



# County of Fairfax, Virginia

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June 10, 2015

## STAFF REPORT

**SPECIAL PERMIT SP 2014-SP-207**

### SPRINGFIELD DISTRICT

**APPLICANT:** Ximena G. Velasquez  
Ximena's Day Care, LLC

**OWNERS:** Ximena G. Velasquez  
Ernesto Velasquez

**SUBDIVISION:** Rolling Valley

**STREET ADDRESS:** 7202 Hadlow Drive, Springfield, 22152

**TAX MAP REFERENCE:** 89-3 ((5)) 583

**LOT SIZE:** 9,718 square feet

**ZONING DISTRICT:** R-3C

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

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

### STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-SP-207 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.

*Erin M. Haley*

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

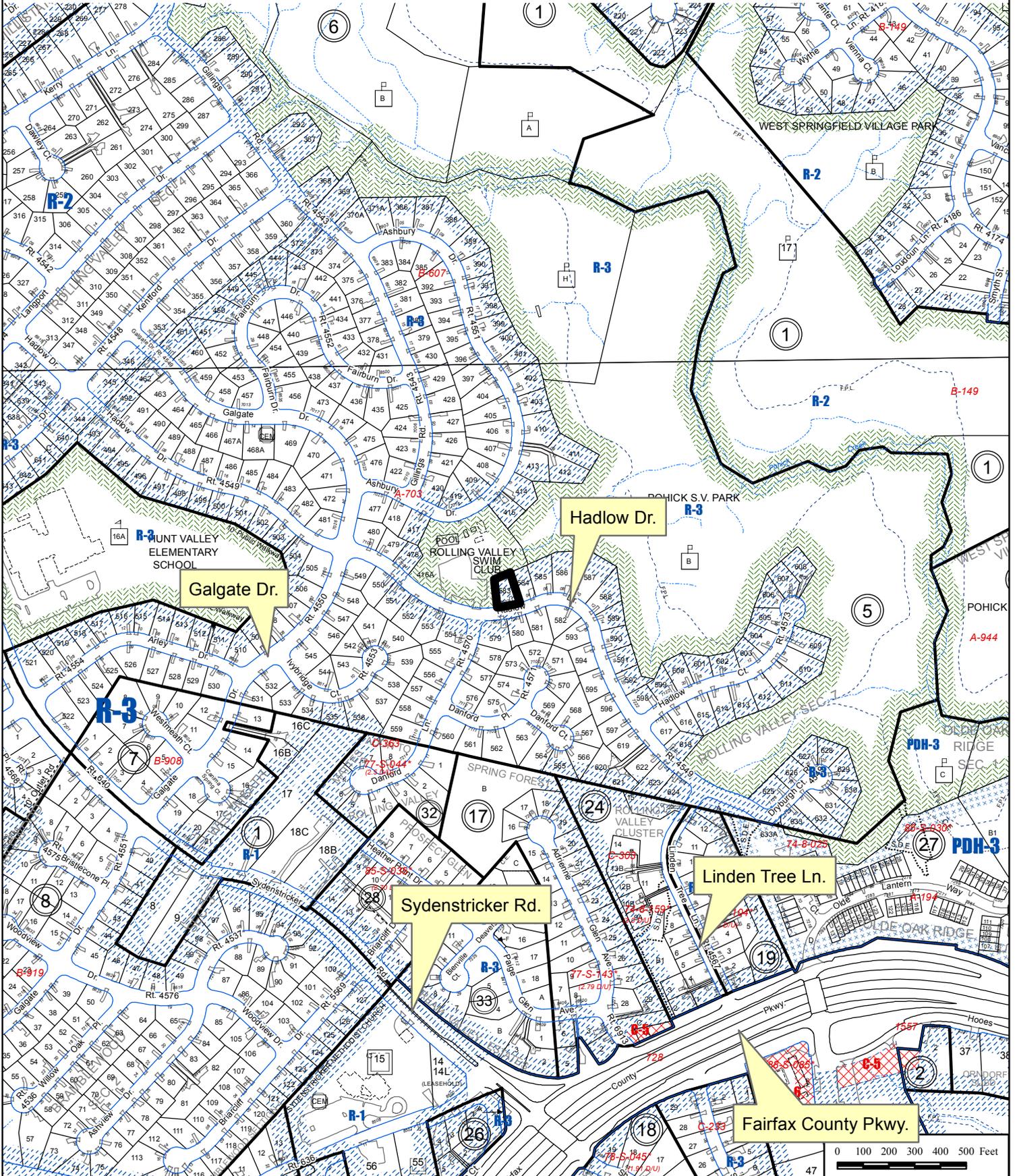
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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**

# Special Permit

SP 2014-SP-207

XIMENA G. VELASQUEZ / XIMENA'S DAY CARE LLC





## 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, "Property Report, Lot 583, Section 6, Rolling Valley," as revised by Ximena Velasquez and Ernesto Velasquez through August 25, 2014, is included in the front of the staff report.

Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The application property is a two story single-family detached dwelling. A concrete driveway provides access from Hadlow Street, and a concrete walkway leads to the main entryway of the home. An enclosed carport is located at the front of the house. The concrete walkway leads around the western side of the house, through a gate, and to a concrete stairway that leads to the rear yard entrance to the child care facility located in the walk-out basement. The rear yard contains a wood deck, two accessory storage structures (sheds), and a play area with moveable play equipment. The shed located in the northeastern corner of the rear yard is 8.5 feet in height and approximately 96 square feet in size. The shed in the southeastern corner of the rear yard is 14.1 feet in height and approximately 185 square feet in area. Both sheds are in conformance with the Zoning Ordinance. A wood fence approximately 6.0 feet in height encloses the rear yard. The topography of the property slopes down toward the northern property line.



