



APPLICATION ACCEPTED: November 17, 2014
ADMIN. MOVED AT APPLICANTS REQUEST
BOARD OF ZONING APPEALS: June 17, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

June 10, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-MA-245

MASON DISTRICT

APPLICANT: Rosmery C. Salinas
Ros Corporation
DBA: Mama Rosie's Child Care

OWNERS: Placida J. Telleria

SUBDIVISION: Edsall Park, Section 1

STREET ADDRESS: 5311 Danville Street, Springfield, 22151

TAX MAP REFERENCE: 80-2 ((2)) 166

LOT SIZE: 15,065 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISIONS: 3-303, 8-305

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

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-MA-245 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.

Laura Arseneau

[Type text]

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

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.**

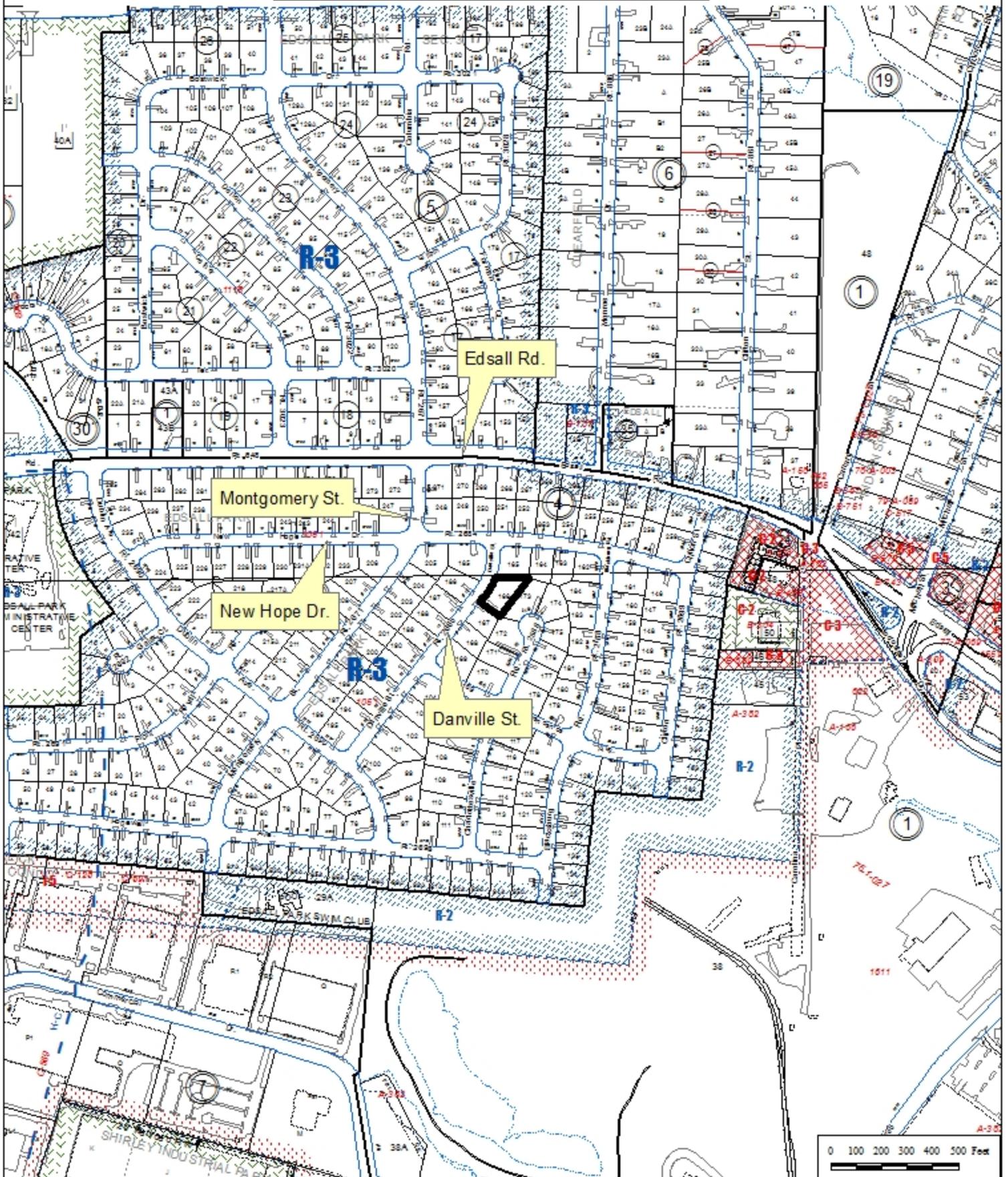


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

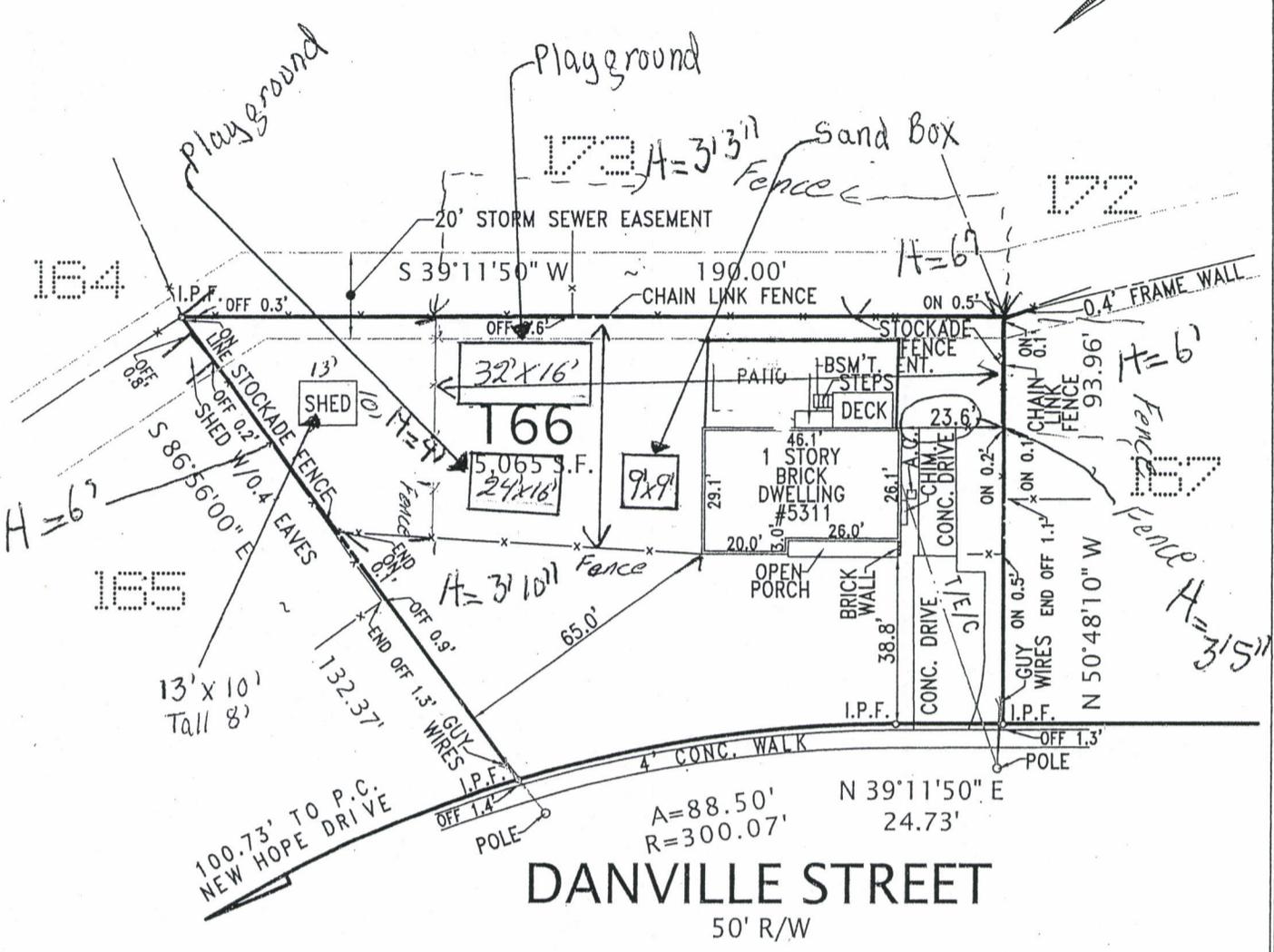
SP 2014-MA-245

ROSMERY C. SALINAS / ROS CORPORATION
DBA: MAMAROSE'S CHILD CARE



COPYRIGHT BY ALEXANDRIA SURVEYS INTERNATIONAL, LLC THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.

NOTE : FENCES ARE FRAME UNLESS NOTED.



Outdoor play area
5,100' square feet

RECEIVED
Department of Planning & Zoning
NOV 17 2014
Zoning Evaluation Division

PLAT
SHOWING HOUSE LOCATION ON
LOT 166, SECTION 1

EDSALL PARK

FAIRFAX COUNTY, VIRGINIA

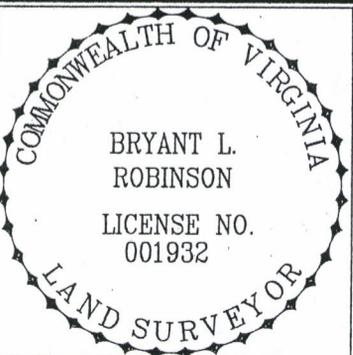
SCALE: 1" = 40' AUGUST 22, 2005

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

Rosmary Salinas 11/17/14
03/30/2014

CASE NAME: KONKLE ~ TELLERIA

GRAPHIC SCALE
0 40 80



BY PROVISIONS OF THE VIRGINIA CODE: NO CORNER MARKERS SET, BOUNDARY SURVEY NOT PERFORMED. PLAT SUBJECT TO RESTRICTIONS OF RECORD AND NO TITLE REPORT IS FURNISHED.

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY, AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.
Bryant L. Robinson
BRYANT L. ROBINSON. L.S.

REQUESTED BY:
GIBRALTAR TITLE & ESCROW, INC.
ALEXANDRIA SURVEYS INTERNATIONAL, LLC
6343 SOUTH KINGS HIGHWAY ALEXANDRIA, VIRGINIA 22306
TEL. NO. 703-660-6615 FAX NO. 703-768-7764

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 “Plat, Showing House Location on Lot 166, Section 1, Edsall Park” prepared by Bryant L. Robinson, L.S., on August 22, 2005, as revised by the applicant Rosmery Salinas on March 31, 2014, is included in the beginning of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The site is developed with a one story single family detached dwelling with a basement. A concrete walkway and open porch are located in the front yard. A concrete driveway is located in the front yard and in the side yard of the dwelling. A patio and a deck are located in the rear yard. A shed, two playgrounds and a sand box are located in the side yard of the dwelling. A fence, ranging from 3.25 to 6.0 feet in height, encloses the rear yard.



Figure 1- Aerial View of Property

A portion of a storm sewer easement is located along the rear property line.

The site is located south of Edsall Road and west of Montgomery Street. The subject property and surrounding properties are zoned R-3 and developed with single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1957. The property was purchased by the owners in 2011. The property is currently being rented by the applicant and has the owner's permission to pursue this application.

