage. The applicant has agreed to lower the sheds to be no greater than 8.5 feet in height, and she has also agreed to remove wooden timbers delineating a portion of her mulched play area, which will bring her coverage below the 30% maximum requirement. Development conditions have been included requiring these structures be brought into conformance within six months of a BZA decision.

In addition, the applicant has removed bi-fold doors blocking the water heater and furnace area. All noted violations have been addressed.

**Accessory Structures On-Site**

Structure	Yard	Minimum Yard Required	Existing Location
Shed	Rear	12 feet from a side; 8’11” from a rear	3 feet from side; 2 feet from rear
Shed	Rear	12 feet from a side; 9’ from a rear	2 feet from a side; 2 feet from a rear
Playset	Rear	12 feet from a side; 7 from a rear	>12 feet from a side; 9 feet from a rear

**Zoning Ordinance Requirements (Appendix 6)**

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

**General Standards for Special Permit Uses (Sect. 8-006)**

<p><b>Standards 1 and 2</b> Comprehensive Plan/ Zoning District</p>	<p>The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3 District permits a home child care facility as an accessory use with special permit approval.</p>
<p><b>Standard 3</b> Adjacent Development</p>	<p>No new construction is proposed. An outdoor play area with play equipment is found in the rear yard. In staff’s opinion, the proposed use will not hinder or discourage the use or development of neighboring properties or negatively affect value.</p>
<p><b>Standard 4</b> Pedestrian/Vehicular Traffic</p>	<p>Arrival and departure times of the children are staggered, and in staff’s opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.</p>
<p><b>Standard 5</b> Landscaping/Screening</p>	<p>There is existing vegetation in the rear and side yards that provides screening to the outdoor play area.</p>
<p><b>Standard 6</b> Open Space</p>	<p>There is no prescribed open space requirement in the R-3 District.</p>
<p><b>Standard 7</b> Utilities, Drainage, Parking, and Loading</p>	<p>There are no changes to the utilities and drainage serving the property. As previously discussed, the driveway would be used for parking for the home child care facility.</p>
<p><b>Standard 8</b> Signs</p>	<p>Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.</p>

**Standards for all Group 3 Uses (Sect. 8-303)**

<p><b>Standard 1</b> Lot Size and Bulk Regulations</p>	<p>The property meets the lot size and bulk regulations for the R-3 District. No new construction or exterior modifications are proposed.</p>
<p><b>Standard 2</b> Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p><b>Standard 3</b> Site Plan</p>	<p>Home child care facilities are not subject to the provisions of Article 17, Site Plans.</p>

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

<p><b>Standard 1</b> Maximum of 12</p>	<p>The applicant is proposing a maximum of 12 children at any one time. The development conditions allow up to two non-</p>
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Children & Non-Resident Employee	resident employees.
<b>Standard 2</b> Access and Parking	Arrival and departure times of the children are staggered and ample parking is available in the driveway. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 3</b> Landscaping/Screening	There is existing vegetation in the rear and side yards that provides screening to the outdoor play area.
<b>Standard 4</b> Submission Requirements	The application meets all submission requirements for a home child care facility.
<b>Standard 5</b> Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	The applicant has a valid home child care license.

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

<b>Part A</b> 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 permit a maximum of twelve children at any one time.
<b>Part B</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.
<b>Part C</b> No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use.
<b>Part D</b> Non-Resident Employee	The applicant is proposing two non-resident employees.
<b>Part E</b> Provider is a Resident	The provider is a resident.
<b>Part F</b> Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid state home child care license.
<b>Part G</b> Increase in Children or Non-Resident Employee	The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling and can be increased up to 12 children with special permit approval. The applicant requests special permit approval to

	permit a maximum of twelve children at any one time and two non-resident employees.
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## **CONCLUSION / RECOMMENDATION**