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

The subject property and properties to the east and south are zoned R-3C and developed as single family detached homes. The property to the west and north is zoned R-1 and contains the Rolling Valley Swim Club.

## **BACKGROUND**

Fairfax County Tax Records indicate that the house was constructed in 1969 and purchased by the applicant in 2006.

In 2007, the applicant received a building permit and passed a final inspection to construct an addition over the area of an existing wood deck, to construct the larger shed, and to construct a new open wood deck to the rear of the house. On May 20, 2015, the applicant received a building permit to enclose the carport, build a patio, and to build a concrete staircase. As of the time of this report, this permit has not yet passed final inspection due to the need to receive an electrical permit for the enclosed carport. The applicant intends to have this issue addressed by the time of the hearing. If it is not, a development condition will be proposed requiring the final inspection to be completed within 6 months. Relevant building permit information is included in Appendix 4.

Records indicate that no other special permit applications relating to a home child care facility 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 6:00 a.m. and 6:00 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children. The applicant is requesting two full-time assistants, one of whom is her daughter.

The applicant holds a current Family Day Home License from the Commonwealth of Virginia, Department of Social Services, valid through April 15, 2017. The license permits a capacity of twelve children, ages birth through 8 years, 11 months. The applicant's current state license permits the facility to operate from 6:00 a.m. to 6:00 p.m. Monday to Friday. A copy of the license information is included as Appendix 5.

The home child care facility is operated in the walk-out basement of the dwelling which is one large room. All activity and napping occurs in this room that has adequate emergency egress through the walk-out entrance. The rear yard is utilized for outdoor play. Pictures provided by the applicant show toys and play equipment located in this area.

## **ANALYSIS**

### **Comprehensive Plan Provisions**

**Plan Area:** Area III, Pohick Planning District  
**Planning Sector:** Main Branch Community Planning Sector (PO2)  
**Plan Map:** Residential, 2-3 du/ac

**Zoning District Standards**

Bulk Standards (R-3C)		
Standard	Required	Provided
Lot Size	8,500 sf.	9,718 sf.
Lot Width	No requirement	N/A
Building Height	35 feet	Not provided
Front Yard	20 feet	33.8 feet
Side Yard	8 feet (Combined Total of 20)	8 feet (eastern side yard) 14 feet (western side yard)

**On-Site Parking and Site Circulation**

The existing driveway is able to accommodate approximately two vehicles. In addition, on-street parking is available on Hadlow Drive. Parents conduct drop-off and pick-up activities at staggered times. A condition has been included to require the drop-off and pick-up of children to occur in the applicant’s driveway.

**Zoning Inspection Report (Appendix 6)**

During the site visit, staff observed that space around the water heater was being used for storage. The applicant has since cleared out that area and provided photos to staff that are included in Appendix 6.

Also, as discussed above, the enclosed carport, part of the patio, and the concrete stairway did not have any permits or inspections on file. At the time of this report, the applicant has received a permit and is in the process of obtaining final inspection.

**Zoning Ordinance Requirements (Appendix 7)**

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

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

<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.
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<b>Standard 3</b> Adjacent Development	No new construction is proposed. An outdoor play area with play equipment is found in the rear yard. In staff's opinion, the proposed use will not hinder or discourage the use or development of neighboring properties or negatively affect value.
<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 existing vegetation and a fence in the rear yard that provides screening to the outdoor play area.
<b>Standard 6</b> Open Space	Open space is not a requirement in an R-3 zone.
<b>Standard 7</b> Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property. As previously discussed, the driveway would be used for parking for the home child care facility.
<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 under the Cluster provisions. 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 and two non-resident employees.
<b>Standard 2</b> Access and Parking	Arrival and departure times of the children are staggered and parking is available in the driveway. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 3</b> Landscaping/Screening	There is existing vegetation and a fence in the rear yard that provides screening to the outdoor play area.
<b>Standard 4</b> Submission Requirements	The applicant met all submission requirements for a home child care facility.
<b>Standard 5</b> Code of Fairfax,	The applicant has a valid home child care license.

Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	
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**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 12 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 except play equipment.
<b>Part D</b> Non-Resident Employee	The applicant is proposing two non-resident employees.
<b>Part E</b> Provider is a Resident	The provider is a resident.
<b>Part F</b> Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid state home child care license.
<b>Part G</b> Increase in Children or Non-Resident Employee	The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling and can be increased up to 12 children with special permit approval. The applicant requests special permit approval to permit a maximum of 12 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-SP-207 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

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

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

**APPENDICES**

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Select File Photographs
3. Applicant's Affidavit
4. Relevant building permit information
5. State Family Day Home License
6. Zoning Inspections Branch Comments
7. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2014-SP-207****June 10, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SP-207 located at Tax Map 89-3 ((5)) 583 to permit a home child care facility pursuant to Section 8-305 and 3-303 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Ximena Velasquez, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 7202 Hadlow 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, titled, "Property Report, Lot 583, Section 6, Rolling Valley," as revised by Ximena Velasquez and Ernesto Velasquez through August 25, 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 6:00 a.m. to 6:00 p.m., Monday through Friday.
5. The applicant shall amend her state-issued family day home license to make the approved hours of operation consistent with the hours of operation in Development Condition 4.
6. The dwelling that contains the child care facility shall be the primary residence of the applicant.
7. Excluding the applicant's own children, the maximum number of children on site at any one time shall be 12.
8. A maximum of two non-resident 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., Monday through Friday.
9. There shall be no signage associated with the home child care facility.
10. All drop-off and pick-up activities shall occur in the driveway.
11. The accessory storage structures (sheds) located on the property shall be kept locked at all times during the hours of operation of the home child care facility.