Another home child care facility approved by the BZA is located on the street. SP 2014-MA-051, for Rosa Flores d/b/a Rosa's Daycare and CRE Corporation, is located at 5404 Danville Street, which is located across the street and about seven houses down from the

subject property. That application was approved on July 30, 2014 for up to 12 children (Appendix 4).

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home child care facility for up to 12 children on-site at any one time, between the hours from 7:00 a.m. and 5:00 p.m., Monday through Friday. There is an existing staggered drop-off and pick-up schedule for the children. Currently, there are two assistants.

The home child care facility is operated in the basement of the dwelling, which has adequate emergency egress through an existing walkout basement. Upon initial review it was observed that the location of the nap area did not have adequate emergency egress. Staff recommended that the applicant relocate the sleeping area or install a satisfactory emergency egress exit according to the building code. It should be noted that staff has been advised by the Office of the County Attorney that, per the building code, emergency egress is not required in a napping area.

The enclosed play area is located in the rear yard. Photographs provided by the applicant show toys and play equipment located in this area.

The applicant holds a current Family Day Home License, effective for two years and which expires on May 23, 2016, from the Commonwealth of Virginia, Department of Social Services. The license lists the business hours 7:30 a.m. to 5:30p.m., Monday through Saturday. The license also permits a capacity of 12 children, from birth through 5 years, 11 months of age. Staff has proposed a development condition to restrict the operation from 7:30 a.m. to 5:30 p.m., Monday through Friday until the special permit application is approved and the state license is updated. A copy of the license is included as Appendix 5.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area I, Annandale Planning District
Planning Sector: Edsall Community Planning Sector (A4)
Plan Map: Residential, 2-3 du/ac

On-Site Parking and Site Circulation

The existing driveway can accommodate approximately 2 cars. The applicant and the employees park their vehicles on the street.

Zoning Inspection Branch Comments (Appendix 6)

During the inspection, it was found that there was not adequate emergency egress located in the room in the basement used as the sleeping area. Staff recommended that the applicant relocate the sleeping area or install emergency egress. The applicant chose not to do so.

Staff also found that a keyed deadbolt lock was located on an exit door. Staff recommended that the applicant replace the lock and the applicant has complied. Photographic evidence of the removed lock is located in Appendix 6.

Staff found that the utility room contained storage items that surrounded both the furnace and water heater. The applicant has removed the storage and provided photographic documentation that is included in Appendix 6.

Lastly, staff found that there was rear yard coverage that exceeded 30 percent (at approximately 35percent) and included a shed, playground and patio. The applicant has committed to remove a portion of the play area to meet this zoning ordinance requirement. Staff has proposed a development condition that the rear yard coverage will meet zoning ordinance requirements within six months of approval of this application.

