



APPLICATION ACCEPTED: August 26, 2014  
BOARD OF ZONING APPEALS: April 22, 2015  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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April 15, 2015

## STAFF REPORT

SPECIAL PERMIT SP 2014-SU-188

### SULLY DISTRICT

**APPLICANT:** Daniela Soto  
(Daniela Soto Home Daycare)

**OWNERS:** Daniela Soto  
Abraham J. Kazerian

**SUBDIVISION:** Chalet Woods

**STREET ADDRESS:** 14933 Jaslow Street, Centreville, 20120

**TAX MAP REFERENCE:** 53-2 ((03)) 121

**LOT SIZE:** 11,688 square feet

**ZONING DISTRICT:** R-3 Cluster, WS

**ZONING ORDINANCE PROVISIONS:** 8-305

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

### STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-SU-188 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.

*Sharon Williams*



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**

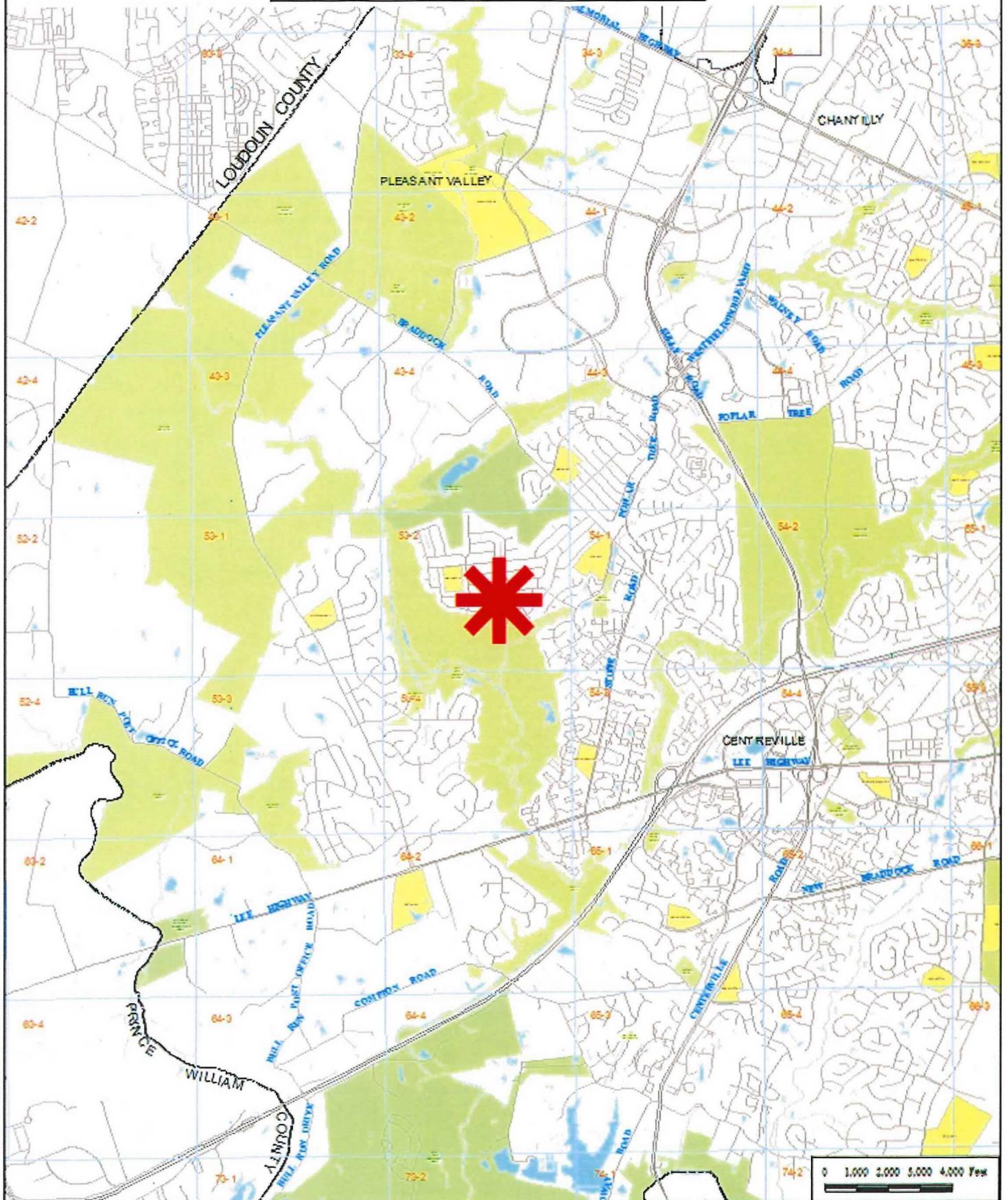


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

# Special Permit

SP 2014-SU-188

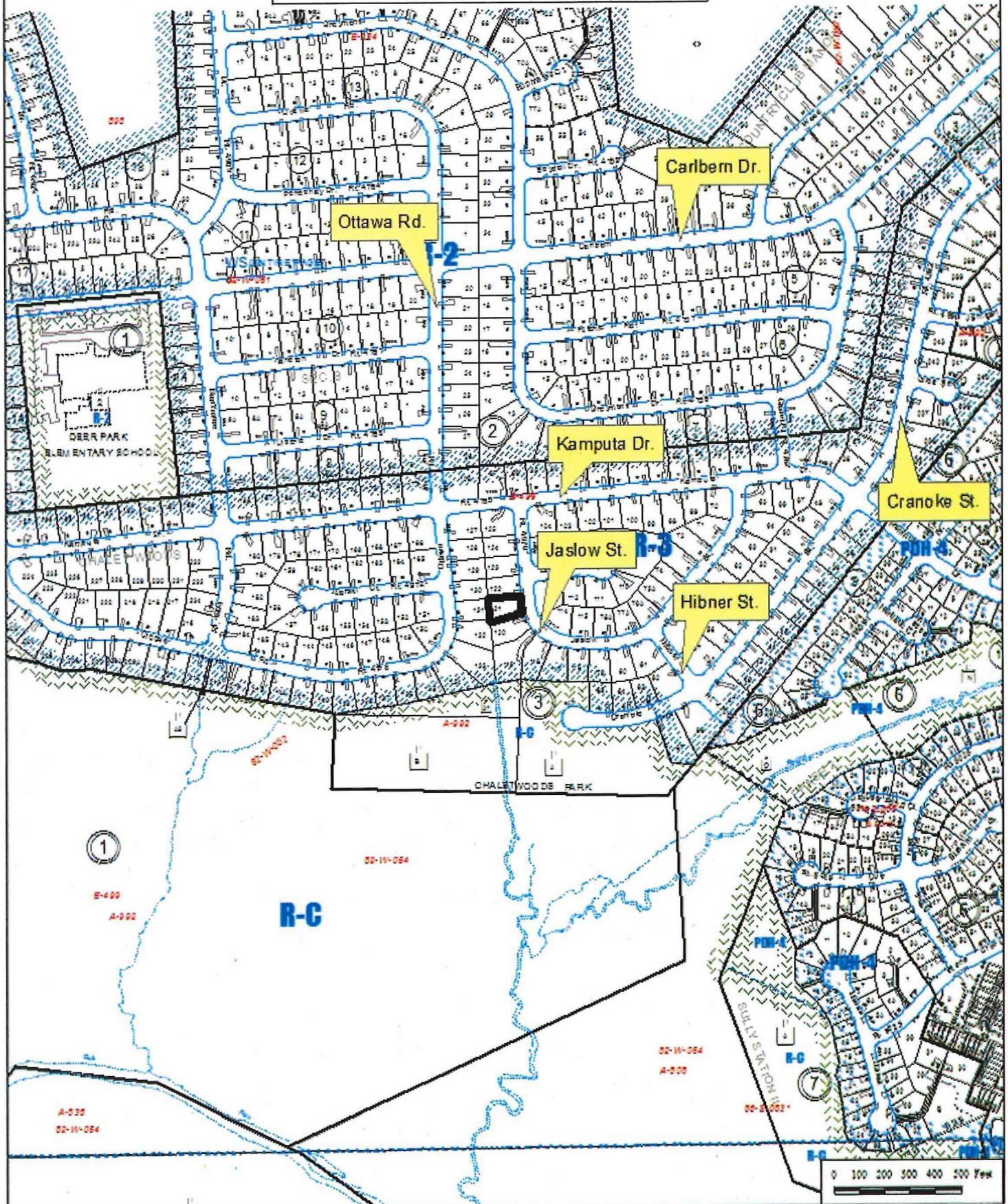
DANIELA SOTO D B A DANIELA SOTO HOME DAYCARE