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

Staff recommends approval of SP 2014-MA-177 for the home child care facility with 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 and Select File Photographs
3. Applicant's Affidavit
4. State Family Day Home License
5. Zoning Inspections Branch Comments
6. Applicable Zoning Ordinance Provisions

## ***PROPOSED DEVELOPMENT CONDITIONS***

**SP 2014-MA-177**

**April 8, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MA-177 located at Tax Map 80-2 ((2)) 47 to permit a home child care facility pursuant to Section 8-305 and 3-303 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, Fabiola Canedo, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6810 Hopewell Ave., 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 Survey, Lot 47, Sec 2, Edsall Park Subdivision," prepared by Fabiola Canedo, dated August 14, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation of the home child care facility shall be limited to 7:30 a.m. to 5:30 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 applicant's own children, the maximum number of children on site at any one time shall be twelve.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
8. There shall be no signage associated with the home child care facility.
9. All drop-off and pick-up activities shall occur in the driveway.
10. Any portion of the dwelling associated with the home child care facility that is used as a children's sleeping area shall be located in a room with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.
11. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.

12. All sheds shall be securely locked during the hours of operation of the home child care.
13. The height of all sheds shall be brought into conformance with the Zoning Ordinance within six (6) months of Special Permit approval.
14. The rear yard coverage shall be brought into conformance with the Zoning Ordinance within six (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.

Happy Kids Home Day Care  
6810 Hopewell Ave. Springfield Va. 22151  
703 - 354 - 3031  
fabichildcare@hotmail.

RECEIVED  
Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division

March 1, 2014

Fairfax County Department of Planning & Zoning

Re: Special Permit Application  
Applicant: Fabiola Canedo  
Tax Map # : 0802 02 0047  
Zoning District : R - 3  
Lot Size: 10,500 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 live in a single-family detached dwelling at 6810 Hopewell Ave. Springfield, Virginia with my husband and three children. The property is in the R-3 Zone and I understand that I need to seek approval of a special permit . I am currently licensed by the state of Virginia to have 12 children or under my child care facility in my home. The following information is about my child care facilities operations:

**Hours.** The child care is open from 7:30 am to 5:30 pm, Monday through Friday.

**Number of Children.** At the moment I am currently taking care of 8 children. My License allows me to take care of 12 children at any one time.

**Employees.** I have one assistant who works full-time. From 8:00 am to 5:30pm Monday through Friday

**Arrival Schedule.** One child arrives at 7:35 am. Two of children arrive between 7: 45 am and 8:00am. Three child arrives between 8:00am and 8:30 am. Two children arrive between 9:00 am and 9:35am.

**Departure Schedule.** One child is picked up between 4:15pm and 4:30pm. Three of the children are picked up between 4:30pm. and 5:00pm. Four of the children stay until 5:30pm.

Area served. Five of the children live in the Alexandria area. Two of the children lives in the Springfield area. And one of the children lives in the Annandale area

**Operations** My home is a single-family detached dwelling. The daycare is in the lowest level which has a private street entrance. Which has a half bathroom, and extra room. The kitchen is located on the main floor, which is where I prepare meals and snacks. The children eat down stairs in the daycare.

**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.

**Outdoor Play Area.** I use my backyard for outdoor play for the children. The area is approximately 5,300 square feet. There is a swing set with two slides, a water table, a miniature playground, two children`s table, open space for the children, and a fence that surrounds the backyard. I have attached some pictures.

**Parking.** One of my cars is located in the driveway, and the other car is parked along the street in front of my house. My driveway is 8 by 48 ft. long, and allows enough parking for two cars back to back. There is also ample parking along the streets in front of my house for parents.

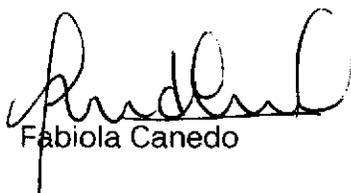
For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

In conclusion my purpose is to:

- 1 - Prepare myself professionally, which enables me to provide a quality service. Caring and preparing the kids to have a successful year in kindergarten.
- 2 - Help families and satisfy their needs.