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

Bulk Standards (R-3)		
Standard	Required	Provided
Lot Size	10,500 sf	15,065 sf
Lot Width	Interior: 80 feet	88.5 feet
Building Height	35 feet max.	Not provided
Front Yard	Min. 30 feet	38.8 feet
Side Yard	Min.12 feet	65.0 feet, 23.6 feet
Rear Yard	Min. 25 feet	26 feet

Tables for Accessory Structures

Accessory Structure Setback Standards				
Structure	Yard	Minimum Yard Required	Existing Location	Permit Status
Shed	side	Under 8.5 feet in height	7 feet	n/a
Playground #1	Rear	No permanent structures	5 feet	n/a
Playground #2	Side	No Permanent structures	23 feet	n/a
Patio	Rear	5 feet	5 feet ¹	n/a

¹-The patio is allowed by right per 2-412

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

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

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

Standard 1 Lot Size and Bulk Regulations	The property conforms to the lot size and bulk regulations of the R-3 district. No exterior modifications are proposed with this application.
Standard 2 Performance Standards	The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.
Standard 3 Site Plan	Home child care facilities are not subject to the provisions of Article 17, Site Plans.

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

Standard 1 Maximum of 12 Children & Non-Resident Employees	The applicant is proposing a maximum of 12 children at any one time, which does not exceed the maximum number of children permitted at any one time. The applicant requests two non-resident employees.
Standard 2 Access and Parking	Arrival and departure times of the children are staggered and parking is available for six cars in the driveway. Even with the nearby approved home child care, staff believes that the neighborhood road is not a major thoroughfare and can adequately handle the traffic of the two home child cares. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 3 Landscaping/Screening	An existing fence in the rear yard provides screening of the outdoor play area.
Standard 4 Submission Requirements	The applicant submitted a house location survey in lieu of a special permit plat, which is a permissible alternative.
Standard 5 Code of Fairfax Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	The applicant has a valid home child care license through May 23, 2016, for 12 children from 7:30 a.m. to 5:30 p.m. A development condition will be included to ensure the applicant abides by the current times of 7:30 a.m. to 5:30 p.m. Monday through Friday until a new revised state license is obtained in the newly approved hours of operation of 7:00 a.m. to 5:00 p.m.

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

Part A Maximum Number of Children	The maximum number of children permitted by-right at any one time is 7 in a single family detached dwelling. The applicant requests special permit approval to allow a maximum of 12 children at any one time.
Part B	The applicant is a state licensed home child care provider and

Licensed Provider/ Primary Residence	the subject property is the provider's primary residence.
Part C No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use except play equipment and toys.
Part D Non-Resident Employee	The applicant is proposing two non-resident employees and who may be at the home child care between 7:00 a.m. to 6:00 p.m., Monday through Friday.
Part E Provider is a Resident	The provider is a resident of the property.
Part F 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. A development condition has been added to ensure the home child care will continue to meet state license requirements.
Part G Increase in Children or Non-Resident Employees	The maximum number of children permitted by-right at any one time is 7 in a single family detached dwelling and can be increased to up to 12 children with special permit approval. The applicant requests special permit approval to allow a maximum of 12 children at any one time and two non-resident assistants.

CONCLUSION/ RECOMMENDATION

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

Staff recommends approval of SP 2014-MA-245 for the home child care facility with the adoption of the proposed development conditions contained in Appendix 1.

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification with Select File Photographs
3. Applicant's Affidavit and Owner Consent
4. Nearby Approved Home Child Care Case Information
5. State Family Day Home License
6. Zoning Inspections Branch Comments
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-MA-245****June 10, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MA-245 located at Tax Map 80-2 ((2)) 166 to permit a home child care facility pursuant to Sects. 3-303 and 8-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Rosmery C. Salinas, and is not transferable without further action of the Board, and is for the location indicated on the application, 5311 Danville 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 166, Section 1, Edsall Park" prepared by Bryant L. Robinson, L.S., on August 22, 2005, as revised by the applicant Rosmery Salinas on March 31, 2014, as revised by the applicant and approved with this application, as qualified by these development conditions.
3. A copy of the special permit conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The applicant shall continue to operate with the approved hours of operation, 7:30 a.m. to 5:30 p.m., Monday through Friday until the state license is revised to reflect the requested hours of operation, 7:00 a.m. to 5:00 p.m, Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
7. A maximum of two non-resident employees may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
8. All pick-up and drop-off of children shall occur in the driveway.
9. There shall be no signage associated with the home child care facility.

10. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
11. The applicant shall reduce the rear yard coverage to meet all zoning requirements within 6 months of approval of this application.
12. The accessory storage structure shall remain locked during the hours of operation of 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.

**DBA: MAMA ROSIE'S CHILCARE
 ROSMERY C. SALINAS
 PLACIDA J. TELLERIA
 5311 DANVILLE STREET
 SPRINGFIELD, VA. 22151
 mamarosieschildcare@gmail.com
 (703) 628-5164**

March 30, 2014

RECEIVED
 Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division

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

Re: Special Permit Application

Applicant: ROS Corporation (DBA: Mama Rosie's Child Care)
 Zoning Ordinance: Section 8-305 for Home Child Care Facility and
 Section 8-004 of General Standards

Tax Map #: 80-2-2- -166
 Zoning District: R-3
 Lot Size: 15,065 square feet

To whom it may concern:

Please accept the following as my statement of jurisdiction for a special permit for a home child care facility in my home. I live in a single-family detached dwelling at 5311 Danville Street in Fairfax, Virginia with my mother (the title owner of the house and Vice-president of the Corporation) and two children. The property is zoned R-3 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 12 children in my child care facility in my home. Below is information about my child care facilities operations:

Hours: The child care is open from 7:00 AM to 5:30 PM, Monday through Friday.

Number of Children: I currently care for 12 children. I propose to care for a maximum of 12 children at any one time. This number does not include my own two children.

Employees: I have two assistants who work full time.

Arrival Schedule: Four of the children will arrive at 7:30 AM and 7:45 AM. Four children will arrive between 7:45 AM and 8:00 AM. One child will arrive between 8:00 AM and 8:30 AM. Three children will arrive between 9:00 AM and 10:00 AM.

Departure Schedule: Three children will be picked up between 2:45 – 4:15 PM. Four children will be picked up between 4:30 PM and 5:00 PM. Five of the children will leave between 5:00 PM and 5:30 PM. (Please see attached proposed Arrival and Departure Schedule for all proposed 12 children).

Parking: My driveway provides enough parking for two cars because the driveway is 35 feet long and holds three cars. In addition, ample parking is available along the streets in front of my house for the parents and employees.

Area Served: Currently, most of the children live in neighborhoods that are located in the area of Alexandria, Arlington and West Springfield. These parents drive their children to my house.

Operations: As I stated, my house is a single-family detached dwelling. It has a walk-out basement, which is where the children spend most of their time. I use the kitchen to prepare the food for the children (located in the main level of the house) Appendix 2 is a floor plan/layout that indicates the areas where the day care is operating. The house has 2,124 square feet. The basement areas where I conduct the day care consist of approximately 1,062 square feet in total. (See attached page for the floor layout and interior photos of each room used for the day care)

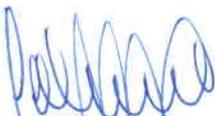
Hazardous or Toxic Substances: The house and yard are free from hazardous or toxic substances. No hazardous materials will be generated, utilized stored, treated, and/or disposed of onsite.