# Special Permit

SP 2014-SU-188

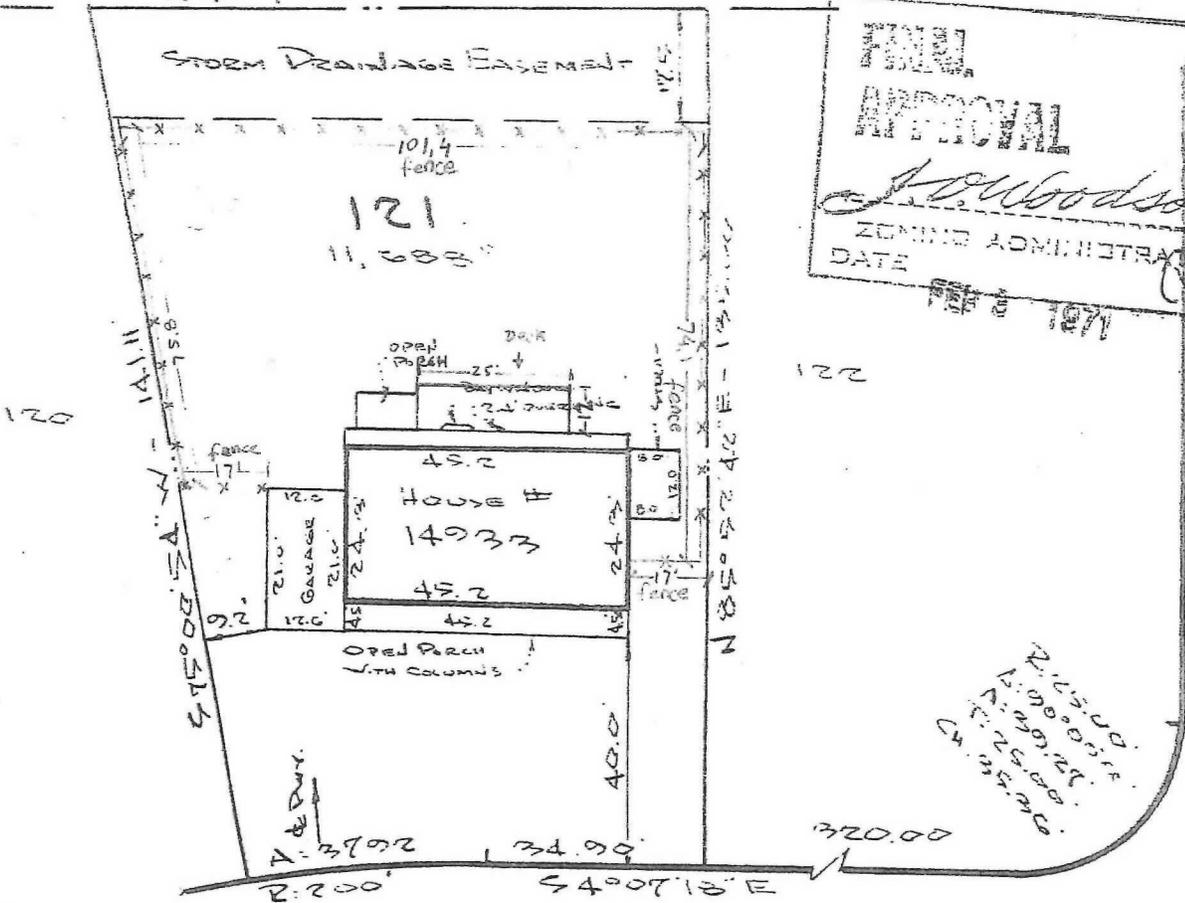
DANIELA SOTO D B A DANIELA SOTO HOME DAYCARE



BRADDOCK CORPORATION  
N 4° 07' 18" W - 39' 19"

STORM DRAINAGE EASEMENT

**FINAL APPROVAL**  
*J. Woodson*  
ZONING ADMINISTRATOR  
DATE **FEB 2 1971**



fence height 5'10"  
deck height 8'8"

**JASLOW STREET**  
(50' WIDE)

HOUSE LOCATION  
LOT 121 SECTION 2A  
**CHALET WOODS**  
CENTREVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
SCALE: 1" = 30'  
NOV 1970  
Zoning - Planning & Survey

**COLDWELL & KEYES**  
CIVIL ENGINEERING & LAND SURVEYING  
FAIRFAX, VIRGINIA

*Dated to*  
8/24/14

CERTIFIED CORRECT  
*John M. Caldwell*  
CERTIFIED LAND SURVEYOR

## SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children. A more detailed description of the proposal is provided on page two.

A copy of the special permit plat, titled "Plat Showing House Location on Lot 121, Section 2A, Chalet Woods," prepared by John M. Caldwell, as revised by the applicant Daniela Soto on August 24, 2014, is included in the front of the staff report.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a single family detached dwelling. Vehicular access to the dwelling is provided via Jaslow Street, and there is ample parking on the street in front of the home. In addition, a concrete driveway is located to the east of the dwelling. The rear yard is surrounded by a 5 foot, 10 inch wood fence. A wood deck extends from the main floor of the dwelling, and is not utilized by the home child care. The deck received building permits and inspections in 1984. Small, moveable play equipment is present in the rear yard.

The property is located north of Chalet Woods Park, south of Kamputa Drive and west of Cranoke Street.

The subject property and surrounding properties are zoned R-3 cluster (with the Water Supply Protection overlay) and are developed with single-family detached dwellings.



Figure 1: Aerial View

**BACKGROUND**

Fairfax County Tax Records indicate that the dwelling was constructed in 1968 and purchased by the applicant in 2014.

**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, with two assistants. The hours of operation are from 7:00 a.m. to 6:00 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children. Parking is provided in the driveway, which can accommodate a total of two cars at any one time. There is also ample parking provided on-street, directly in front of the house.

The applicant holds a current Family Day Home License, valid through November 28, 2015, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of seven children, birth through 12 years, 11 months of age. If approved, the applicant will need to amend her state license to allow a capacity of 12 children. A copy of the license is included as Appendix 5.

The home child care facility is operated in the basement of the dwelling, which consists of an office, a play room, an arts and crafts area, and a laundry room. The home child care facility only utilizes the play room and arts and crafts area. The arts and crafts area is also used as the napping area.