12. 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.
13. 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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

APPENDIX 2

RECEIVED  
Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division

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STATEMENT OF JUSTIFICATION

Ximena's Day Care LLC  
7202 Hadlow Drive  
Springfield, VA 22152  
(703-992-6776)

Ximenavelasqu23@hotmail.com

I have 22 years of experience working as Child Care Provider, I dedicate half of my life as a child care professional; I decided to work at home to care for my own child while also taking care of other children whose parents needed a safe place to keep their children while at work.

I study to become more professional to provide better care to my clients, now it is my career and soon it will be my daughters who will become child care providers in my facility.

With this job I raised my kids and supported their needs, also I like my job to give quality care in a healthy place it is my goal, also to help this little ones to get ready for kindergarten.

Also with my experience dealing with children from 3 days of birth to 12 years old I can advise the new parents with their first time parenting.

Our community needs a child care homes professionals to raise their children. And the number of 12 kids with a mix of ages is a great opportunity to teach and learn one from other the 2 years olds learn to care about babies of 6 months. This is a great group to work if you like to provide care for small kids.

A.- My hours of operation are 6:00 am to 6:00 pm Monday through Friday.

B.- The number of the kids present in my facility are 12.

C.- I have to full time assistants one is my daughter who leave in my house , I have one back up assistant in case of an emergency or if one of us get sick or have any appointment ,my other 2 daughter are helping me when I need.

D.- My kids arrived between 7:10 and 8:10 am and they start pick up the kids from 4:30 pm to 5:30 pm.

E.- I have kids who are some near to my neighborhood and others are from other neighborhoods in Springfield.

F.-The parents drive to drop off and pick up the child. They park on my drive way and street without causing traffic.

G.-I use all basement for my day care, the entrance to my facility are direct from my back yard to the basement .The basement size are 403 (sq.ft) I dived the basement in two parts one with a floor and the other with rug .We have one have bathroom and one sink for wash the dishes .

H.- I have a wood deck next to my basement them I have a playground were my kids can play and have the time to explore the nature.

I.- I don't have any homeowners association.

J.- I am own my house ,and my husband, Ernesto Velasquez. Where is my family day care.

ATTACHMENT 1 FOR ARRIVAL AND DEPARTURE OF CHILDRENSAT XIMENAS DAY CARE LLC

ARRIVAL SCHEDULE

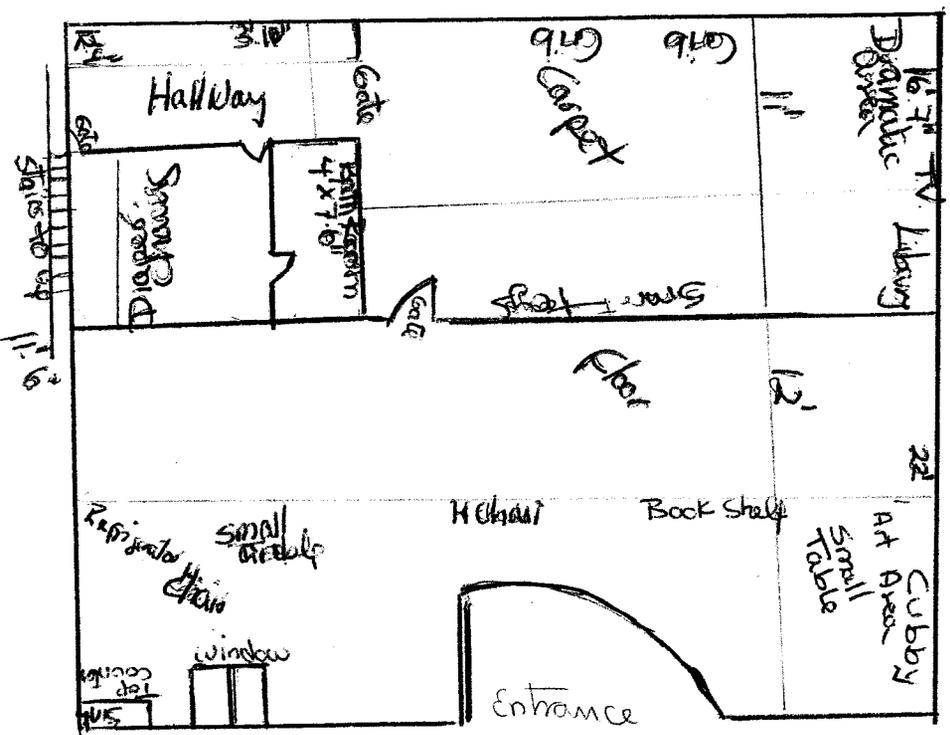
CHILD	7:00 - 7:50 AM	8:00 - 8:15 AM
1	X	
2	X	
3	X	
4	X	
5	X	
6		X

