



APPLICATION ACCEPTED: November 20, 2014
BOARD OF ZONING APPEALS: June 24, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

June 17, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-MA-248

MASON DISTRICT

APPLICANT: Edla Yilma
Where All Stars Shine Day Care

OWNERS: Edla Yilma
Haile B. Mariam

SUBDIVISION: Dowden Terrace

STREET ADDRESS: 5603 Dawes Avenue, Alexandria, 22311

TAX MAP REFERENCE: 61-4 ((10))(10) 58

LOT SIZE: 21,783 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-248 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

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.**

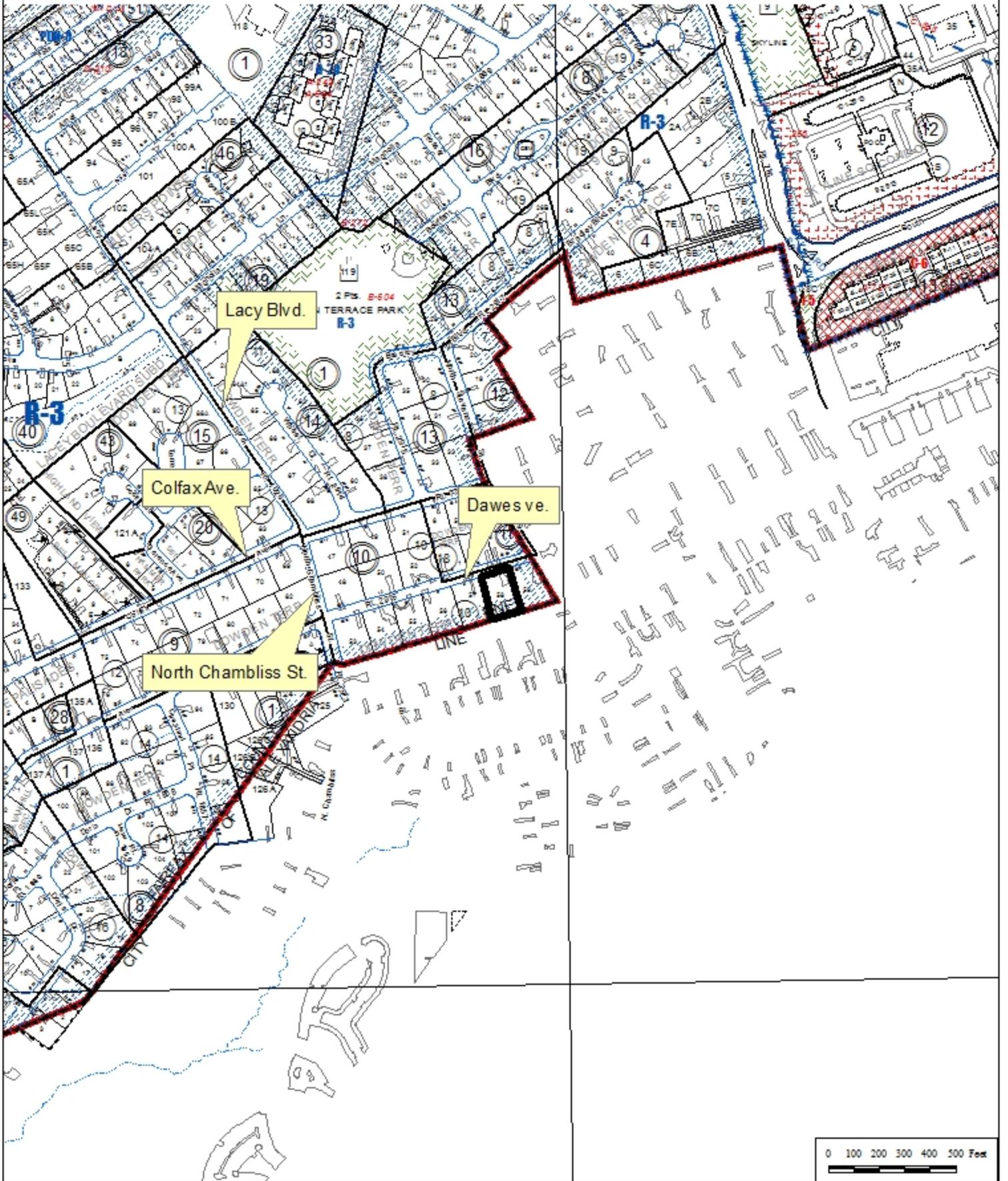


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-MA-248

EDLAYILMA / WHERE ALL THE STARS SHINE
DAY CARE



REVISED PLAT

HARRY F. WHEAT SUBD.

CITY OF ALEXANDRIA

S 74° 10' W - 121.45'

Outdoor Playarea 8290 Sq Ft

FAIRFAX COUNTY

X-fence 5' height

FRAME 3 WIRE FENCE

12x12 FRAME SHED 12' height

Basketball Concrete 25x17

58 21,783 sq ft

8290 Sq Playarea

X-fence 5' height

59

S 15° 50' E - 179.36'

10' DRAINAGE EASEMENT

14 FRAME PATIO

Height 2 inch

14 0' garage

12.1' garage

ONE STORY BRICK # 5603

ASPHALT DRIVEWAY

CHIM

STOOP STEP

CRAWL SPACE ENTRANCE

N 15° 50' W - 179.36'

57

97.32' TO P.C. NO. STEVENS ST.

5' ESMT. FOR STREET PURPOSES

N 74° 10' E - 121.45'

RECEIVED Department of Planning & Zoning

DAWES AVENUE

45' R/W

NOV 20 2014

Zoning Evaluation Division

PLAT

SHOWING HOUSE LOCATION ON LOT 58 BLOCK 10

DOWDEN TERRACE FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=30' OCT. 18, 1995

Edgar J. [Signature] 11/16/2014

URVEYS, INC. THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY FORM WITHOUT PERMISSION IN WRITING FROM THE COPYRIGHT OWNER.

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 the House Location on Lot 58, Block 10, Dowden Terrace,” as revised by the applicant Elda Yilma on November 18, 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. An asphalt driveway, a concrete walkway and a stoop are located in the front yard. Two garage additions are located on the side of the house. A permitted sunroom addition, patio, basketball court, and a 12 foot high frame shed are located in the rear yard. A fence encloses the rear yard. A portion of a drainage easement is located along the eastern side property line.