My job gives me the opportunity to be aware of my own children. It is my source of income, it allows me to have another person to help me care for the kids etc.

Sincerely,



Fabiola Canedo

Owner of Happy Kids Home Day Care

Proposed Arrival and Departure Schedule for: Happy Kids Home Day Care, LLC

Address: 6810 Hopewell Ave. Springfield Va. 22151

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	X			
2		X		
3		X		
4			X	
5				X
6				X
7			X	
8			X	
9				
10				
11				
12				

Proposed Departure Schedule

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

Appendix I

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 Zoning Evaluation Division

# INTERIOR

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## Child Care Facility

MAR 31 2014

### Lowest level

Zoning Evaluation Division

6010 Hopewell Ave.  
Springfield, VA 22151

scale 1" = 1/4"

Fabiola Canudo 3-28-2014

out door play area



Front view of the house



1

Right view of the house



2

Right side of the house



3

Entrance to the day care



4

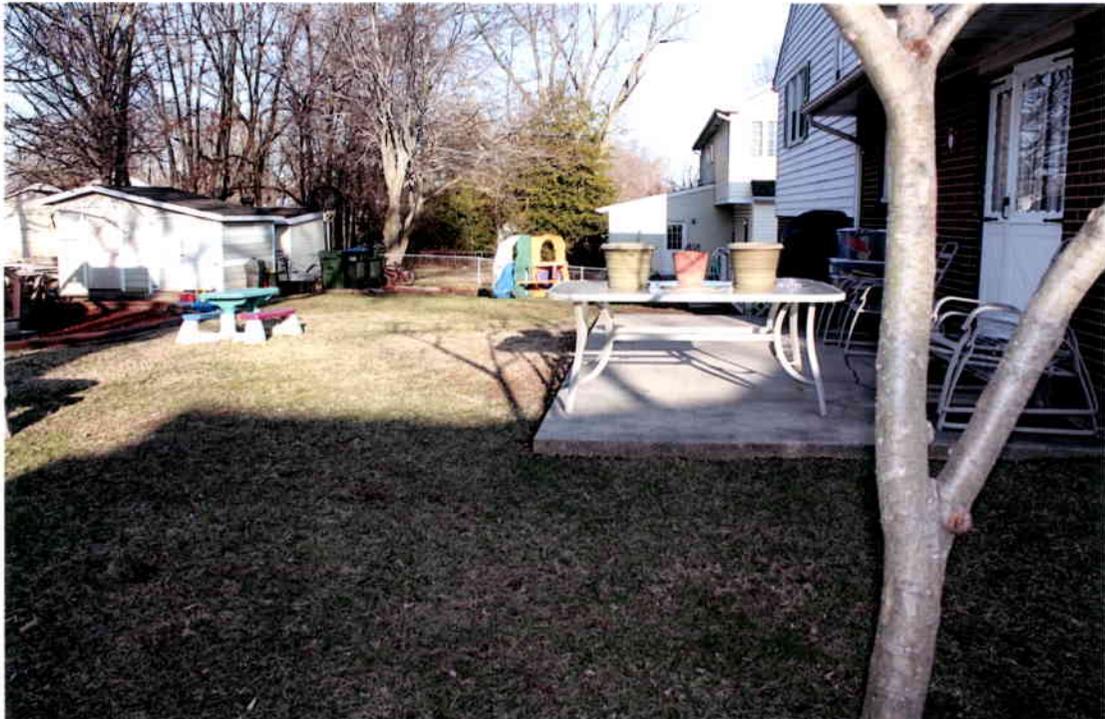
Playground with swing set



8

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Play area



9

Out door - Play area



10

Side view of play ground



11

Play ground area



12

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MAR 31 2014

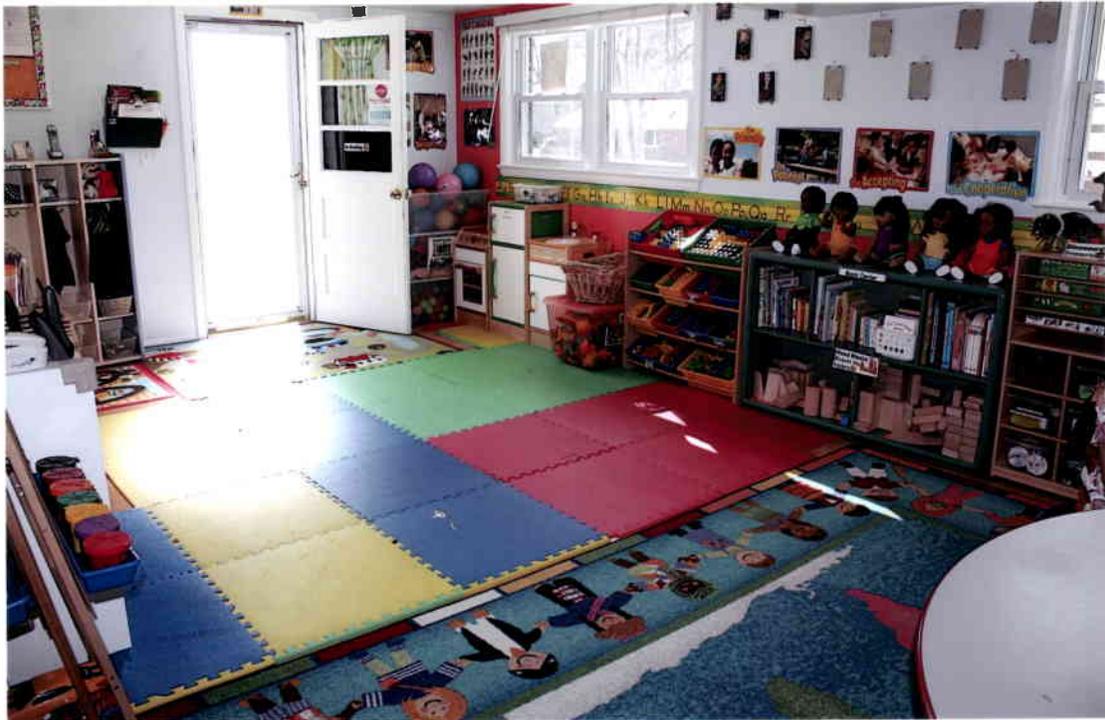
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In door child care facility



A

First Exit front the facility



B

Right side of the facility



C



D

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Front indoor view of facility