DEPARTURE SCHEDULE

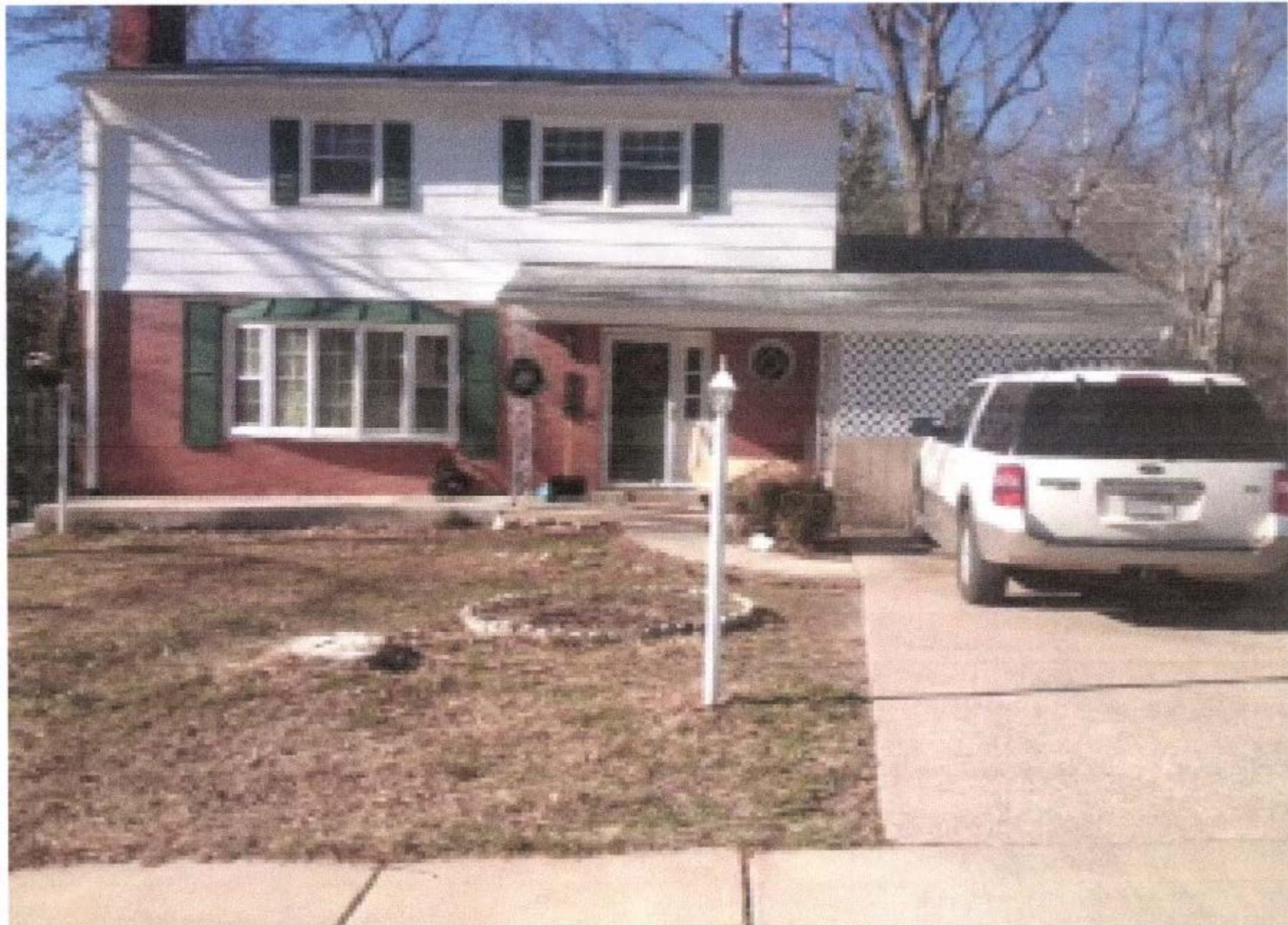
CHILD	4:30 - 4:45 PM	5:00 - 5:30 PM
1	X	
2		X
3		X
4	X	
5	X	
6		X

RECEIVED  
 Department of Planning & Zoning  
 MAR 31 2014  
 Zoning Evaluation Division

Basement - used for child care  
 403 sq ft



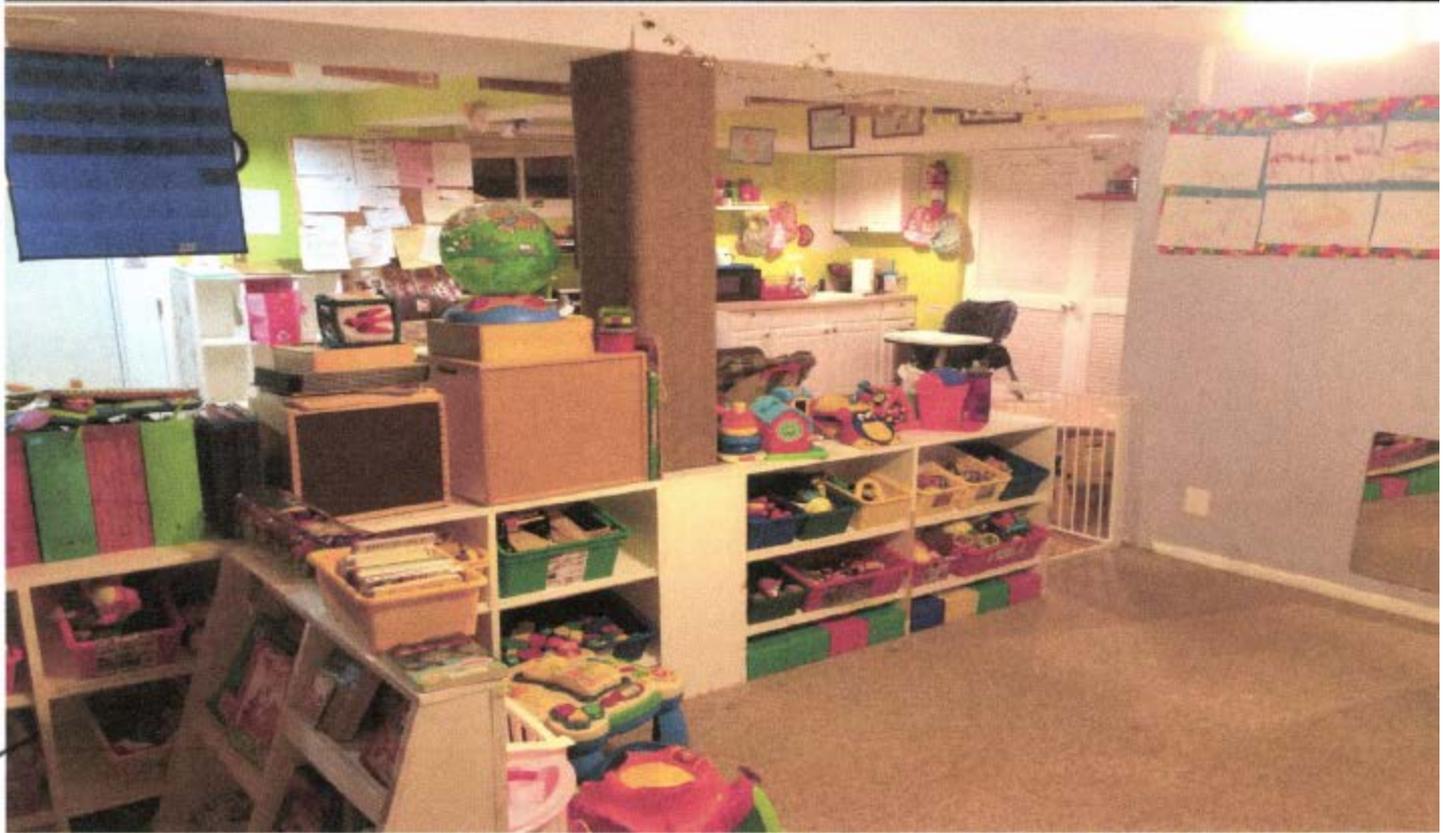
RECEIVED  
 Department of Planning & Zoning  
 MAR 31 2014  
 Zoning Evaluation Division