Figure 1- Aerial View of Property

The site is located south of Colfax Avenue and east of North Chambliss Street along Fairfax County’s boundary with the City of Alexandria. The subject property and surrounding properties to the north, east and west are zoned R-3 and developed with single family detached dwellings. The property to the south is a residential building located in the City of Alexandria.

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1952. The property was purchased by the owners in 2006.

On January 18, 2015, a final inspection was obtained and passed related to a building permit for the enclosure of an existing carport and the sunroom addition (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 6:00 a.m. and 6:00 p.m., Monday through Friday. There is an existing staggered drop-off and pick-up schedule for the children. Currently, there are three assistants.

The home child care facility is operated on the main level of the dwelling, which has adequate emergency egress. 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 16, 2016, from the Commonwealth of Virginia, Department of Social Services. The license lists the business hours 6:00 a.m. to 6:00p.m., Monday through Saturday. The license also permits a capacity of 12 children, from birth through 12 years, 11 months of age. A copy of the license is included as Appendix 5.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area I, Baileys Planning District
Planning Sector: Glasgow Community Planning Sector (B4)
Plan Map: Residential, 2-3 du/ac

On-Site Parking and Site Circulation

The existing driveway can accommodate approximately 5 cars. The applicant parks their one car in the driveway. The employees park off-site.

Zoning Inspection Branch Comments (Appendix 6)

During the inspection, staff found that the sleeping area lacked a smoke detector. Staff recommended the installation of a smoke detector and the applicant has complied. Photographs of the smoke detector installation are included in Appendix 6.