The children and parents enter on the basement level at the side of the house. The walkout basement provides access to the rear and side yard of the house, which is designated as the outdoor play area. Pictures provided by the applicant show toys and movable play equipment located in this area.

**ANALYSIS**

**Comprehensive Plan Provisions**

**Plan Area:** Area III, Bull Run Planning District  
**Planning Sector:** Flatlick Community Planning Sector (BR3)  
**Plan Map:** Residential, 2-3 du/ac

**Zoning District Standards**

Bulk Standards (R-3C)		
Standard	Required	Provided
Lot Size	8,500 sf.	11,688 sf.
Lot Width	No requirement	~59 feet
Building Height	35 feet max.	Not provided

<b>Bulk Standards (R-3C)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Front Yard	Min. 20 feet	40 feet
Side Yard	Min. 8 feet (Combined total 20 feet)	17 feet 9.2 feet
Rear Yard	Min. 25 feet	~83 feet

### **Accessory Structures On-Site**

<b>Structure</b>	<b>Yard</b>	<b>Minimum Yard Required</b>	<b>Existing Location</b>	<b>Permit Status</b>
Deck	n/a	Not within a front	Rear	Approved

### **On-Site Parking and Site Circulation**

The existing driveway and garage to accommodate three vehicles: two vehicles in the driveway area, and one vehicle inside the garage. The applicant currently parks her family vehicle in the garage. Therefore, two driveway spaces are available for drop-off and pick-up of children.

Vehicular access to the site is provided from Jaslow Street. As previously discussed, the parents and children enter the home child care at the side of the dwelling.

### **Zoning Inspection Branch Report**

The Zoning Inspections Branch report is included in Appendix 6. During a site visit, it was determined that a room located in the basement utilized for sleeping did not meet acceptable emergency egress standards. The applicant has since relocated the sleeping area to an area with acceptable egress on the side of the basement where a door provides access to the rear and side yard. Photographs of this relocation are provided in Appendix 7. In addition, during the site visit, it was determined there was electrical work that needed building permits and inspections. Since the inspection, these permits have been obtained by the applicant, and the applicant is pursuing final inspections. A copy of the applicable electrical permit is provided in Appendix 4. All noted violations have been addressed, as verified by the applicable building permits.

### **Zoning Ordinance Requirements (Appendix 8)**

- 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)

<b>Standards 1 and 2</b> Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3 District permits a home child care facility as an accessory use with special permit approval.
<b>Standard 3</b> Adjacent Development	No new construction is proposed. There is an outdoor play area with play equipment in the rear yard. In staff's opinion, the proposed use will not hinder or discourage use or development of neighboring properties or value.
<b>Standard 4</b> Pedestrian/Vehicular Traffic	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.
<b>Standard 5</b> Landscaping/Screening	There is an existing 5' 10" tall fence in the rear yard that provides screening to the outdoor play area.
<b>Standard 6</b> Open Space	There is no prescribed open space requirement in the R-3 District.
<b>Standard 7</b> Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property or use. The driveway is used for parking
<b>Standard 8</b> Signs	Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.

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

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

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

<b>Standard 1</b> Maximum of 12 Children & Non-Resident Employee	The applicant is proposing a maximum of 12 children at any one time. The development conditions propose up to two non-resident employees.
<b>Standard 2</b> Access and Parking	Arrival and departure times of the children are staggered and adequate 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 an existing 5'10" tall fence in the rear yard 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 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 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 five 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 permit a maximum of twelve children at any one time and two non-resident employees.

#### CONCLUSION / RECOMMENDATION

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

Staff recommends approval of SP 2014-SU-188 for the home child care facility with the adoption of the proposed development conditions contained in Appendix 1.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

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

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Select File Photographs
3. Applicant's Affidavit
4. Applicable Electrical Permit
5. State Family Day Home License
6. Zoning Inspections Branch Comments
7. Photos of Updated Conditions Since ZIB Inspection
8. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2014-SU-188****March 24, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SU-188 located at Tax Map 53-2 ((03)) 121 to permit a home child care facility pursuant to Section 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, Daniela Soto, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 14933 Jaslow Street, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "Plat Showing House Location on Lot 121, Section 2A, Chalet Woods" prepared by John M. Caldwell, as revised by the applicant Daniela Soto on August 24, 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 7:00 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 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. Any portions of the dwelling associated with the home child care facility that are used as children's sleeping areas shall be located in rooms with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.