Entrance to the day care . using the door from fence







Entrance

check in and out of the  
kids



Library







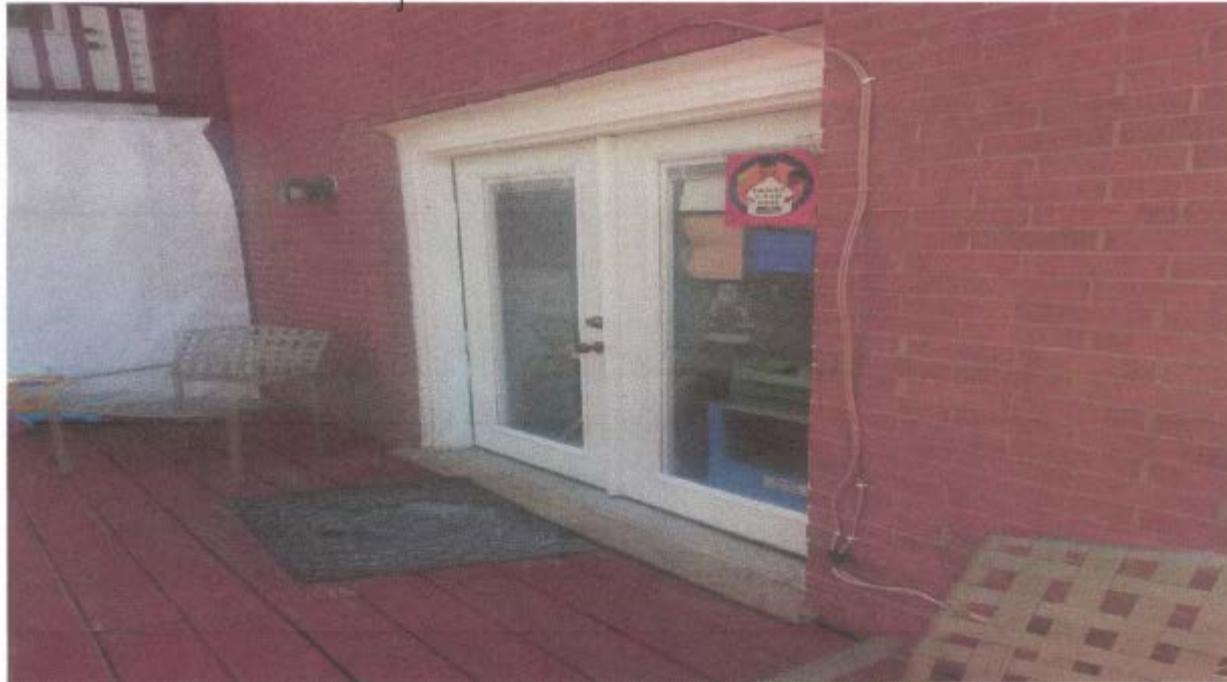
① Picture showing my back yard.  
show the small shed and the large shed  
also the play ground.







3 Picture from another view the Entrance



Application No.(s): SP 2014-SP-207  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 03/31/14  
(enter date affidavit is notarized)

I, Ximena's Day Care LLC Ximena G. Velasquez 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: 125060

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Ximena G. Velasquez	7202 Hadlow Dr Springfield, Va 22152	Applicant/Title Owner
Ximena's Day Care LLC	7202 Hadlow Dr Springfield, Va 22152	co/Applicant
Ernesto Velasquez	7202 Hadlow Dr Springfield, Va 22152	co/Title Owner

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

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

CMB

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/31/14  
(enter date affidavit is notarized)

125060

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)

Ximena's Day Care LLC  
7202 Hadlow Dr. Springfield, Va 22152

**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)

Ximena G. Velasquez  
Ernesto Velasquez

(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: 3/31/14  
(enter date affidavit is notarized)

125060

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)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 3/31/14  
(enter date affidavit is notarized)

125060

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: 3/31/14  
(enter date affidavit is notarized)

125060

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 [Signature]  Applicant's Authorized Agent

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

Subscribed and sworn to before me this 31 day of March, 2014, in the State/Comm. of Virginia, County/City of Fairfax.