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

Outdoor Play Area: I use my backyard for outdoor play for the children. The area is approximately 5,100 square feet. This area is highlighted on my plat. There are two playground areas, sand box and a fence around this area. I have drawn the two playground areas, sand box and fence on my house location plat which is included. I have signed and dated this revised and updated house location plat.

In conclusion, I am proposing no changes to the outside appearance of my brick house home. I propose no addition and no signs regarding the day care. Adequate parking is available for the parents, employees and my family. For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

Sincerely,



Rosmery C. Salinas
President of ROS Corporation (DBA: Mama Rosie's Child Care)

Proposed Arrival and Departure Schedule for: Mama Rosie's Child Care

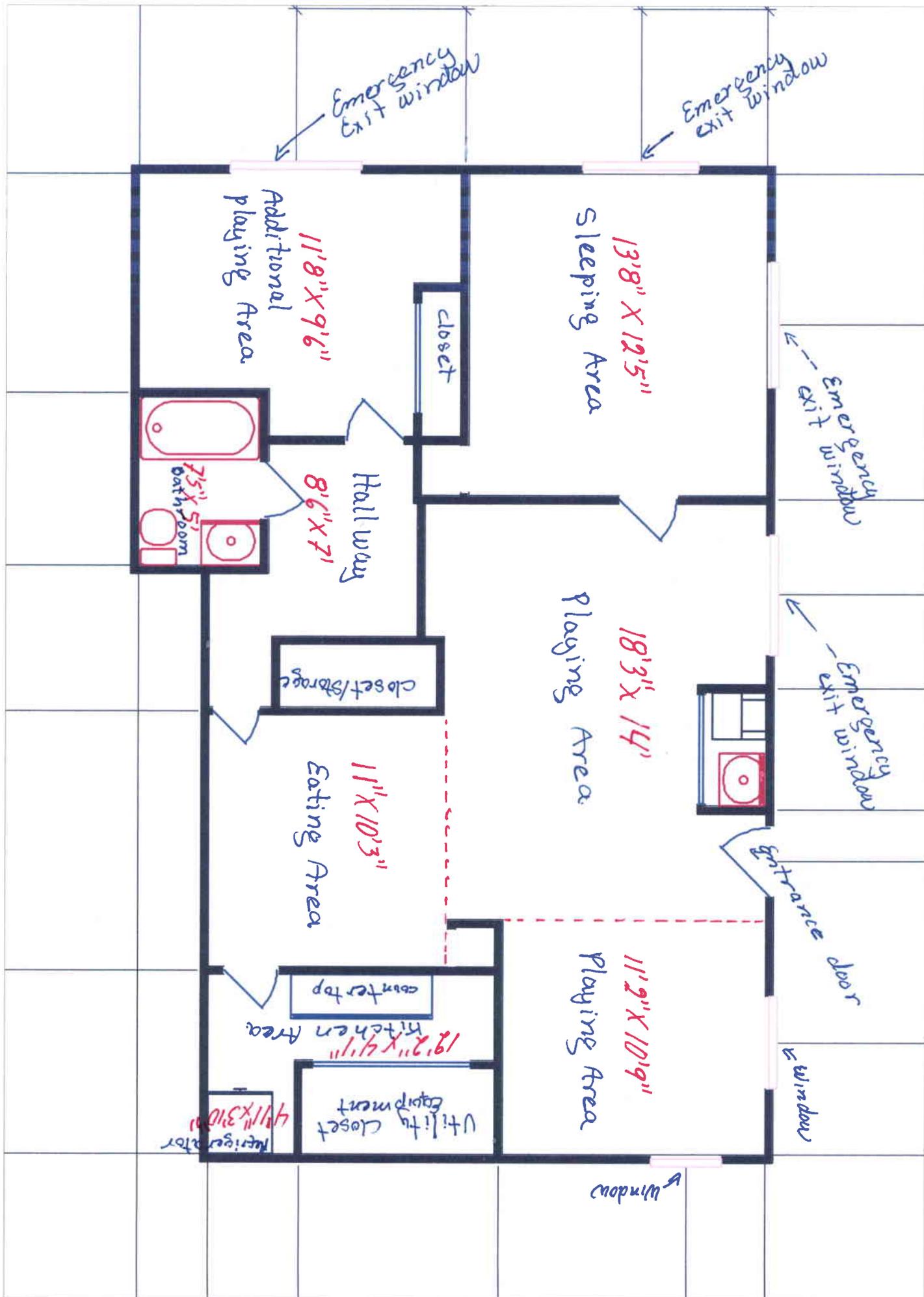
Address: 5311 Danville Street, Springfield, VA. 22151