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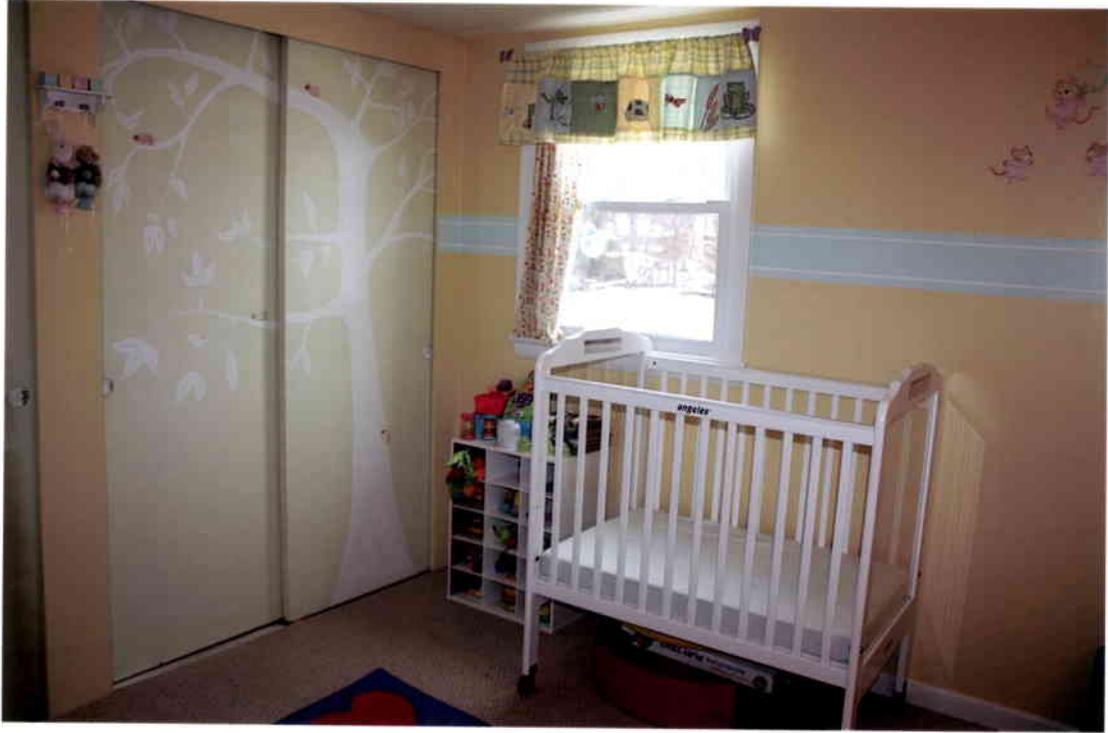
Left side of the facility



H

Rigth side of the babies room

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MAR 31 2014  
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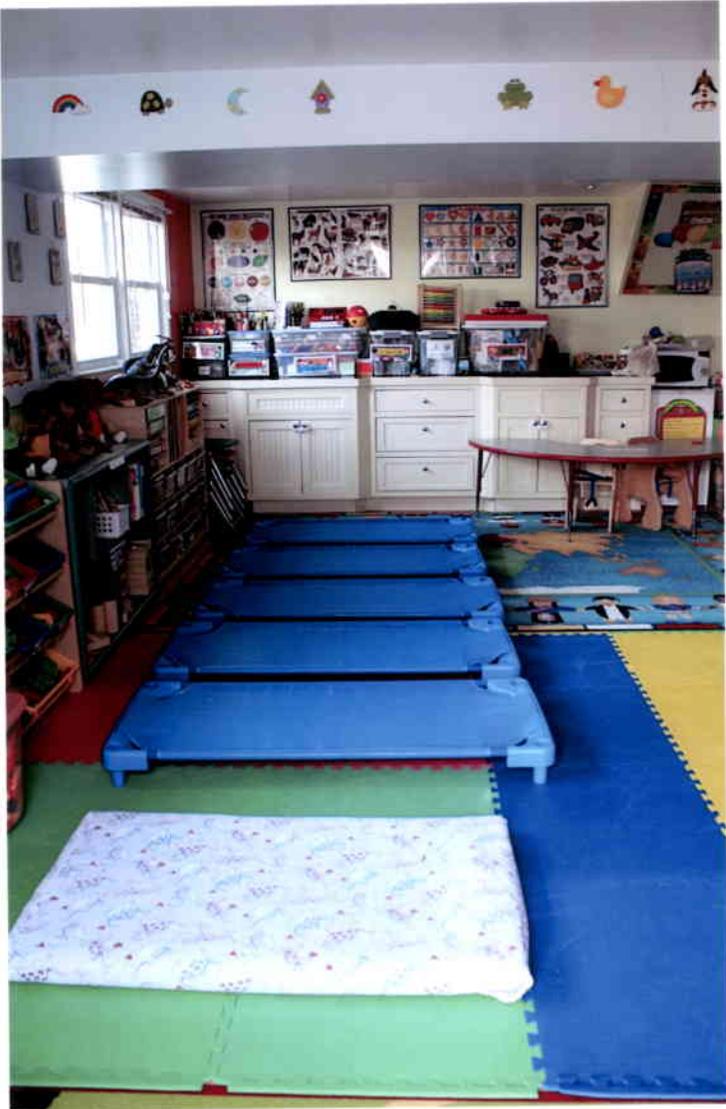
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# Sleep Area for toddlers & preschoolers

