



APPLICATION ACCEPTED: January 22, 2015
BOARD OF ZONING APPEALS: April 22, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

April 15, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2015-HM-012

HUNTER MILL DISTRICT

APPLICANT/OWNER: Mozhgan Hessavi,
d.b.a. Great Expectations Child Care Inc.

SUBDIVISION: Polo Fields, Section 1B

STREET ADDRESS: 2311 Colts Brook Drive, Reston, 20191

TAX MAP REFERENCE: 16-4 ((9)) (1B) 6

LOT SIZE: 16, 405 square feet

ZONING DISTRICT: R-3 Cluster

ZONING ORDINANCE PROVISIONS: 3-303, 8-305

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

STAFF RECOMMENDATION:

Staff recommends denial of SP 2015-HM-012 for the home child care facility. If it is the intent of the Board to approve the application, staff recommends such approval be predicated on the adoption of the proposed development conditions contained in Appendix 1.

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.**

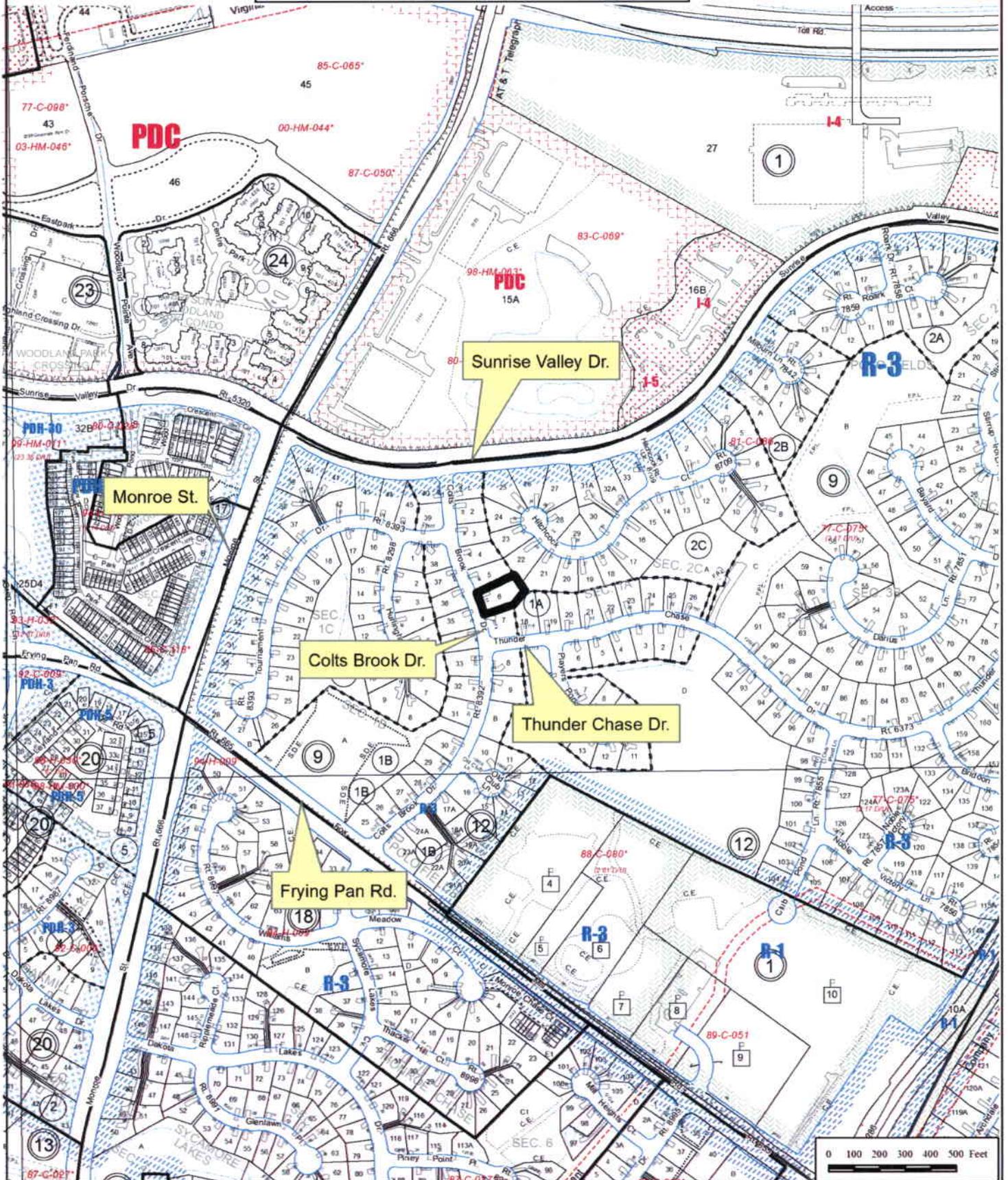


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2015-HM-012

MOZHGAN HESSAVI DBA GREAT EXPECTATIONS
CHILD CARE, INC.