Proposed Arrival Schedule

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

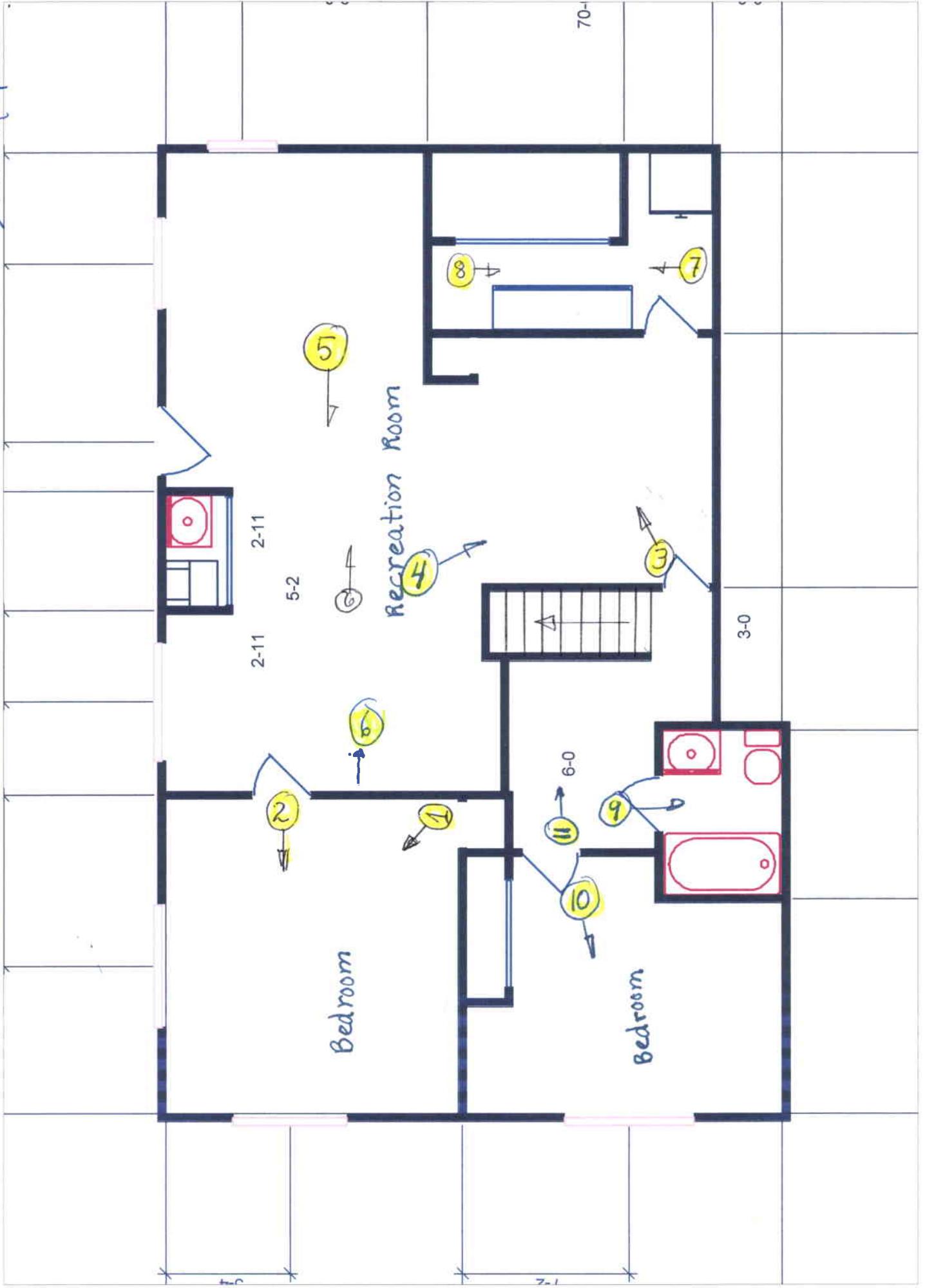
Proposed Departure Schedule

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

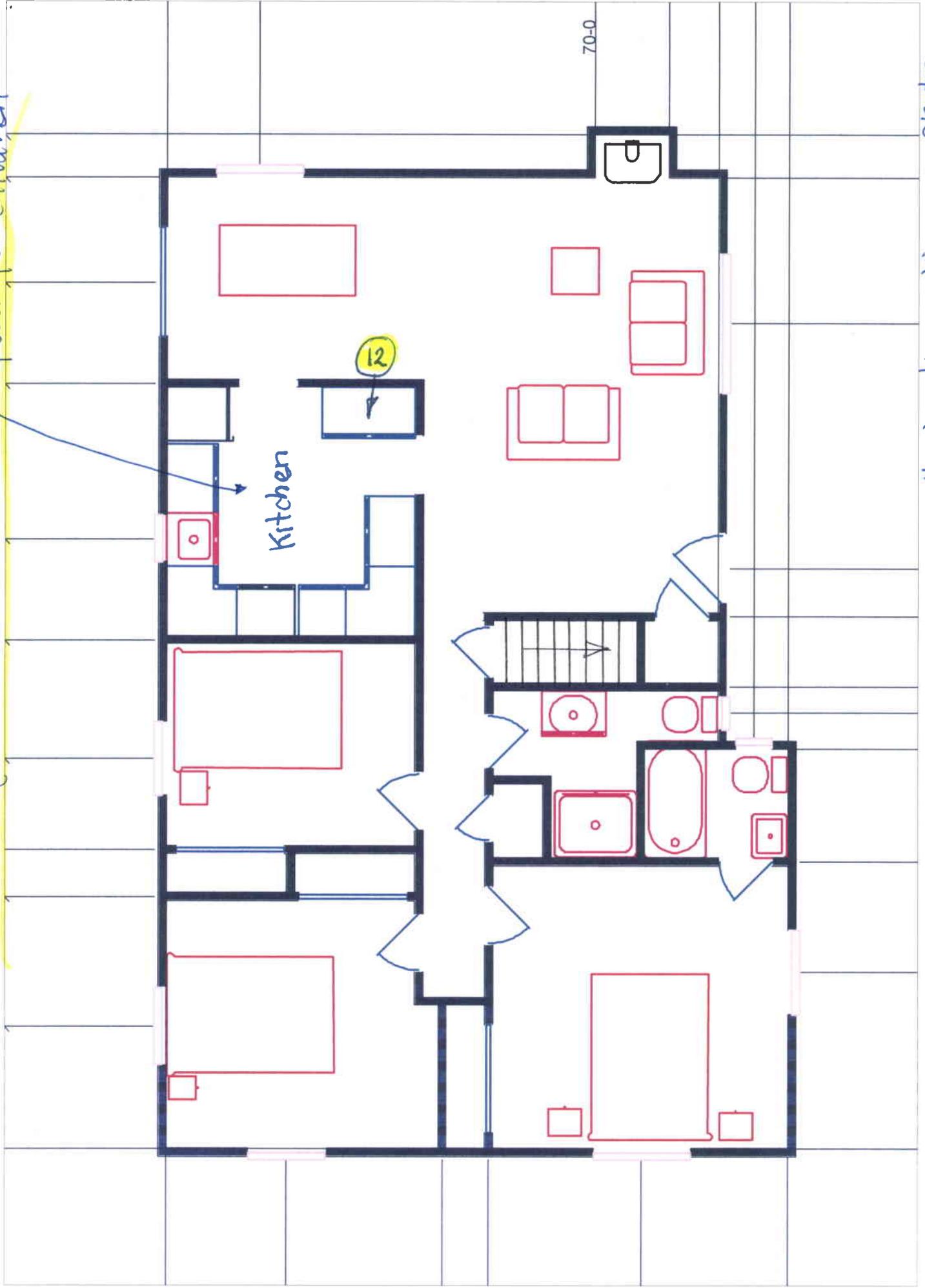


Interior of home - Child Care Facility

Standing View of photos



Interior of home - Kitchen used only to prepare Food For children



Standing of view of photos

SLEEP AREA FOR INFANTS AND TODDLERS



1



2



3

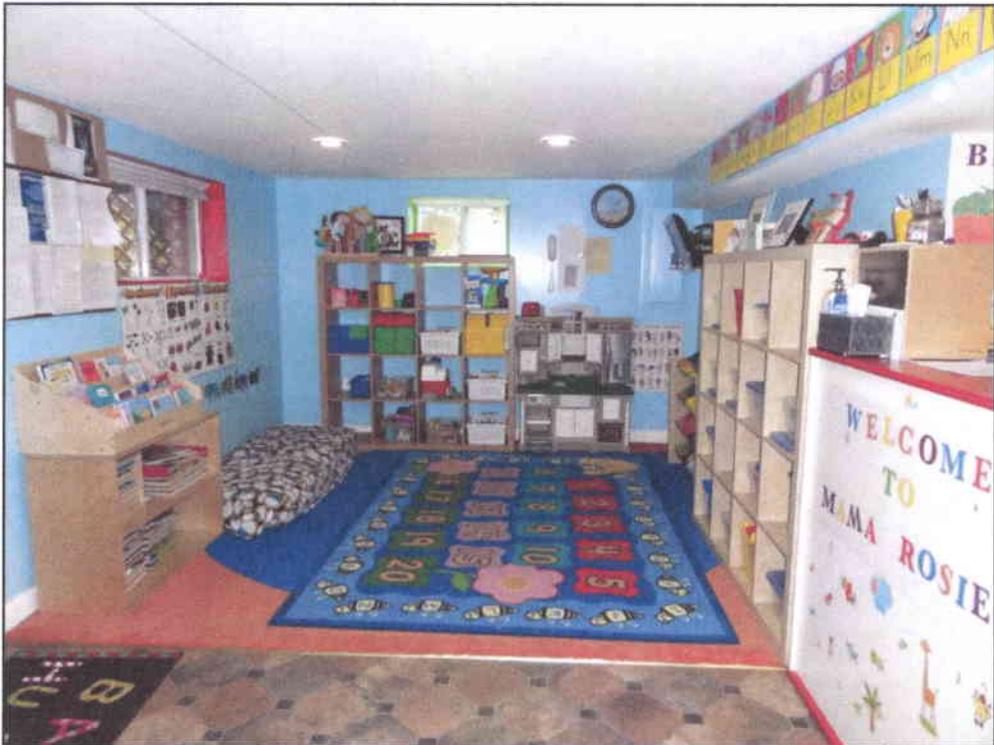


4

PLAY AREA

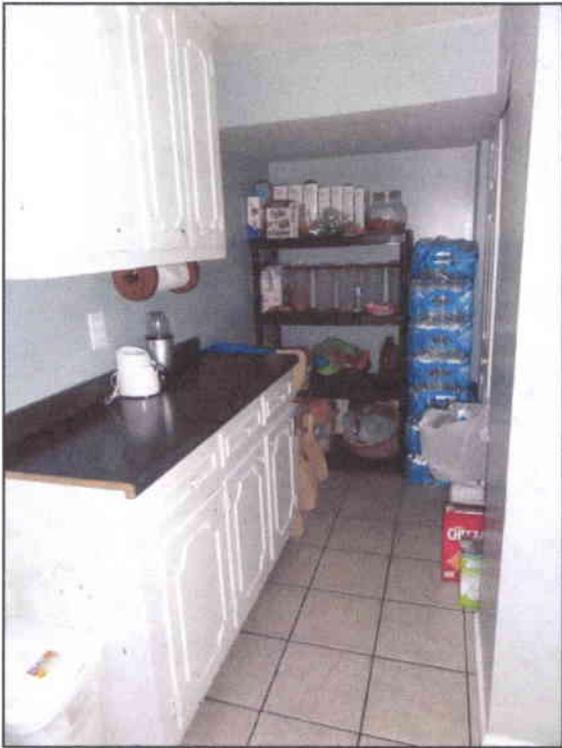


5

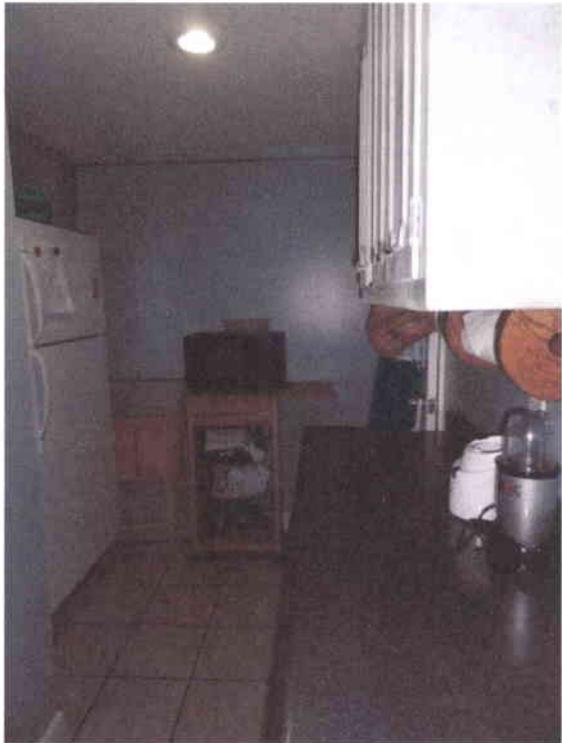


6

KITCHEN AREA USED FOR HOME CHILD CARE



7



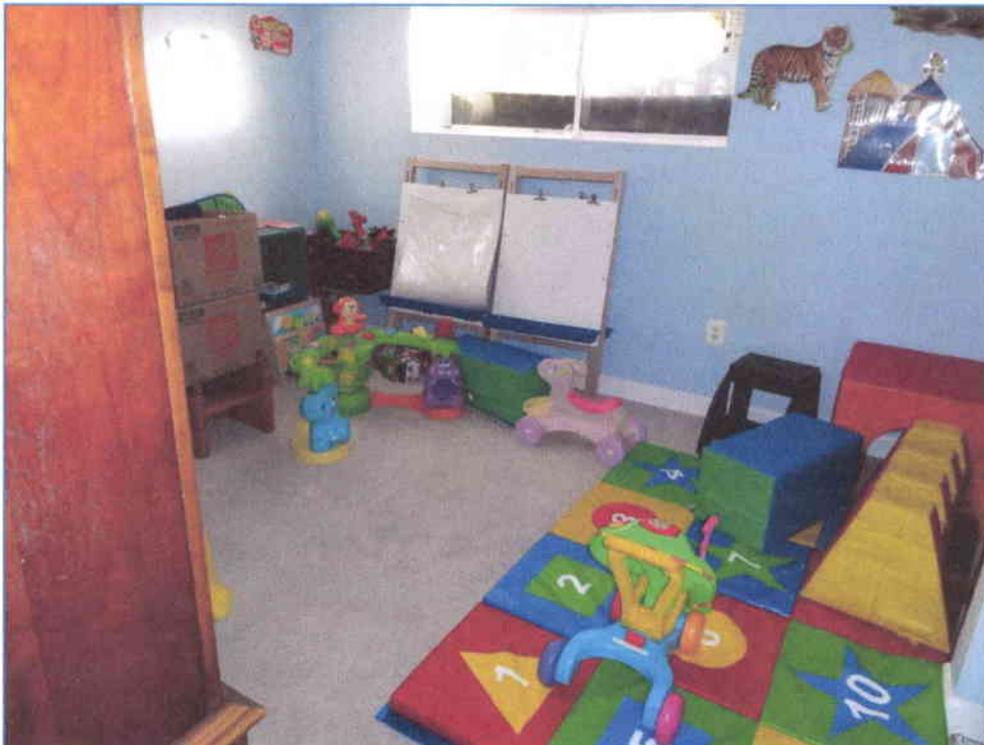
8

BATHROOM USED FOR HOME CHILD CARE



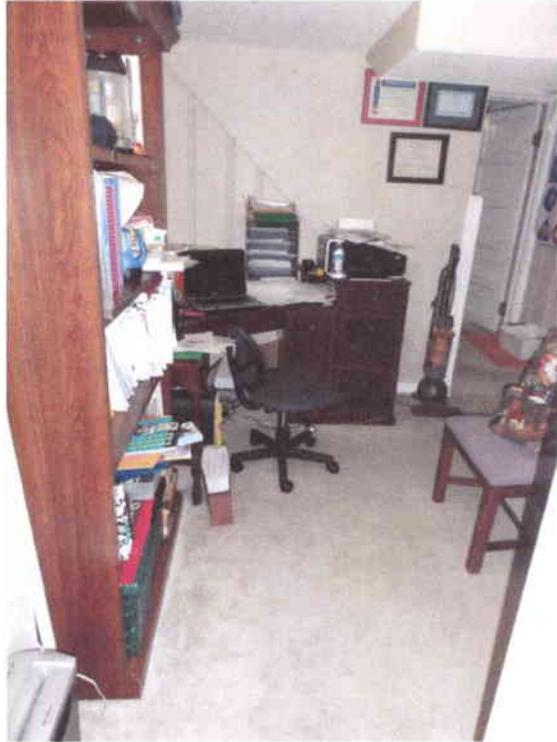
9

STORAGE ROOM



10

OFFICE TO KEEP CHILD RECORDS



11

**KITCHEN TO PREPARE FOOD FOR CHILDREN
LOCATED IN THE MAIN LEVEL**

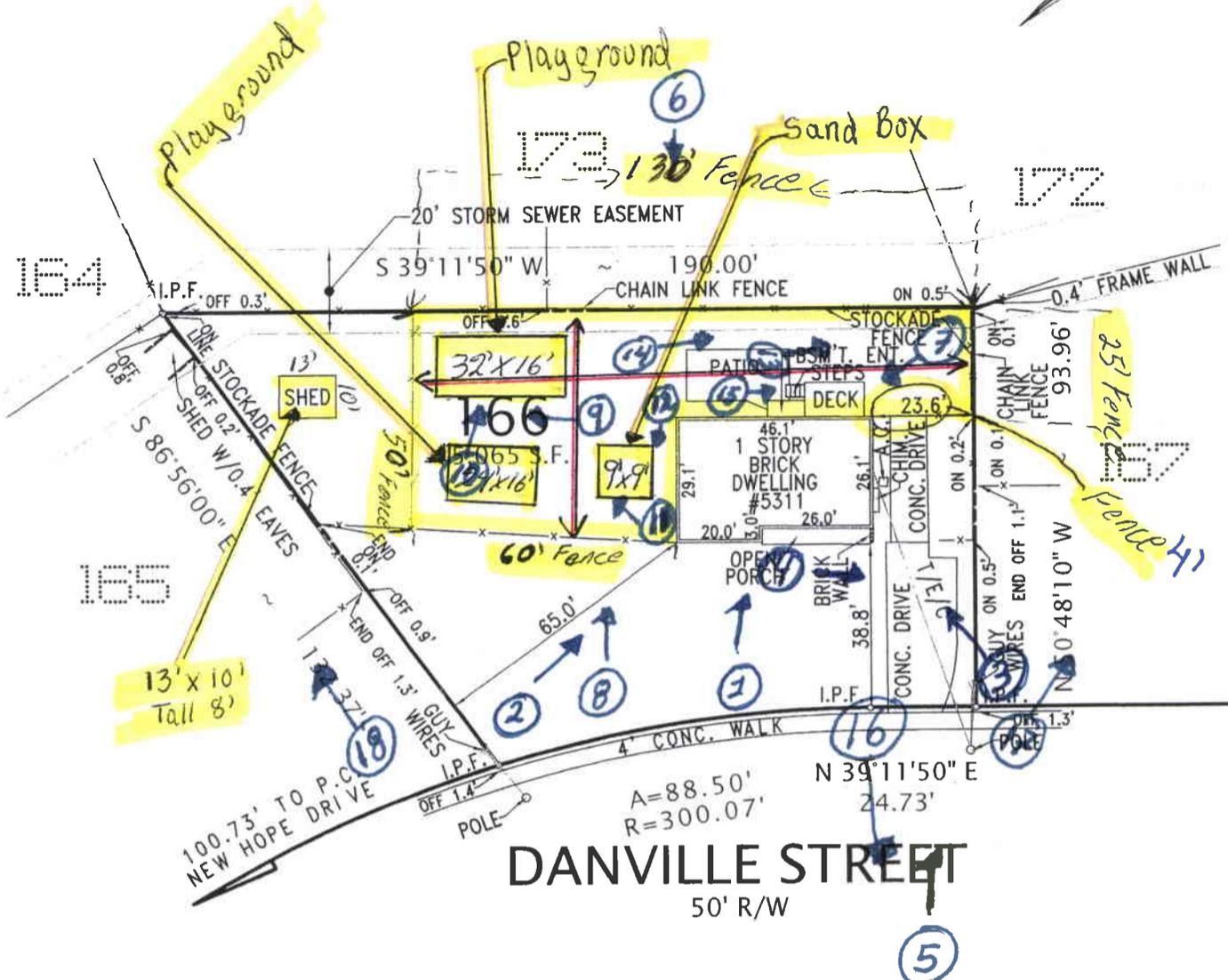
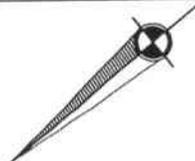


12

Exterior

COPYRIGHT BY ALEXANDRIA SURVEYS INTERNATIONAL, LLC THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.

NOTE : FENCES ARE FRAME UNLESS NOTED.



Outdoor play area
5,100' square feet

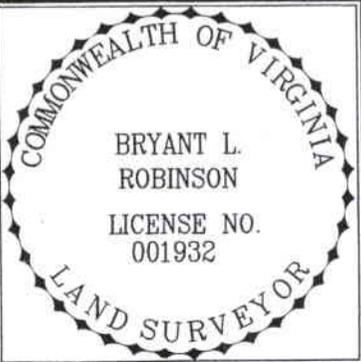