[Signature]  
Notary Public

My commission expires: 08-31-2014



CAB

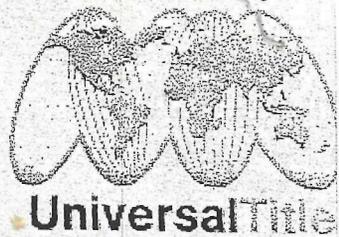
PROPERTY REPORT  
LOT 583 SECTION 6

JOB NUMBER: 06-0411

**ROLLING VALLEY**  
FAIRFAX COUNTY, VIRGINIA  
CLIENT: VELASQUEZ

THE SUBJECT PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.

SCALE: 1"=30'  
CASE NO.: 34849

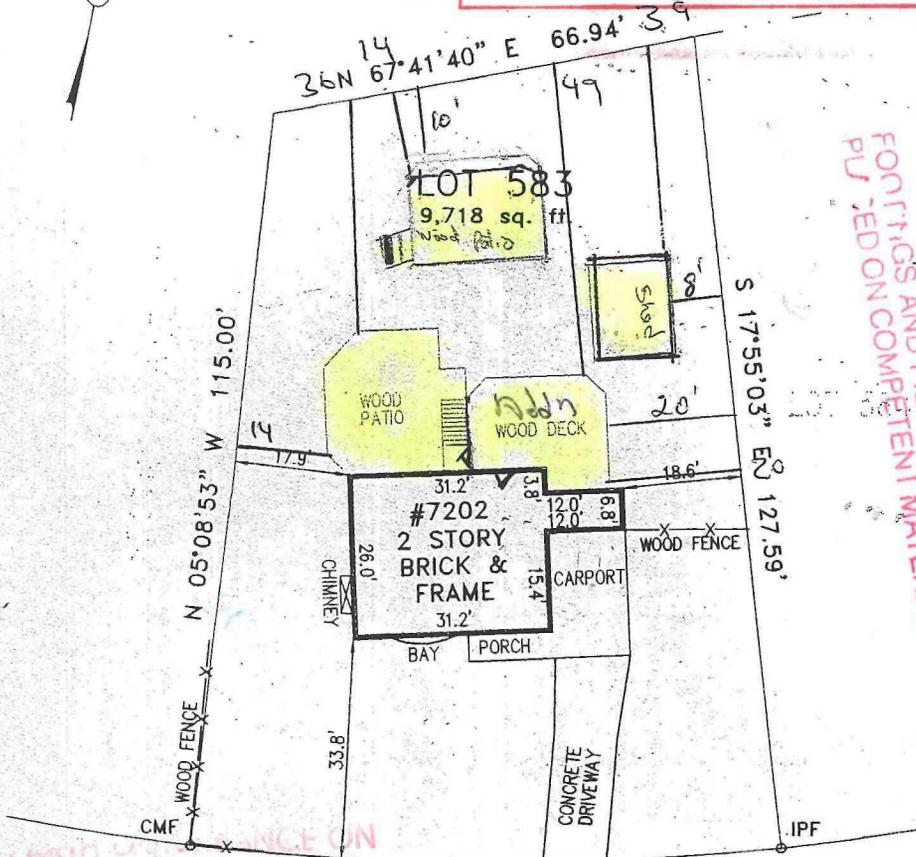


7611 Little River Turnpike  
Suite 201W  
Annandale, VA 22002

Office: 703 354 2100  
Fax: 703 658 1630

**DPW&ES  
LAND DEVELOPMENT SERVICES  
SITE PERMITS & ADDRESSING CENTER  
APPROVED FOR**

*New Detached wood Patio, 1st story Decking  
BY MC As built shed  
DATE 6-22-07 static*



FOUNDINGS AND PIERS MUST BE REINFORCED ON COMPETENT MATERIAL

THIS LOT SHALL NOT EXCEED 2500 SQ. FT.  
R=417.00' A=92.93'  
HADLOW DRIVE (50' R/W)

EXCAVATED MATERIAL SHALL BE REMOVED FROM SITE

No Second Kitchen or Wet Bar

**APPROVED**  
6-22-07  
*Gileen M. McLane*  
Zoning Administrator

*[Handwritten signature]*

I hereby certify that the information of all existing improvements have been carefully located by a transit and tape or electronic measuring device and, unless otherwise shown, there are no encroachments. This plat has been provided for a transaction on or about the date of this plat. This certification is limited to the parties to the transaction. This plat is furnished for informational purposes and is not to be used for any design, construction or to set property corners. The locations shown on this plat are approximate and are certified as to relation to property boundaries or ownership. The settlor/agent has requested this survey pursuant to the terms of a contract of sale or in conjunction with a re-financing of the subject property at the owner's, prospective purchaser's, and/or lender's direction. The settlor/agent has requested that only that information required for title insurance purposes be shown and does not certify to the accuracy of the information shown hereon. No title report has been furnished. This plat is subject to restrictions and easements of record. Boundary and other site information has been provided by others. This plat indicates monuments used for location purposes. If monuments were found to exist, improvements were located from the occupant of existing features. Any reproduction of this document that does not bear the original signature is an unauthorized copy and may violate U.S. copyright law. Unauthorized copies may be in conformance with current survey requirements under Virginia State law and shall not be used for insurance and/or mortgage underwriting.

The realtor's name and company affiliation are shown for promotional purposes only. Realtors are not responsible for any of the information shown on this plat.