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, Polo Fields, Lot 6, Section 1-B” as drawn by Phillip A. Blevins, L.S., dated January 15, 1993, as revised by Mozghan Hessavi on January 21, 2015, is included in the front of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a one story, single-family detached dwelling. A stoop, concrete walkway and concrete driveway exist in the front yard of the dwelling. A concrete walkway extends from the front yard to a door in the rear yard that accesses the basement and the home child care. A deck and playground are located at the far end of the backyard. A 4 foot tall fence encloses the rear yard.



Figure 1- Aerial View of Subject Property

The property is located south of Sunrise Valley Drive and east of Monroe Street. The subject property and surrounding properties are zoned R-3 Cluster and developed with single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1993, purchased by the property owners in 2012.

On December 30, 2003, a building permit was issued for the construction of an areaway/stairway leading to the basement (Appendix 4). No final inspections were obtained. If the Board recommends approval, a development condition has been proposed to address this concern.

There are no building permits or final inspections for the existing deck. development condition is proposed to allow the applicant to obtain building permits and final inspections for the deck within six months of the decision of this application.

The play set is in violation of the minimum required rear yard setbacks for an accessory structure. A development condition is proposed to allow the applicant to bring the playset into compliance within six months of the decision of this application, either by lowering the structure's height or moving it.

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

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home child care facility for up to 12 children on-site at any one time, between the hours of 7:00 a.m. and 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.

The home child care facility is operated in the basement of the dwelling which has a recreation room, kitchen and a bathroom. The enclosed play area is located in the rear yard.

The applicant holds a current Family Day Home License, effective for one year that expires on April 12, 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 twelve children, from birth through 12 years, 11 months of age. A copy of the license is included as Appendix 5.

Since the applicant's license has expired, but they are currently pursuing a special permit, they are required to operate with 7 children until they receive an updated license from the state.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area III, Upper Potomac Planning District
Planning Sector: Reston Community Planning Sector (UP5)
Plan Map: Residential, 2-3 du/ac

On-Site Parking and Site Circulation

The existing driveway and garage can accommodate approximately eight vehicles. The applicant parks in her garage and the assistants take public transportation and do not drive to the site.

Vehicular access to the site is provided by a concrete driveway from Colts Brook Drive. A walkway connects the driveway to the set of concrete stairs on the eastern side of the dwelling that lead to the basement entrance of the home child care.

Zoning Inspection Branch Comments (Appendix 6)

Staff noted that there are two rooms in the basement labeled as bedrooms and used as napping rooms. These rooms do not have proper emergency egress. Staff has notified the applicant that the nap area must be relocated to a room in the basement that has adequate emergency egress. The applicant has moved the sleeping/napping areas into the play area as identified on the interior floor plan. In addition, staff found that the rooms in the basement that were used as sleeping areas did not have adequate smoke alarms. If the BZA recommends approval, a development condition is included to address this concern.

Staff found that there a number of building code violations, including the spacing of balusters on the deck and disrepair of the exterior steps leading to the basement. If the BZA recommends approval at this time, staff has proposed a development condition to ensure that the stairs are inspected within 6 months of approval. The deck is also required to receive final inspections.

In addition, staff found there was improper storage around the mechanical equipment and that the lock on the nap room door is on the wrong side. The applicant has been made aware of these concerns but as of publication time of this staff report they are still not

fixed. If the Board of Zoning Appeals decides to approve this application, a proposed development condition is included in Appendix 1 to address these issues.

As mentioned above, on the site visit staff also found that the play equipment which measures 12 feet 10 inches in height is located only 9 feet 10 inches from the property line. The minimum required setback in the R-3 Cluster district for a structure this tall is 25 feet. The applicant was made aware of this concern. A proposed development condition is included that requires compliance with the zoning ordinance within six months.

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

This special permit application must satisfy the requirements contained in the zoning ordinance sections outlined above.

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.*

The Comprehensive Plan recommends residential uses and the property is developed with a residential use.

2. *The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

The R-3 Cluster District permits a home child care facility as an accessory use with special permit approval. However, the application has an existing accessory structure (playground) that is in violation of the minimum required rear yard setbacks. The minimum required rear yard is 25 feet and the playground is located 9 feet 10 inches from the rear property line. The playground is 12 feet 10 inches in height.

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.

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.

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.*

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.

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.*

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.

6. *Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

All common open space lands shall be controlled by provisions of Part 7 Article 2.

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.*

There are no changes to the utilities and drainage serving the property or use. As previously discussed, the driveway would be used for parking.

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.*

Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.

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.*

The application has an existing accessory structure (playground) that is in violation of the minimum required rear yard setbacks. The minimum required rear yard is 25 feet and the playground is located 9 feet 10 inches from the rear property line. The playground is 12 feet 10 inches in height. Therefore the application does not meet this provision.

2. *All uses shall comply with the performance standards specified for the zoning district in which located.*

The use complies with the performance standards set forth in Article 14 of the Zoning Ordinance.

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.*

Home child care facilities are not 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.*

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.

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.*

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.