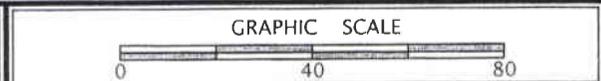
Standing
→ View of photos

PLAT
 SHOWING HOUSE LOCATION ON
 LOT 166, SECTION 1
EDSALL PARK
 FAIRFAX COUNTY, VIRGINIA
 SCALE: 1" = 40' AUGUST 22, 2005

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

Patricia Gonzalez 03/30/2014

CASE NAME: KONKLE ~ TELLERIA



BY PROVISIONS OF THE VIRGINIA CODE: NO CORNER MARKERS SET, BOUNDARY SURVEY NOT PERFORMED. PLAT SUBJECT TO RESTRICTIONS OF RECORD AND NO TITLE REPORT IS FURNISHED.

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY, AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.

Bryant L. Robinson
 BRYANT L. ROBINSON, L.S.

REQUESTED BY: GIBRALTAR TITLE & ESCROW, INC.

ALEXANDRIA SURVEYS INTERNATIONAL, LLC
 6343 SOUTH KINGS HIGHWAY ALEXANDRIA, VIRGINIA 22306
 TEL. NO. 703-660-6615 FAX NO. 703-768-7764

EXTERIOR

5311 DANVILLE STREET, SPRINGFIELD, VA. 22151



1

PROPERTY VIEWING FROM FRONT

RECEIVED
Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division



2

FRONT PROPERTY VIEWING FROM LEFT SIDE



3

FRONT PROPERTY VIEWING FROM RIGHT SIDE

RECEIVED
Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division



4

DRIVEWAY AREA



5

DRYWAY AREA AND STREET PARKING



6

PROPERTY VIEWING FROM THE BACK SIDE