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.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

**STATEMENT OF JUSTIFICATION  
FOR A HOME CHILD CARE FACILITY**

Zoning Evaluation Division  
AUG 25 2014  
RECEIVED  
Department of Planning & Zoning

Name: Daniela Soto  
Address: 14933 Jaslow St. Centreville VA, 20120  
Tax Map #: 0532030121  
Phone #: 703-477-2680  
E-mail address: [sotodanis@hotmail.com](mailto:sotodanis@hotmail.com)  
Date: April 11<sup>th</sup> 2014

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

Re: Special Permit Application  
Applicant: Daniela Soto  
Zoning Ordinance Section 8-305 for Home Child Care Facility  
Section 9-006 General Standards  
Tax Map #: 0532030121  
Zoning District: R-3C  
Lot Size: 11,688 sq ft

**To Whom It May Concern:**

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I own and live in a single-family detached dwelling at 14933 Jaslow St, in Fairfax, Virginia with my husband and two children. The property is zoned R-3C and I understand I need to seek approval of a special permit in order to operate a child care facility within my home. I am currently licensed by the State of Virginia to have 7 children in my child care facility in my home.

Below is information about my child facilities operation:

Hours. The proposed child care facility is to be open from 7 AM to 6 PM.

Number of Children. I propose to care for a maximum of 12 children at any one time. This number does not include my own two children (5 and 8 years old).

Employees. I propose to have two assistants who will work, one fulltime starting between 9 AM and 10 AM and ending between 4 PM and 5:30 PM. Times vary weekly do to some kids schedule. The other one as part time between 10 to 15 hours a week as needed.

Arrival Schedule. One child arrives between 7 AM and 7:20 AM. Two children arrive between 8 AM and 8:20 AM. Three children arrive between 9 AM and 9:30 AM. Three children arrive between 10 AM and 10:30 AM. Three children arrive after school.

Departure Schedule. Three of the children are picked up between 5 PM and 5:20 PM. Four of the children are picked up at 5:30 PM. Five of the children are picked up between 5:45 PM and 6 PM.

*\*Two children attend two days a week. Two children attend three days a week. Five children attend three to four days a week. Three children attend five days a week.*

Parking. I propose to use my garage to park my family car. My assistant will park in my 35 feet long driveway which one can be use for another car at drop off and pick up time. There are at least three more parking spaces along the 70 feet long piece of street in front of my house.

Area Served: Nine of the children (six families) live in different neighborhoods of Centreville. Three of the children (two families) live out of Centreville, but their parents work in Centreville. All of them drive to my home.

Operations. As I stated, my house is a 2,250 sq ft Split Foyer single-family detached dwelling. The care will be provided completely in the 850 sq ft basement that counts with three daylight rooms, a full bathroom, and access to a fenced back yard. The biggest are will be use for playtime and art, and also will be the sleeping room at naptime. The room with outdoor access will be used as an eating area and as a quiet space for after school children to do homework and other activities at naptime. The third room will be use for office work and storage.

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.

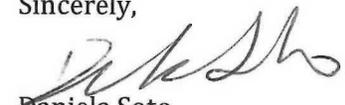
Outdoor Play Area. I propose to use my house full fenced back yard for outdoor play for the children. The area is approximately 7,000 sq ft and has a swing set with slide.

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

For these reason, I believe that my proposed home day care facility will not impact my neighbors and/or neighborhood in any way.

In conclusion, I am proposing to work in my child care facility as I being doing in the last six years and a half without disturbing the flow of the neighborhood. I have all families coming to home aware of the behavior I expect from them in other to provide childcare for their children. That includes driving at proper speed limit on my house neighborhood and being courteous and patience with neighbors pulling in or out their driveways as with other parents coming in and out of mine. I have been working with most of the families for several years and I can count on them to keep acting in the same respectful way as until the date.

Sincerely,

 8/24/14  
Daniela Soto  
Owner of Daniela Soto Home Daycare

RECEIVED  
Department of Planning & Zoning

AUG 25 2014

Zoning Evaluation Division

	Arrival Schedule					
	7-7:20 AM	8-8:20 AM	9-9:30 AM	10-10:30 AM	After School	
1		X				M-F
2		X				M-F
3				X		M-F
4					X	3/4 times a week
5			X			M/W/F
6				X		M/T
7				X		M/T
8			X			3/4 times a week
9	X					3 times a week
10					X	3/4 times a week
11					X	3/4 times a week
12			X			3/4 times a week