**GFH Realty, Inc.**  
Grupo Financiero Hispano Realty, Inc.

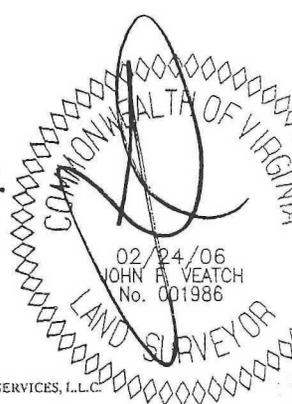
Compra y Venta de Casas  
Inglés - Español - Portugués  
Cell: (703) 309-9308  
www.GFHrealty.com

Hugo Kaupatez  
Realtor (Consultor)

6354 Rolling Mill Place, Suite 102 Springfield, VA 22152  
Tel: (703) 451-4544 Fax: (703) 451-3890

**GRAPHICS BY CRESS SURVEYS L.L.C.**

Surveyor:  
**CERTIFIED REAL ESTATE SERVICES, L.L.C.**  
1831 WIEHLE AVENUE SUITE 105  
RESTON, VA. 20190  
PHONE: 703.742.9105  
FAX: 703.742.9104  
Email: orders@cressurveys.com



# BUILDING PERMIT APPLICATION

FAIRFAX COUNTY GOVERNMENT  
 PERMIT APPLICATION CENTER  
 12055 Government Center Parkway, 2nd Floor  
 Fairfax, Virginia 22035-5504  
 Telephone: 703-222-0801  
 Web site: <http://www.fairfaxcounty.gov/dpwes>

PERMIT # 717 00221  
 FOR INSPECTIONS CALL 703-222-0455 (see back for more information)  
 OR VISIT US ON THE WEB AT  
[http://www.fairfaxcounty.gov/isisnet/inspection\\_sched.asp](http://www.fairfaxcounty.gov/isisnet/inspection_sched.asp)

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

<b>JOB LOCATION</b>	
ADDRESS <u>7202 Hadlow Dr</u>	
LOT # <u>583</u> BUILDING _____	
FLOOR _____ SUITE _____	
SUBDIVISION <u>Rolling Valley Sec 6</u>	
TENANT'S NAME <u>Fernando Ximena Velasquez</u>	
EMAIL <u>Ximena Velasquez23@hotmail.com</u>	
CONTACT ID _____	
<b>OWNER INFORMATION</b> OWNER <input checked="" type="checkbox"/> TENANT <input type="checkbox"/>	
NAME <u>Fernando Ximena Velasquez</u>	
ADDRESS <u>7202 Hadlow Dr</u>	
CITY <u>Springfield</u> STATE <u>Va</u> ZIP <u>22152</u>	
TELEPHONE <u>703-992-6776</u>	
EMAIL <u>Ximena Velasquez23@hotmail.com</u>	
CONTACT ID _____	
<b>CONTRACTOR INFORMATION</b> SAME AS OWNER <input checked="" type="checkbox"/>	
CONTRACTORS MUST PROVIDE THE FOLLOWING:	
COMPANY NAME _____	
ADDRESS _____	
CITY _____ STATE _____ ZIP _____	
TELEPHONE _____	
EMAIL _____	
STATE CONTRACTORS LICENSE # _____	
COUNTY BPOL # _____	
CONTACT ID _____	
<b>APPLICANT</b>	
NAME <u>Fernando Ximena Velasquez</u>	
ADDRESS <u>7202 Hadlow Dr</u>	
CITY <u>Springfield</u> STATE <u>Va</u> ZIP <u>22152</u>	
TELEPHONE <u>703-992-6776</u>	
EMAIL <u>Ximena Velasquez23@hotmail.com</u>	
CONTACT ID _____	
<b>DESCRIPTION OF WORK</b>	
<u>Addition on a Deck and</u>	
<u>Patio or Deck in the back</u>	
<u>yard.</u>	
HOUSE TYPE <u>Single</u>	
ESTIMATED COST OF CONSTRUCTION <u>12,000</u>	
USE GROUP OF BUILDING <u>Patios or decks</u>	
TYPE OF CONSTRUCTION <u>\$2,000</u>	
<b>DESIGNATED MECHANICS' LIEN AGENT</b> (Residential Construction Only)	
NAME _____	
ADDRESS _____	
NONE DESIGNATED <input checked="" type="checkbox"/> PHONE _____	

DO NOT WRITE IN GRAY SPACES - COUNTY USE ONLY

PLAN # W-07-13154  
 TAX MAP # 0893 05 0583

ROUTING	DATE	APPROVED BY
LICENSING		
ZONING	<u>6/19/07</u>	<u>[Signature]</u>
SITE PERMITS		
HEALTH DEPT.		
BUILDING REVIEW		
SANITATION		
FIRE MARSHAL		
ASBESTOS		
PROFFERS		

FEE \$ \_\_\_\_\_  
 FILING FEE - \$ \_\_\_\_\_  
 AMOUNT DUE = \$ 65.00

**BUILDING PLAN REVIEW**

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

**APPROVED FOR ISSUANCE OF BUILDING PERMIT**  
 (LOG OUT)  
 BY \_\_\_\_\_ DATE \_\_\_\_\_

**ZONING REVIEW**

USE SFD-69  
 ZONING DISTRICT R-3C HISTORICAL DISTRICT \_\_\_\_\_  
 ZONING CASE # \_\_\_\_\_  
 GROSS FLOOR AREA OF TENANT SPACE 15x12 shed 80FF side 39 rear