RECEIVED
Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division



7

**PROPERTY VIEWING FROM THE BACK SIDE
PLAYING AREA**



8

FRONT VIEW - BACKYARD



9

BACKYARD/PLAYING AREA

RECEIVED
Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division



10

PLAYGROUND/FRONT VIEW



11

PLAYGROUND



12

SAND BOX

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



13

**PATIO PLAYING AREA
AND BICYCLE RIDING**



14

**PATIO PLAYING AREA
AND BICYCLE RIDING**



BASEMENT ENTRANCE

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

15

Application No.(s): SP 2014-MA-245
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 19, 2014
 (enter date affidavit is notarized)

124988

I, ROSMERY C. SALINAS, PRESIDENT OF ROS CORPORATION
DBA: MAMA ROSIE'S CHILD CARE, do hereby state that I am an
 (enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
ROSMERY C. SALINAS	5311 DANVILLE STREET SPRINGFIELD, VA. 22151	LESSOR, APPLICANT/PRESIDENT
PLACIDA J. TELLERIA	5311 DANVILLE STREET SPRINGFIELD, VA. 22151	LESSOR, TITLE OWNER/VICE-PRESIDENT
ROS CORPORATION DBA: MAMA ROSIE'S CHILD CARE	5311 DANVILLE STREET SPRINGFIELD, VA. 22151	APPLICANT

(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).