Staff found that the utility room contained storage items that obstructed access to the electrical panel. The applicant has removed the storage and provided photographs (Appendix 6).

Staff also found that a shed did not meet minimum required setbacks. The applicant relocated the shed to meet setback requirements and provided photographs. A proposed development condition ensures that the shed shall meet at setback requirements within 6 months of approval of the application.

Lastly, staff found that the property contained a sunroom and a separate garage addition. Staff found that there was unpermitted construction. The applicant has since obtained permits and received a final inspection for the unpermitted work.

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	21, 783 sf
Lot Width	Interior: 80 feet	121.45 feet
Building Height	35 feet max.	Not provided
Front Yard	Min. 30 feet	47 feet
Side Yard	Min. 12 feet	19.6 feet, 22.7 feet
Rear Yard	Min. 25 feet	> 25 feet

Table for Accessory Structures

Accessory Structure Setback Standards				
Structure	Yard	Minimum Yard Required	Existing Location	Permit Status
Shed	side	12 feet	12 feet ¹	n/a
Basketball Court	Side	12 feet	> 12 feet	n/a
Frame Patio	Side	12 feet	19.6 feet	n/a

¹-A development condition is included to address this concern.

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. The applicant requests three 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. 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	The applicant submitted a house location survey in lieu of a

Submission Requirements	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 16, 2016, for 12 children from 6:00 a.m. to 6:00 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 Licensed Provider/ Primary Residence	The applicant is a state licensed home child care provider and 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 three 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 three 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-248 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. Building Permit History
5. State Family Day Home License
6. Zoning Inspections Branch Comments
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-MA-248****June 17, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-MA-248 located at Tax Map 61-4 ((10)) 10 58 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, Edla Yilma, and is not transferable without further action of the Board, and is for the location indicated on the application, 5603 Dawes Avenue, 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 the House Location on Lot 58, Block 10, Dowden Terrace," as revised by the applicant Elda Yilma on November 18, 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, 6:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
7. A maximum of three 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 accessory storage structure shall remain locked during the hours of operation of the home child care facility.
12. The applicant shall relocate the accessory storage structure (shed) to meet all zoning ordinance requirements within 6 months of approval of the application.

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

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

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

RECEIVED
Department of Planning & Zoning

NOV 04 2014

Zoning Evaluation Division

Name: Edla Yilma

Address: 5603 Dawnes Ave
Alex. Va 22311

Tax Map #: 061410100058

Phone #: 703-628-9782

E-mail address: edlayilma@yahoo.com

Date: 10/30/2014

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

Re: Special Permit Application

Applicant: Edla Yilma

Zoning Ordinance Section 8-305 for Home Child Care Facility
Section 9-006 of General Standards

Tax Map #: 061410100058

Zoning District: R-3

Lot Size: 21,783 Sq Ft

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I own and live in a Single House dwelling at 5603 Dawnes Ave Alex. Va 22311 in Fairfax, Virginia with My Family. 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 proposed child care facility is to be open from 6:00-AM-6:00 PM.

Number of Children. I propose to care for a maximum of 12 children at any one time. This number does not include my own 1 children.

Employees. I propose to have 3 ^{2 Full time} ~~1 Part time~~ assistant(s) who will work 2 Full time
1 Part time 6AM-6PM

Arrival Schedule. 12 of the children are proposed to arrive between 6:00 AM and 9:15 AM. See Attachment

Departure Schedule. 12 of the children are proposed to be picked up at 3:00 PM. 6:00 PM

Parking. I propose to use my 2 Garage to park my family car. My parents will park to Drop and Pick up the Children on the Drive Way, on the Drive Way We Can Park 5 Cars at one time. In My Hand Book one of the rules are to Drop off and Pick up the Kids they have to Park on the Drive Way.