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.*

There is an existing fence in the rear yard that helps provide screening to the outdoor play area.

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.*

The applicant met the submission requirements for the home child care facility.

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.*

The applicant has a valid home child care license through April 12, 2015 for 12 children from 7:00 a.m. to 6:00 p.m., Monday through Friday.

Sect. 10-103 Use Limitations

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.

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.

- 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.*

The applicant is a state licensed home child care provider and the subject property is the provider's primary residence.

- 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.*

There is no exterior evidence of the proposed use except play equipment and toys.

- 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.*

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.

- 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.*

The provider is a resident of the property.

- 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.*

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.

However, the home child care is considered a new use in addition to the solely residential use on the property, and it is required to meet all standards of Chapter 30 of the Virginia Building Code. One of these standards is “(bb) 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.)” In each of the current sleeping areas there is only one means of egress through the existing doorway. Therefore, the sleeping rooms do not meet this requirement.

The home child care also does not meet standard of “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” (30-3-6.1 (f)) The current home child care has a set of concrete stairs that are in disrepair that are the primary entrance for the home child care facility, as shown in the pictures below.

Because of the two above violations, the home child care does not meet Chapter 30 of the Code of the County of Fairfax addresses home child care facilities or Title 63.2, Chapter 17 of the Code of Virginia. Therefore the home child care does not meet this provision.

- 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.*

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 twelve children at any one time. The applicant requests two non-resident employees.

CONCLUSION/ RECOMMENDATION

Staff believes that the subject application is in harmony with the recommendations of the Comprehensive Plan.

However, the application is not in conformance with the applicable Zoning Ordinance provisions specifically, Sects. 8-006 (2), 8-303 (1) and 10-103(f).

Due to inadequate emergency egress in the two rooms in the basement used for napping, no final inspection for the areaway/stairs in front of the basement, no evidence of a building permit for an existing deck, and the existence of an accessory structure (playset) located in minimum required rear yards, staff recommends denial of SP 2015-HM-012 for the home child care facility.

Staff has been continually working with the applicant to remedy the outstanding concerns relating to the denial. Staff recommended to the applicant to defer the public hearing to ensure all the issues were addressed. As the applicant's state license expired on April 12, 2015, the applicant chose not to defer as she would be forced to reduce the number of children to the by-right number of 7 until her new public hearing occurred. If the deficiencies were addressed, staff could support the application as the use is compatible with the site in general.

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. If it is the intent of the Board or Zoning Appeals to approve the application, staff recommends such approval be predicated on the adoption of the development conditions in Appendix 1 of this report.

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 2015-HM-012****April 15, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-HM-012 located at Tax Map 16-4 ((9)) (1B) 6 to permit a home child care facility pursuant to Sects. 3-303 and 8-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Mozhgan Hessavi, d.b.a. Great Expectations Child Care Inc., and is not transferable without further action of the Board, and is for the location indicated on the application, 2311 Colts Brook 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 Survey, Polo Fields, Lot 6, Section 1-B” as drawn by Phillip A. Blevins, L.S., dated January 15, 1993, as revised by Mozhgan Hessavi on January 21, 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 state approved hours of operation, 7:00 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 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 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 to be obtained within 6 months of approval.
12. The applicant shall bring the accessory structure (play set) located in the rear yard into compliance with the zoning ordinance within 6 months of approval.
13. The applicant shall repair the steps leading to the basement within 6 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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

STATEMENT OF JUSTIFICATION FOR A HOME CHILD CARE FACILITY

Great Expectations child care
2311 Colts Brook Dr
Reston , VA 20191

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government center Parkway, Suite 801
Fairfax, VA 22035

RECEIVED
Department of Planning & Zoning

DEC 19 2014

Zoning Evaluation Division

To Whom IT May Concern:

I own and live in a single detached dwelling at 2311 Colts Brook Dr. in Reston, Virginia 20191 and I understand that 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 for (12) children since 2003 , and I would like to continue the same number of children (12).

Below is information about my childcare:

Type of Operation

Great Expectations Child Care INC. Currently operates as a Home Day Care Facility, licensed by the State of Virginia.

Hours of operation

Great Expectations Child Care INC , operates from 7: 00 AM to 6: 00 PM , Monday through Friday.

Estimated number of children

Currently, I have (7) full time and (2) part time , but I have signed up with other (3) that will start in two months.

Proposed number of employees

The number of assistants required is one for this particular number of children (7) full time and (2) part-time) I have. Currently , Day Care has (2) two employees. And they both work full time from 8:30 to 5:30 PM, Monday through Friday, and also they both take the bus.

Estimated drop off schedule and largest number of drop offs at any time:

Arrival time: one of them arrives between 7:00 and 7: 15 Am Monday through Thursday,

another one arrives 7:30 and 7:45 , another comes 7:50 and 8:00, two other sibling arrive between 9:10 and 9:20,

Two other sibling arrive 9:30 , one other comes half day Mon. Wed. and Friday, and the last one arrive at 9:00 AM.