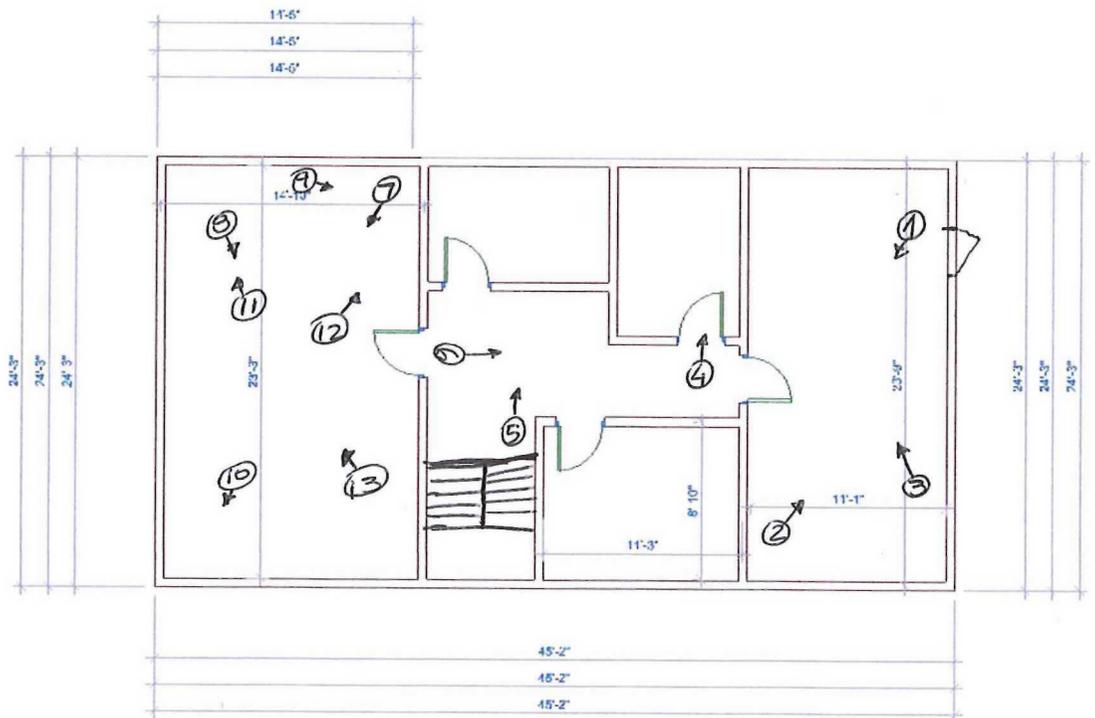
	Departure Schedule					
	5-5:20 PM	5:30 PM	5:45-6			
1	X					M-F
2	X					M-F
3			X			M-F
4	X					3/4 times a week
5			X			M/W/F
6			X			M/T
7			X			M/T
8			X			3/4 times a week
9		X				3 times a week
10		X				3/4 times a week
11		X				3/4 times a week
12		X				3/4 times a week

# INDOORS PHOTOGRAPHS

RECEIVED  
Department of Planning & Zoning

AUG 25 2014

Zoning Evaluation Division



EATING AREA AND ART AND CRAFT ROOM (1)



EATING AREA AND ART AND CRAFT ROOM (2)



EATING AREA AND ART AND CRAFT AREA (3)



BATHROOM (4)

CHANGING TABLE (5)



CHANGING TABLE (6)



PLAY AREA (7)



PLAY AREA (8)



PLAY AREA (9)



PLAY AREA (10)



PLAY AREA (11)



PLAY AREA (12)



PLAY AREA (13)



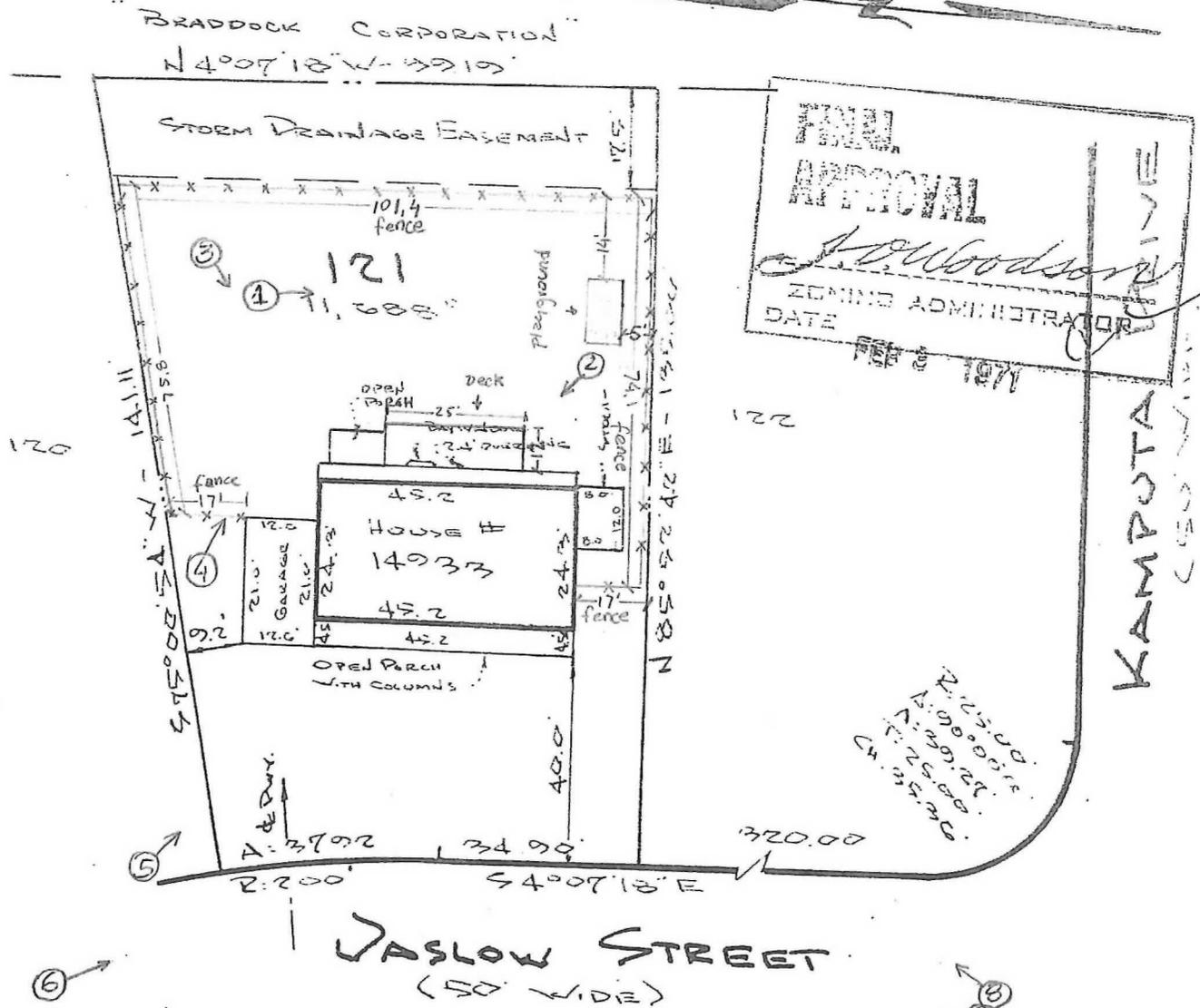
RECEIVED  
Office of Human & Child  
Development  
10/1/11