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MAR 31 2014  
Zoning Evaluation Division



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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6-20-14  
(enter date affidavit is notarized)

I, Fabiola Canedo, 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: 125071

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 <b>BOLD</b> above)
Happy Kids Home Day Care, LLC	6810 Hopewell Ave. Springfield Va. 22151	Co-Applicant.
Fabiola Canedo	6810 Hopewell Ave Springfield Va. 22151	Applicant/Lessee
David Ashley		Title Owner / Lessor

(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).

CAB



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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6-20-14  
(enter date affidavit is notarized)

125071

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**)

NONE

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

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

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 6 - 20 - 14  
(enter date affidavit is notarized)

125071

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: 6-20-14  
(enter date affidavit is notarized)

125071

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

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

NONE

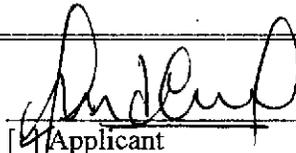
(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

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

WITNESS the following signature:

(check one)



Applicant

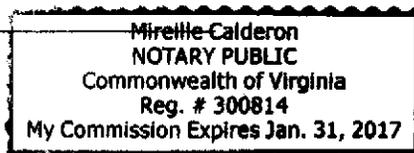
Applicant's Authorized Agent

Fabida Calderon de Canedo  
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 30th day of June 2014, in the State/Comm. of Virginia, County/City of Fairfax.

Mireille Calderon  
Notary Public

My commission expires:



CAS

VIRGINIA DEPARTMENT OF  
SOCIAL SERVICES**Fabiola Canedo**

6810 Hopewell Avenue

SPRINGFIELD, VA 22151

(703) 354-3831 [📞](#)Facility Type: [Family Day Home](#)License Type: [Two Year](#)[Expiration Date](#): Jan. 30, 2017Business Hours: 7:30a.m. - 5:30p.m.  
Monday - Saturday

Capacity: 12

Ages: 2 months - 12 years 11 months

Inspector: Mayasah Thomas  
(703) 309-9307 [📞](#)



# County of Fairfax, Virginia

## MEMORANDUM

Date: February 20, 2015

To: Casey Gresham, Staff Coordinator  
Zoning Evaluation Division

From: Dawn Curry  
Senior Zoning Inspector  
Zoning Inspection Branch

Subject: Home Child Care – SP 2014-MA-177

Applicant: Fabiola Canedo  
6810 Hopewell Avenue, Springfield, Virginia 22151  
Edsall Park, Lot 47, Sec 2  
Tax Map# 80-2 ((02)) 0047  
Zoning District: R-3  
Magisterial District: Mason  
ZIB # 2015-0047  
Date of Inspection: February 5, 2015

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.
- ❑ 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.

\*Not able to see water heater/furnace area, completely enclosed with bi-fold doors which were screwed closed.

- ✓ 8. Structures comply with the Zoning Ordinance.

\*The property had (2) accessory structures that exceeded 8' 5" in height.

\*The property had children's play equipment in the rear yard w/mulched area.

\*A sign was located in the front window of the Home Child Care Facility.

**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

### **8-303 Standards for all Group 3 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

### **8-305 Additional Standards for Home Child Care Facilities**

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.

4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
  - A. The dimensions, boundary lines and area of the lot or parcel.
  - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
  - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
  - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

#### **10-103 Use Limitations**

6. The following use limitations shall apply to home child care facilities:
  - A. The maximum number of children permitted at any one time shall be as follows:
    - (1) Seven (7) when such facility is located in a single family detached dwelling.
    - (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

- B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.
- C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play

equipment and other accessory uses and structures permitted by this Part shall be allowed.

- D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.
- E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.
- F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.
- G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8