Departure time: One of them picks up at 3:30 , the second one picks up at 12:30 , the other two pick up 3:30 and 4:00 , another one pick up at 5:00 , the two siblings pick up at 5:15 , the other two sibling pick up at 5:30.

Vicinity or general area to be served by the use :

Some of the parents live close by and one of them live far way come from Marshall and one of them drive from Sterling.

Describe the dwelling and how the use will operate within the dwelling , including square footage dedicated to the home child care facility. Include a floor plan to show how the use fits within the dwelling . Describe the outdoor play areas.

My house is a brick and siding split level with three levels. It has a walk out basement , which has a Art & Craft room for toddlers and one big hall way (play room) for toddlers, and one big play room for babies and one eating room and one nursing room, where the day care is located. At the second floor which is located my family room, dining room, living room, kitchen and laundry room. On the third floor are four bedrooms which is use for my family.

I use my backyard for out door play for the children. There are 2 sewing set with slide and for the different age of children and other play equipment .

I have 2 car garage and the driveway provides enough parking for six cars . In addition, ample parking for six cars or more is available along the street in front my home. I believe that as my experience since 2003 this parking will be adequate for the parents dropping off and picking up their children.

In conclusion, I am proposing , no changes to the appearance of my home to accommodate my home child care facility. Adequate parking is available for my parents and employees if in future, they will have a car, and also In the past my neighbor never have had any problem with my daycare facility.

Therefore, I believe that the house location plat which I have included with my application package will provide all the necessary information that the county may need to review my request for a home child care facility.

Sincerely,
Mozhgan Hessavi

owner of Great Expectations Child Care

RECEIVED
Department of Planning & Zoning

DEC 19 2014

Zoning Evaluation Division

To whom it may concern,

Great Expectation ChildCare
Mozhgan(Lisa) Hessavi
Lisa@lovechildcare.com
(571) 612-8078

My name is Mozhgan(Lisa) Hessavi. I am the owner of Great Expectations childcare. Inc. I provide a healthy and safe state licensed day care and playground facility . This daycare is smoke and pet free, located in an upscale Reston neighborhood..

This applicant Mozhgan Hessavi conforms , there ^{aren't} any Hazardous or toxic at my home daycare.

This applicant Mozhgan Hessavi conforms to the provisions of all applicable ordinances . Regulations and adopted standards or , If any waiver,exceptin or variance is sought by the applicant, such shall be specifically noted with the justification for such modification.

I and my two full time staff members are responsible , energetic, creative and nurturing. We love what we do! We know how much the children and their development means to the parents and is our goal. That's why we assure a quality, healthy, safe and loving environment. Consider Great Expectations daycare your children's second home.

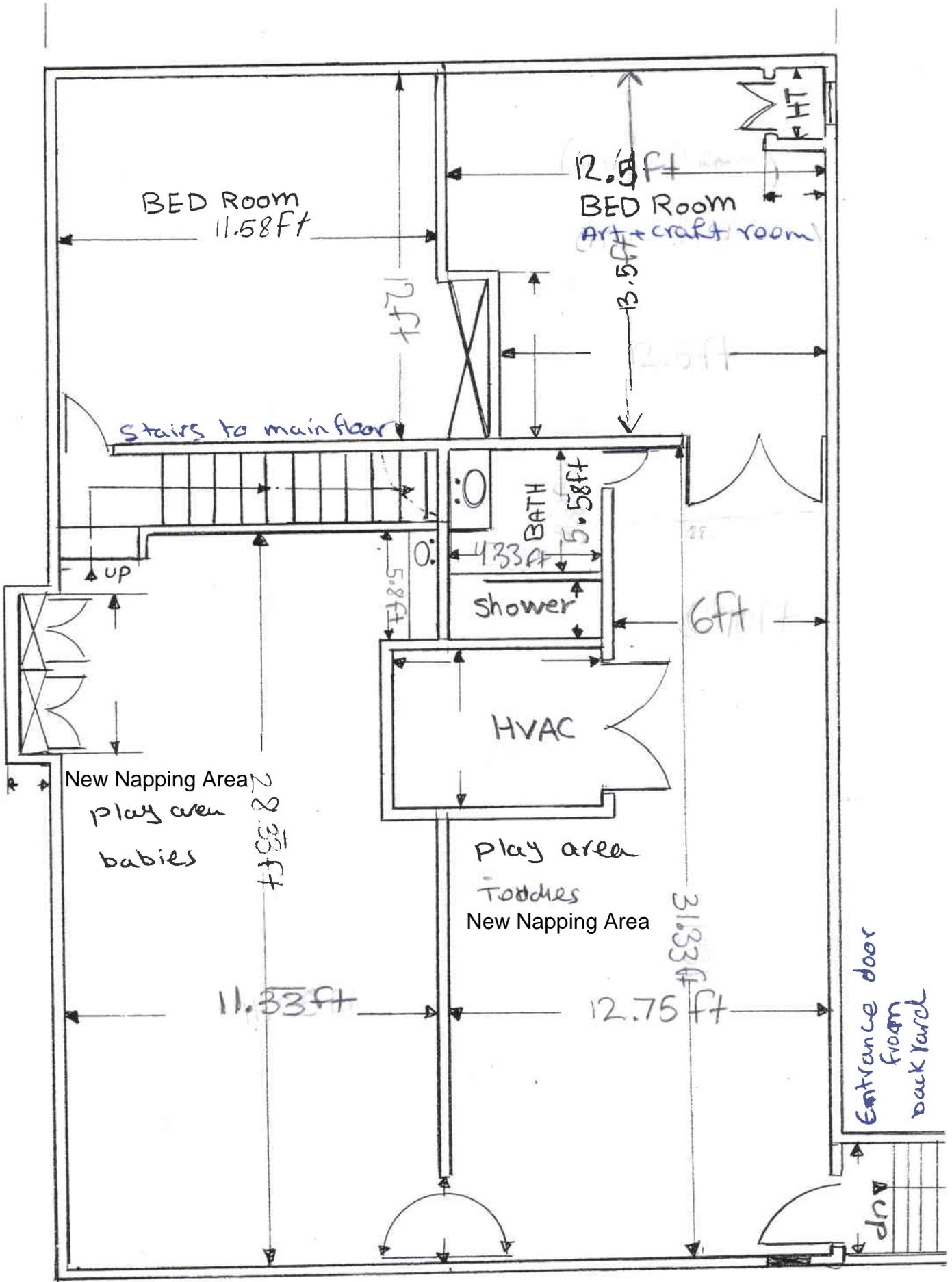
The children will build relationships with our highly skilled staff members and learn invaluable social skills. We also provide and delight our children with 2 home made hot meals, fresh fruits and snacks.