# Exterior Photographs

RECEIVED  
Department of Planning & Zoning

APR 14 2014

Zoning Evaluation Division



HOUSE LOCATION  
LOT 121 SECTION 2A  
**CHALET WOODS**

CENTREVILLE DISTRICT  
FAIRFAX COUNTY, VIRGINIA  
SCALE: 1"=30' NOVEMBER, 1976

**COLDWELL & KEYES**  
CIVIL ENGINEERING & LAND SURVEYING  
FAIRFAX, VIRGINIA

CERTIFIED CORRECT

*John M. Caldwell*

CERTIFIED LAND SURVEYOR

# Exterior Photographs

RECEIVED  
Department of Planning & Zoning

APR 14 2014

Zoning Evaluation Division



BACK YARD & SWING SET (1)



BACK YARD & DECK (2)

APR 14 2014

Zoning Evaluation Division



BACK YARD (3)



BACK YARD (4)



FRONT YARD (5)



FRONT YARD (6)

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Department of Planning & Zoning

APR 14 2014

Zoning Evaluation Division



FRONT YARD (7)



FRON YARD (8)

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APR 14 2014  
Zoning Evaluation Division





OUTSIDE PHOTOGRAPH

PLAYGROUND REMOVED

RECEIVED  
Department of Planning & Zoning

AUG 25 2014

Zoning Evaluation Division

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 7/23/14  
 (enter date affidavit is notarized)

I, Daniela Soto, 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: 125300

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.)

<b>NAME</b> (enter first name, middle initial, and last name)	<b>ADDRESS</b> (enter number, street, city, state, and zip code)	<b>RELATIONSHIP(S)</b> (enter applicable relationships listed in <b>BOLD</b> above)
Daniela Soto d/b/a "Daniela Soto Home Daycare"	14933 Jaslow St. Centreville VA 20120	<b>APPLICANT/TITLE OWNER</b>
Abraham J. Kazerian	14933 Jaslow St Centreville VA 20120	<b>Co-TITLE OWNER</b>

(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: 5/23/14  
(enter date affidavit is notarized)

125300

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

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

**CORPORATION INFORMATION**

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

**DESCRIPTION OF CORPORATION:** (check one statement)

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

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

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

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

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 5/23/14  
(enter date affidavit is notarized)

125300

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

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 5/23/14  
(enter date affidavit is notarized)

125300

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: 5/23/14  
(enter date affidavit is notarized)

125300

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

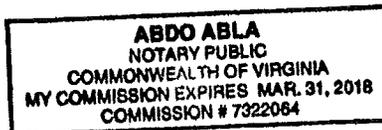
Applicant's Authorized Agent

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

Subscribed and sworn to before me this 23 day of May, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

Notary Public

My commission expires: 03/31/2018



CAB



**Land Development Information History: FIDO – ELECTRIC RESIDENTIAL – 150640019**

**Permit Information**

<b>Permit Number:</b>	150640019
<b>Permit Type:</b>	ELECTRIC RESIDENTIAL
<b>Job Address:</b>	14933 JASLOW ST CENTERVILLE, VA 20120
<b>Permit Status:</b>	Permit Issued
<b>Work Description:</b>	BASEMENT ELECTRICAL INSTALLATION
<b>Type of Work:</b>	ELECTRICAL RESIDENTIAL

VIRGINIA DEPARTMENT OF  
SOCIAL SERVICES**Daniela Soto**

14933 Jaslow Street  
CENTREVILLE, VA 20120  
(703) 477-2680

Facility Type: [Family Day Home](#)