<u>Area Served.</u>	# Baileys Cross Rd	# Fairfax Court House	# Baileys Cross Rd
	# Shirlington	# Springfield Va	# Baileys Cross Rd
	# Springfield	# Close to Skyline are Alee Va	
	# Old Town Alexandria	# Potomac Yard Center	
	# Fairfax Station	# Spring field	

Operations. As I stated, my house is a Single House. It has landscaping both in the front and back of the building are well Maintend. Via a landscaping Contractor. There are no Signs on the building. there are enough Space for parking on the property on the property. parents come usually come to pick up or drop off at different time.

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. Ed Gilma

Outdoor Play Area. I propose to use my back yard for outdoor play for the children. The area is approximately 1700 square feet. There is the outdoor Play Area is located on the back Side of the House from the room we use for the daycare there is a door to go outside to the playground area.

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

In conclusion, I am proposing Where all Stars Shine DayCare blends Well With the neighborhood Such that it is harmonious with are will not adversely affect the use or development of Neighboring properties accordance with the applicable Zoning district regulations and adopted Comprehensive plan. The location Size and height of buildings, Structures, Wall and fences and the natural of Screening landscaping use will not hinder or discourage the appropriate development and use of adjacent or nearby land or buildings or impar the Value.

Sincerely, We have enough parking to load and unload the Children on the Property in a Way that does not affect or Conflict with the existing and anticipated traffic in the neighborhood.