Our goal is to provide a fun and enjoyable experience while learning in a happy and safe environment. Great Expectations Day Care , not only day care , but homework and extra learning activities are also included in our developmental curriculum.

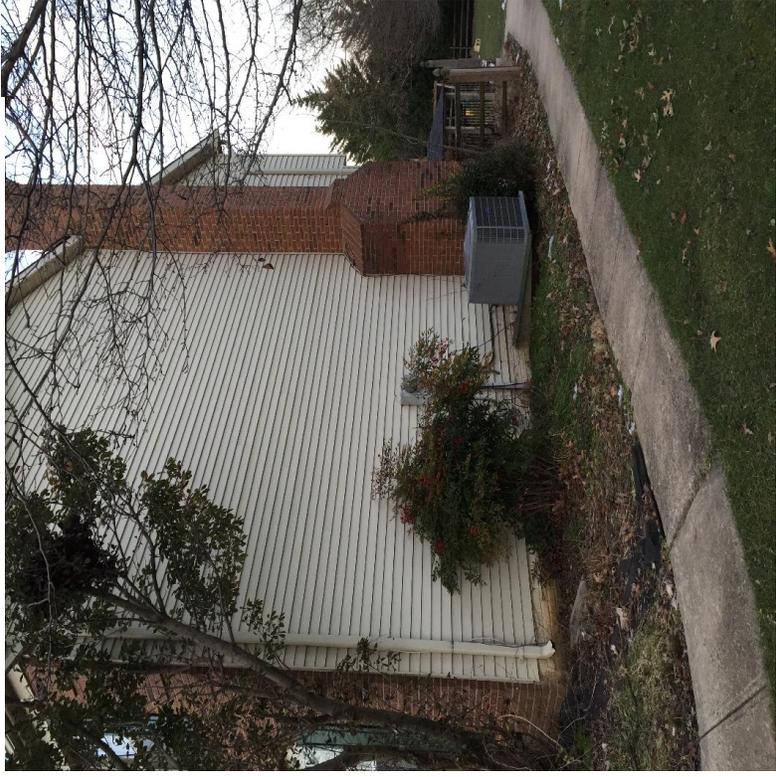