JEM

Application No.(s): SP 2014-MA-245
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 19, 2014
(enter date affidavit is notarized)

124988

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)

ROS CORPORATION (DBA: MAMA ROSIE'S CHILD CARE)
5311 DANVILLE STREET, SPRINGFIELD, VA. 22151

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)

ROSMERY C. SALINAS
PLACIDA J. TELLERIA

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

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

Application No.(s): SP 2014-MA-245
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 19, 2014
(enter date affidavit is notarized)

124988

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)
"N/A"

(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**)

"N/A"

RS

(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): SP 2014-MA-245
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 19, 2014
(enter date affidavit is notarized)

124988

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
RS

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

Application No.(s): SP 2014-MA-245
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: JUNE 19, 2014
(enter date affidavit is notarized)

124788

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:

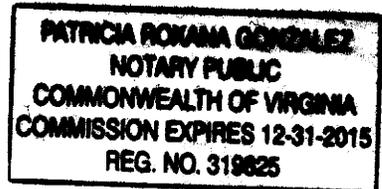
(check one) [x] Applicant [] Applicant's Authorized Agent

ROSMEY C. SALINAS, PRESIDENT OF ROS CORPORATION, DBA: MAMA ROSIE'S CHILD CARE
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 19TH day of JUNE, 2014, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Patricia Roxana Gonzalez
Notary Public

My commission expires: 12/31/2015



SEM

Owner Consent for
Home Child Care Facility

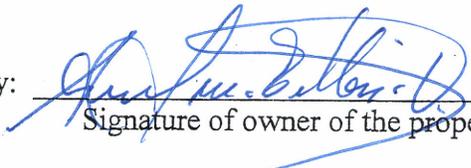
Name: Placida J. Telleria
Address: 5311 Danville street
Springfield, VA. 22151
Phone #: (571) 213-9353
E-mail address: patgon1970@gmail.com

Tax Map #: 80-2-2--166

Ownership of the above-referenced property is Placida J. Telleria

This property is the subject of a Special Permit Application submitted by Mama
Rosie's Child Care, a renter of the property, to Fairfax County for
approval of a home child care facility. and daughter of the owner

This is evidence that the owner, Placida J. Telleria, is
giving consent that Mama Rosie's Child Care may apply for
the Special Permit Application for a home child care facility to operate on this property.

By:  03/31/2014
Signature of owner of the property

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



Home Living Here Doing Business Visiting Departments & Agencies

Search Site:

[help](#)

ZAPS Overview

LDSnet Overview--[SP 2014-MA-051]

Thursday, June 04, 2015

Select a Topic or Document:

[Approved Zoning District and Area Established Use/Term Limit](#)

[Tax Map Numbers](#)
[Participants](#)
[Related Applications](#)
[Submission Requirements](#)
[Event Chronology](#)

[Approved General Information](#)
[Proffers and Development Conditions Lists](#)
[Public Facilities](#)

Imaged Documents
[Staff Report](#)
[Development Condition Statement](#)
[Plans/Plats](#)

[View GIS Map](#)
[View Full Report PDF](#)

Application Number	Area	Unit Of Measure	LifeCycle Status
SP 2014-MA-051	10500.00	SQ FEET	APPLICATION APPROVED

Applicant Name:

ROSA FLORES D/B/A ROSA'S DAYCARE AND CRE CORPORATION

Application Description:

HOME CHILD CARE FACILITY

Hearing Information:

Event	Date Type	Date	Time	Mtg Type	Recommendation /Action
BZA HEARING	A	07/30/2014	09:00 AM	H	APPROVE

[Fairfax Home Page](#)

[LDSnet Home Page](#)

[Search Criteria](#)

[Search Results](#)

[Help](#)

Questions? Call Zoning Evaluation Division, Department of Planning and Zoning, 703-324-1290.

Contact Fairfax County: [Phone](#), [Email](#) or [Twitter](#) | Main Address: 12000 Government Center Parkway, Fairfax, VA 22035
 Technical Questions: [Web Administrator](#)

[Awards](#) | [FOIA](#) | [Mobile](#) | [Using this Site](#) | [Web Disclaimer & Privacy Policy](#) | [Get Adobe Reader](#)
 Official site of the County of Fairfax, Virginia, © Copyright 2015

[Website Feedback](#) [Language Translations](#)

Virginia.gov Agencies | Governor Search Virginia.Go



VIRGINIA DEPARTMENT OF
SOCIAL SERVICES

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

Rosmery Salinas

5311 Danville Street
SPRINGFIELD, VA 22151
(703) 942-8980

Facility Type: [Family Day Home](#)

License Type: [One Year](#)

[Expiration Date](#): May 23, 2016

Business Hours: 7:30 AM - 5:30 PM
Monday - Friday

Capacity: 12

Ages: Birth - 5 years 11 months

Inspector: Anailim Dally
(703) 577-0270



County of Fairfax, Virginia

MEMORANDUM

Date: April 20, 2015

To: Laura Arsenau, Planner II
Zoning Evaluation Division

From: Dawn Curry
Senior Zoning Inspector
Zoning Inspection Branch

Subject: Home Child Care – SP 2014-MA-245

Applicant: Rosemary C. Salinas, Mama Rosie's Child Care
5311 Danville Street, Springfield, Virginia 22151
Edsall Park, Lot 166, Sec 1
Tax Map# 80-2 ((02)) 166
Zoning District: R-3
Magisterial District: Mason
ZIB # 2015-0150
Date of Inspection: April 16, 2015

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

- 1. Rooms used for sleeping must provide two means of exit, one which leads directly to the outside, as required by the Virginia Uniform Statewide Building Code. (32-12-30.)
*The infant's sleeping area is lacking the required emergency egress. Sill height exceeded 44 inches from the finished floor to the bottom of the clear opening.
- 2. An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
- 3. All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.

- 4. All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.
*The basement egress door had a keyed dead bolt lock. The applicant stated the lock was installed by the previous owner and no key was left behind.
- 5. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
*The utility room contained storage that surrounds both the furnace and hot water heater. 36" clearance should be maintained around the furnace and water heater.
- 6. Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.
- 7. A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.
- 8. Structures comply with the Zoning Ordinance.
* Play equipment & mulched area may exceed the 30 percent of the minimum required rear yard coverage.

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.