YARDS:	GARAGE	1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>
FRONT <u>N/C</u>	OPTIONS	YES <input type="checkbox"/> NO <input type="checkbox"/>
FRONT <u>N/C</u>	REMARKS	<u>Enclosed</u>
L SIDE <u>N/C</u>		<u>existing open deck</u>
R SIDE <u>20' N/C</u>		<u>Bld open deck with</u>
REAR <u>49' 36'</u>		<u>stairs, Bld. 1 story</u>

**REMARKS** adtn, no wet bar, NO  
kitchen. Bld Tool shed, detached  
adtn - 7' x 25' 28ft. high open  
deck - 24 x 18 8ft. high 1.7'  
shed 15 x 12 15ft. high  
\* Work description should say  
Building porch since existing  
deck has no permit on file.  
addition already built  
and the numbers are not the  
same as the numbers shown on  
plans, need to revise plan to  
meet the same dimension as the  
structure already built.  
24x18 detached deck 14' off rear

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner or Agent [Signature] Date 6/19/07  
 Printed Name and Title Ximena G. Velasquez  
 (Notarization of signature is required if owner is listed as the contractor and is not present at time of application)

**NOTARIZATION** (if required)

State (or territory or district) of \_\_\_\_\_  
 County (or city) of \_\_\_\_\_, to wit: I, \_\_\_\_\_, a \_\_\_\_\_, a  
 Notary Public in the State and County aforesaid, do certify that \_\_\_\_\_  
 whose name is signed to this application, appeared before me in the State and County aforesaid and executed this affidavit.  
 Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 \_\_\_\_\_  
 (Notary Signature)


**Land Development Information History: FIDO - MULTI WORK - 151170091** Welcome EHALEY | [logout](#)
**Permit Information**

Permit Number:	151170091	Application Date:	
Permit Type:	MULTIPLE WORK PERMIT	Tax Map:	089-3 ((05)) 0583
Job Address:	007202 HADLOW DR	Permit Status:	Application Processed
	SPRINGFIELD , VA 22152-3528	Bldg:	Floor: Suite:
		Permit Fee:	

## Location:

Subdivision: ROLLING VALLEY

Magisterial District: SPRINGFIELD

## Subcensus Tract:

AP (Tenant) Name:

Work Description: Enclose existing carport per county detail, build patio with roof & build concrete stairs at front

Type of Work: MULTI WORK

Building Use: SFD - SINGLE FAMILY DWELLING

Standard: IR12 - IRC 2012

Plan Number: W-15-2525

Parent Permit:

ISIS Permit:

Type of Const: VB

Use Group: R5

Comments:

Link to FIDO record : [151170091](#)**Owner Information**

Owner: VELASQUEZ ERNESTO

Address: 7202 HADLOW DR

City: SPRINGFIELD State: VA  
Zip: 22152

Phone: (703)606-2774 x

**Contractor Information**

Name: OWNER IS CONTRACTOR

Address:

City: State: VA Zip:

Phone: (999)999-9999 x0000

Trade Name:

BPOL License:

State License:

Trade Reg.:

**Applicant Information**

Applicant:

Address:

City: State: Zip:

Phone:

**Other Contact Information**

Contact:

Address:

City: State: Zip:

Phone:

**Inspections**

There were no inspections.

**Reviews**

**Review - BUILDING - (BUILDING REVIEW) - 2425503**

Review Type	Review Date	Reviewer	Started	Status
BUILDING			N	Incomplete

**Review - SITEPERMIT - (SITE PERMITS REVIEW) - 2425505**

Review Type	Review Date	Reviewer	Started	Status
SITEPERMIT			N	Incomplete

**Review - ZONING - (ZONING REVIEW) - 2425513**

Review Type	Review Date	Reviewer	Started	Status
ZONING	2015-05-19	UNYOUNG GOH	Y	Approved

**Review - ZONING - (ZONING REVIEW) - 2425504**

Review Type	Review Date	Reviewer	Started	Status

Review Type	Review Date	Reviewer	Started	Status
ZONING	2015-04-27	REBECCA GOODYEAR	Y	Failed

**Contact Fairfax County:** [Phone](#), [Email](#) or [Twitter](#) | **Main Address:** [12000 Government Center Parkway, Fairfax, VA 22035](#)  
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VIRGINIA DEPARTMENT OF  
SOCIAL SERVICES**Ximena Velasquez**

7202 Hadlow Drive  
SPRINGFIELD, VA 22152  
(703) 606-2774 

Facility Type: [Family Day Home](#)

License Type: [Two Year](#)

[Expiration Date](#): April 15, 2017

Business Hours: 6:00 am - 6:00 pm  
Monday - Friday

Capacity: 12

Ages: Birth - 8 years 11 months

Inspector: Brenda Kuhlman  
(703) 304-9609 



# County of Fairfax, Virginia

## MEMORANDUM

Date: April 9, 2015

To: Erin Haley, Planner II  
Zoning Evaluation Division

From: Amy Moxley  
Senior Zoning Inspector  
Zoning Inspection Branch

Subject: Home Child Care – SP 2014-SP-207

Applicant: Ximena Velasquez,  
7202 Hadlow Dr. Springfield VA 22152  
Rolling Valley, Lot 583, Sec 6  
Tax Map# 89-3 ((05)) 583  
Zoning District: R-3C  
Magisterial District: Springfield  
ZIB # 2015-0124  
Date of Inspection: April 2, 2015

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

- 4. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- 5. Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.
- 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.

*At the time of inspection, there was storage of items within 36 inches of the hot water heater. Applicant was advised to remove these items and provide photos to the staff coordinator that show compliance.*

- 7. Structures comply with the Zoning Ordinance.

*A carport has been enclosed without necessary permits (none found in FIDO).  
No permit found (FIDO) for small covered patio on side of enclosed carport.  
There is outdoor storage of construction related debris.*

**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.