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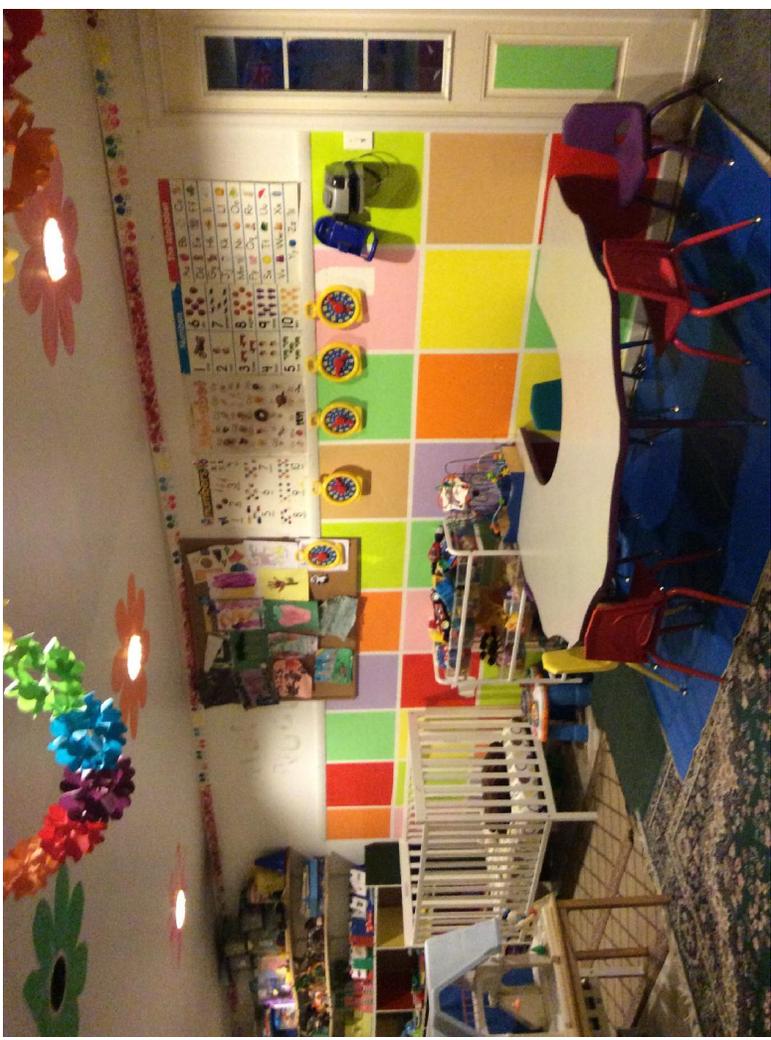
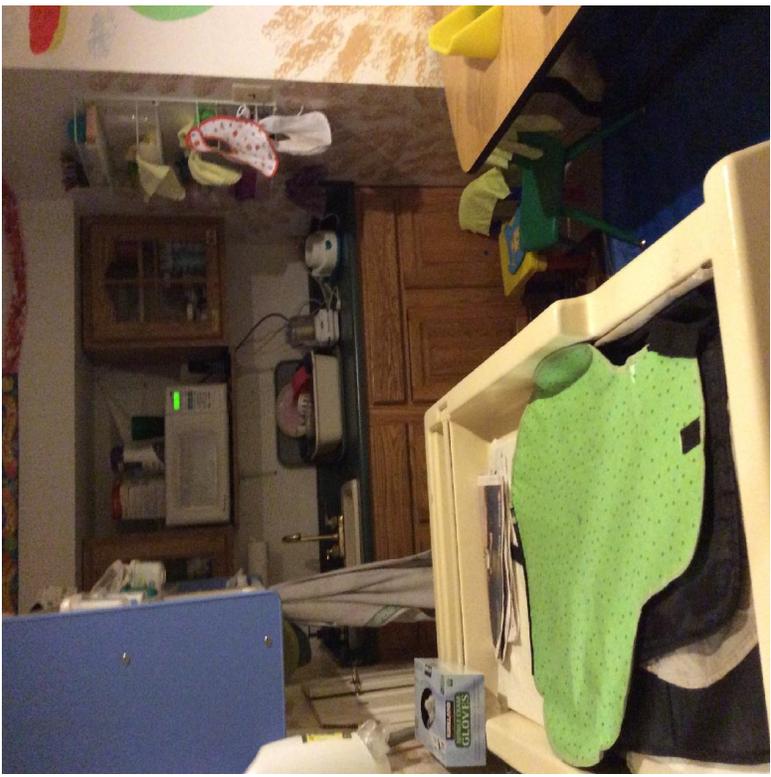


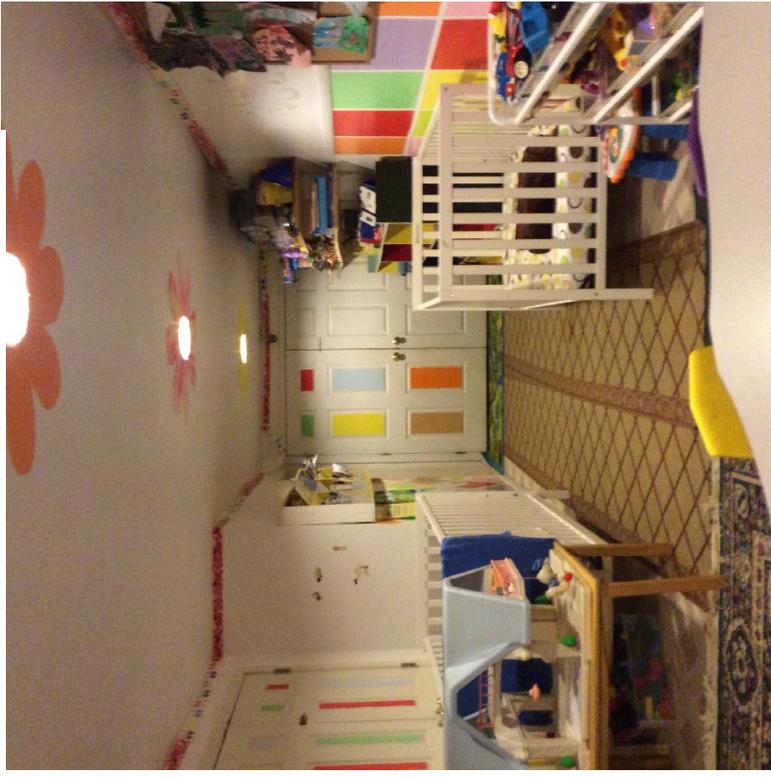
Basement



2311 colts brook dr
Reston va 20191
Front right neighbor
House.



