License Type: [One Year](#)

[Expiration Date](#): Nov. 28, 2015

Business Hours: 7 - 7  
Monday - Friday

Capacity: 7

Ages: Birth - 12 years 11 months

Inspector: Cynthia Ford  
(703) 479-4679



# County of Fairfax, Virginia

## MEMORANDUM

Date: March 2, 2015

To: Sharon Williams, Staff Coordinator  
Zoning Evaluation Division

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

Subject: Home Child Care Facility (HCCF), Special Permit # SP 2014-SU-188

Applicant: Daniela Soto D/B/A Daniela Soto Home Daycare,  
14933 Jaslow Street, Centreville, VA 20120  
Legal Description: Chalet Woods, Sec. 2A, Lt. 121  
Tax Map Ref: 53-2 ((3)) 121  
Zoning District: R-3  
Development Type: Cluster  
Lot Size: 11,688 square feet  
ZIB# 2015-0060

On February 18, 2015, an inspection was conducted by Zoning/Property Maintenance Inspector Bruce Miller of the property located at 14933 Jaslow Street, Centreville, VA 20120. The Inspector was accompanied by Staff Coordinator Sharon Williams and the applicant.

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

- 1. An operable smoke alarm shall be provided outside (or inside) of each sleeping area, with at least one such device on each floor.
- 2. All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- 3. All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.
- 4. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.

**Comment: There is unpermitted and improper electrical system installations that includes but is not limited to receptacle boxes, switch boxes, junction boxes, and associated wiring. In addition the service panel box cover is not installed properly (the screws that retain the cover are missing).**

Daniela Soto D/B/A Daniela Soto Home Daycare,  
14933 Jaslow Street, Centreville, VA 20120  
March 2, 2015  
Page 2

- 5. Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.
- 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:
- 8. Structures comply with the Zoning Ordinance.

Comment: The signs installed on the vehicle are usually prohibited by a Development Condition.

Photographs attached.

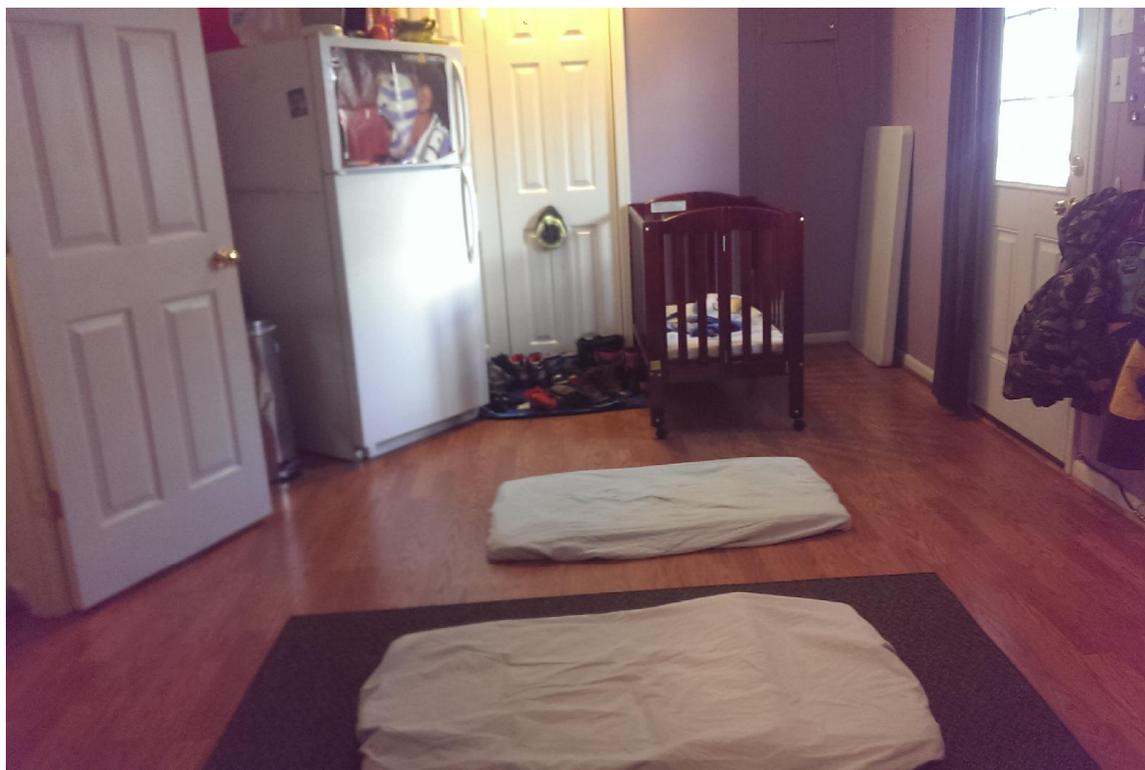


Photo Received: Friday, March 6, 2015.



Photo Received: Friday, March 6, 2015.

**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 of 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 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.