Application No.(s): SP 2015-HM-012
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/15
(enter date affidavit is notarized)

127974

I, Mozhgan Hessavi - Great Expectations Childcare, Inc, 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)
Mozhgan Hessavi d/b/a	2311 colts Brook Dr Reston VA 20191	title owner Applicant

Great Expectations childcare Inc

(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 2015-HM-012
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/15
(enter date affidavit is notarized)

127976

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)
Great Expectations Childcare, Inc.
2311 Colts Brook Dr
Reston VA 20191

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)

Mozhgan Hessavi

(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 2015-HM-012

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

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/15
(enter date affidavit is notarized)

127976

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):

SF 2015-HM-012

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 02/10/15
(enter date affidavit is notarized)

127976

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.)

M.H. ~~NA~~ 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): SP 2015-HM-012
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 2/10/15
(enter date affidavit is notarized)

127976

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.)

M.H. 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

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

Subscribed and sworn to before me this 10 day of February 2015, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]
Notary Public

My commission expires: 5-31-18



Handwritten initials in red ink.



Land Development Information History: ISIS - Building Permit - 03322B0450

Permit Information

Permit Id:	03322B0450	Application Date:	2003-11-18	Time:	11:44:01
Job Address:	002311 COLTS BROOK DR	Tax Map:	016-4 ((09)) (1B) 0006		
Subdivision:	POLO FIELDS, SEC 001B	Permit Status:	Initial/Approved (IA)		
Trade Name:	NA	Subobj:	181	R/C:	R
Applicant Name:	ALI HESSAVI	Bldg:	NA	Floor:	NA
		Suite:	NA		

Work Description:	SFD/BLD BSMT AREWAY
Type Work:	Finish Basement-Residential (R27)
Building Use:	Single-Family, Detached Or Semi-Detached (010)
Standard:	IR00
Plan Number:	Use Group: R5 Bldg Permit: NA
Permit Hold Date:	By: QNO: W-03-07763 POF: J
Hold Release Date:	By: Proffer: Pre-Const Meeting: Date:

Comments:

Permit Status Summary

Permit Status:	Initial/Approved (IA)	Real Estate:	2003-11-18	RSLT:	APP	BY:	MSM
Applied Date:	2003-11-18	Zoning:	2003-12-18	RSLT:	APP	BY:	TEM
Issued Date:	2003-12-30	Grading / Drainage:	2003-12-18	RSLT:	APP	BY:	VTN
Paid Date:	2003-12-30	Building Plan Review:	2003-12-30	RSLT:	APP	BY:	JAM
Expiry Date:	2004-07-01						

Owner Information

Leasee:		Corp:	
Owner:	HESSAVI ALI	Job Magisterial Dist:	Centreville
Address:	02311 COLTS BROOK DR	Planning Dist:	Upper Potomac
City:	RESTON	Subcensus Tract:	812.01
	State: VA Zip: 20191		
Phone:			

Contractor Information

Name: OWNER **Master:**
Address: 00000 **BPOL Licnese:** 0
City: **State:** **Zip:** 0 **State License:** 0
Phone: **Trade Reg.:** 0

Building Permit

Building Plan Review

Estimated Cost: 6001 **Sewer Water Code:** 1
Use Group: (01) R5 **Sewer Shed:** B1
Type Const: (01) Combustible/Unprotected (5B)
Model Group:
Plan Received: 2003-11-18 **Review Time:** 00:00:00
Review Started: 2003-11-18 **Results:** APP
Review Completed: 2003-12-30 **Engineer:** JAM

Comments:

Totals Fee Area

Type of Construction	Fee	Fee Rate
Combustible/Unprotected (5B)	0	0.054

Total	0
Filing Fee	56.00
Total Fee	56.00
Amount paid	56.00

Real Estate Review

Building Units: 0 **Basement:**
Kitchens: 0 **Ext Walls:**
Baths: 0 **Int Walls:**
Half Baths: 0 **Roofing:**
Bedrooms: 0 **Flooring:**
Rooms: 0 **Base Fin:**
Stories: **Fuel/Heat:**
Building Height: 0 **Fuel System:**
Fireplace: 0

Building Area: 0

Owner of Record: HESSAVI ALI

Review Data

Date To: 2003-11-18

Date From: 2003-11-18

Results: APP

Reviewer: MSM

Comments:

Zoning Review

Review Data

Date To: 2003-12-18

Date From: 2003-12-18

Results: APP

Reviewer: TEM

Comments:

Grading / Drainage Review

Review Data

Date To: 2003-12-18

Date From: 2003-12-18

Results: APP

Reviewer: VTN

Comments:

Public Works Review

Review Data

Date To:

Date From:

Results: NRQ

Reviewer: MSM

Comments:

Inspections

Inspection - FTGD - 999998

Req Taken: 2004-02-12

Phone:

Fairfax County Government

Time: 13:29:59 **Floor:** NA
Sched For: 2004-02-13 **Suite/Area:** NA
Assigned To: A32 **Comments:**
Branch: 4 **Req Taken By:** MK
Requested By: DAVID **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
FTGD		2004-02-13	CRO	C	R	N					00:00:00	00:00:00	00:00:00	1

Inspection - FTGD - 999997

Req Taken: 2004-02-13 **Phone:**
Time: 13:57:56 **Floor:** NA
Sched For: 2004-02-17 **Suite/Area:** NA
Assigned To: A32 **Comments:**
Branch: 4 **Req Taken By:** MB
Requested By: ABDUL **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
FTGD		2004-02-17	EDB	C	A	N					00:00:00	00:00:00	00:00:00	1

Inspection - SLBS - 999996

Req Taken: 2004-04-19 **Phone:**
Time: 12:51:48 **Floor:** NA
Sched For: 2004-04-20 **Suite/Area:** NA
Assigned To: A32 **Comments:**
Branch: 4 **Req Taken By:** UK
Requested By: DAVID **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
SLBS		2004-04-20	EDB	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](#)

Commonwealth of Virginia



DEPARTMENT OF SOCIAL SERVICES

FAMILY DAY HOME LICENSE

Issued to: Mozhgan (Lisa) Hessavi, d.b.a. Great Expectations Child Care, Inc.

Address: 2311 Colts Brook Drive, Reston, Virginia 20191

This license is issued in accordance with provisions of Chapters 1, 17 and 18, Title 63.2, Code of Virginia and other relevant laws, the regulations of the State Board of Social Services and the specific limitations prescribed by the Commissioner of Social Services as follows:

<u>CAPACITY</u>		
	12	
<u>GENDER</u>	<u>AGE</u>	
Both	Birth through 12 years	

This license is not transferable and will be in effect April 13, 2014 through April 12, 2015 unless revoked for violations of the provisions of law or failure to comply with the limitations stated above.

ISSUING OFFICE:

Virginia Department of Social Services
Division of Licensing - Fairfax Licensing Office
3701 Pender Drive, Suite 125
Fairfax, VA 22030

MARGARET ROSS SCHULTZE
COMMISSIONER OF SOCIAL SERVICES

Jennifer H. Nall

By

LICENSING ADMINISTRATOR

Title

Telephone: (703) 934-1505



County of Fairfax, Virginia

MEMORANDUM

Date: April 3, 2015

To: Laura Arseneau, Staff Coordinator
Zoning Evaluation Division

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

Subject: Home Child Care Facility (HCCF), Special Permit # SP 2014-DR-246

Applicant: Mozghan Hessavi, dba Great Expectations Child Care, Inc.
2311 Colts Brook Drive, Reston Virginia 20191
Legal Description: POLO FIELDS, SEC 1B, LT 6
Tax Map Ref: 16-4 ((9) (1B) 6
Zoning District: R-3
Development Type: Cluster
Lot Size: 16,405 square feet
ZIB# 2015-0104

On March 17, 2015, an inspection was conducted by Zoning/Property Maintenance Inspector Bruce Miller of the property located at 2311 Colts Brook Drive, Reston Virginia 20191. 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.

Comment: The floor plan for the Basement HCCF labels the rooms as bedrooms and at the time of the inspection contained cribs. These rooms do not have the required smoke alarms.

- 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

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/



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.

- 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.

- 7. Other Building Code issues:

Comment: The balusters (pickets) on the deck stairs are 4-1/2" apart and will allow the passage of a 4 inch sphere.

Comment: The storage in the mechanical room must be relocated a minimum distance of 3 feet from the equipment.

Comment: Scaling of concrete steps leading to the basement HCCF is not in good repair and constitutes a hazard.

Comment: The floor plan for the Basement HCCF labels the rooms as bedrooms and at the time of the inspection contained cribs. These rooms do not have windows leading directly to the outside of the house and therefore do not provide the required emergency escape openings.

Comment: This sliding bolt lock is on the wrong side of the door and would prevent egress from the napping room.

- 8. Structures comply with the Zoning Ordinance.

Comment: The play equipment with the playhouse is 12 feet 10 inches in height and is located approximately 9 feet 10 inches from the side lot line. The applicant may bring the structure into compliance by either lowering height of the structure such that it is no taller than 7 feet in height as measured from its highest point to the lowest grade, or by relocating the structure such that the play equipment with the playhouse is located a minimum of 8 feet from the side property line and a distance equal to its height from the rear property line.

Photographs are 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.