Owner of Where all Stars Shing DayCare

Ed Gilma

Proposed Arrival and Departure Schedule for: Where all Stars Shine Day Care

Address: 5603 Downes Ave Alex, Va 22311

Proposed Arrival Schedule

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

Proposed Departure Schedule

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

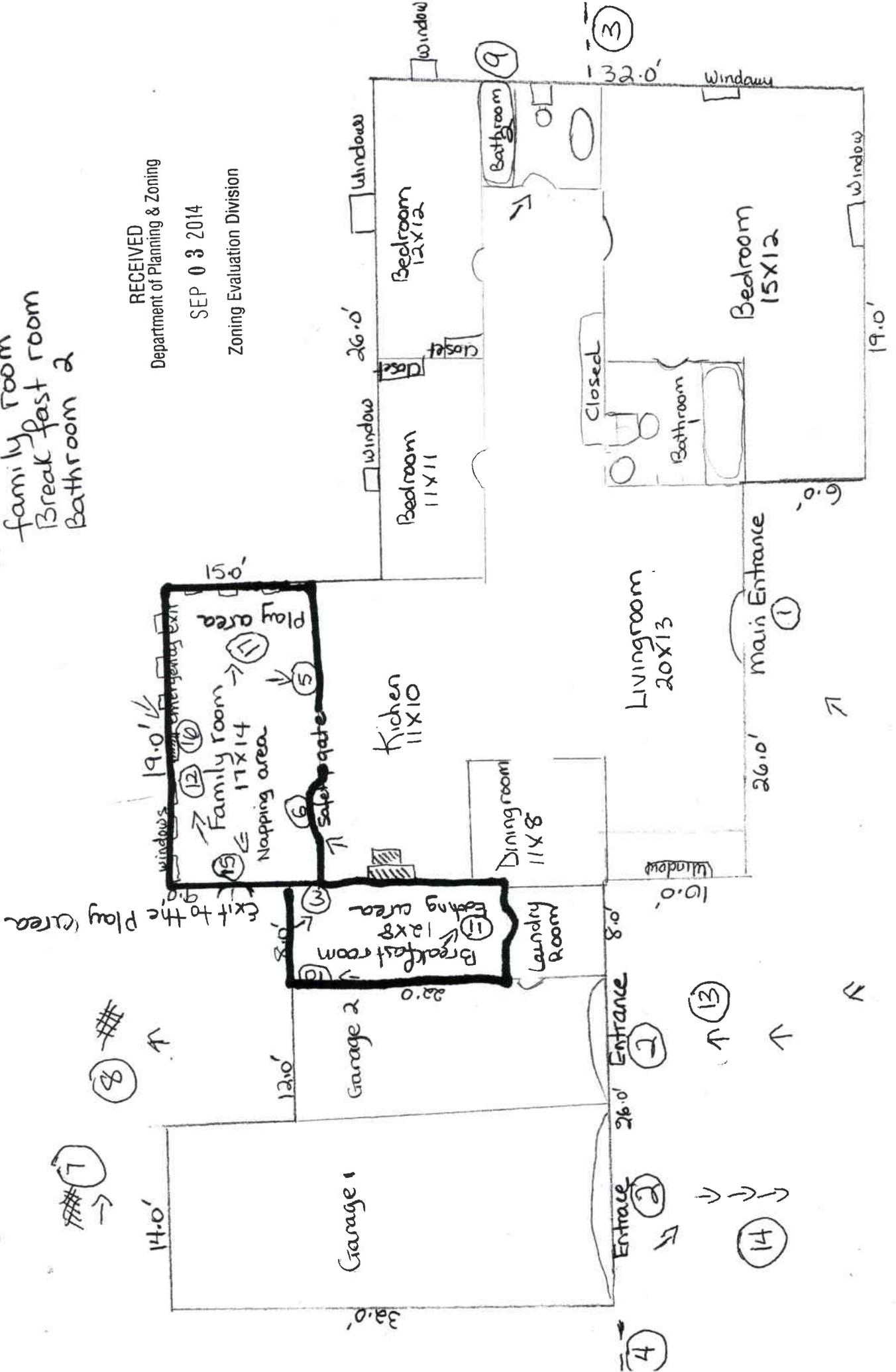
Appendix 1

RECEIVED
 Department of Planning & Zoning
 NOV 04 2014
 Zoning Evaluation Division

#G

2 Room are used for the Day Care
family room
Break fast room
Bathroom 2

RECEIVED
Department of Planning & Zoning
SEP 03 2014
Zoning Evaluation Division



Esther... 8/2/2014

Free Play area

17

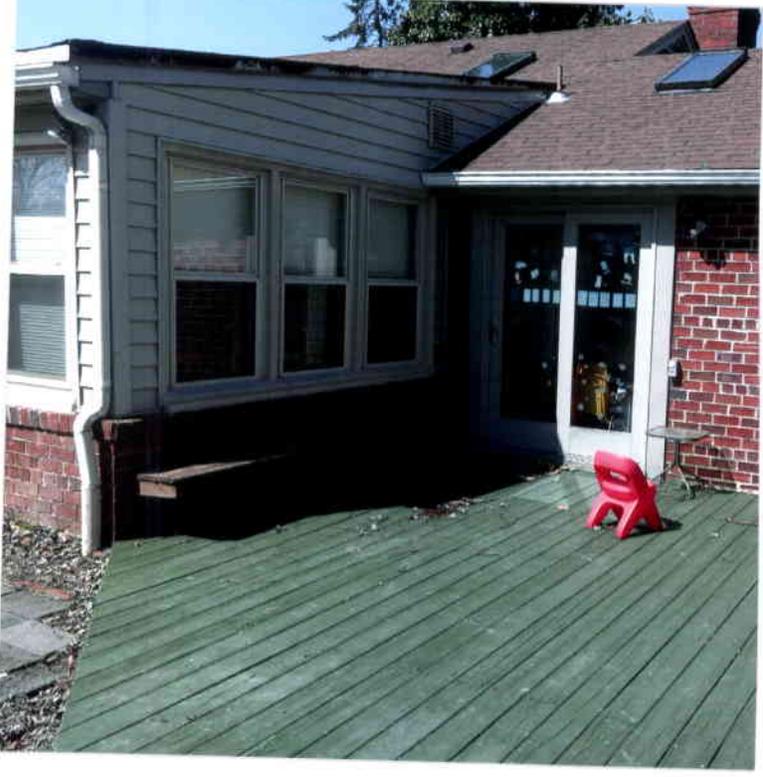
RECEIVED
Department of Planning & Zoning

MAR 28 2014

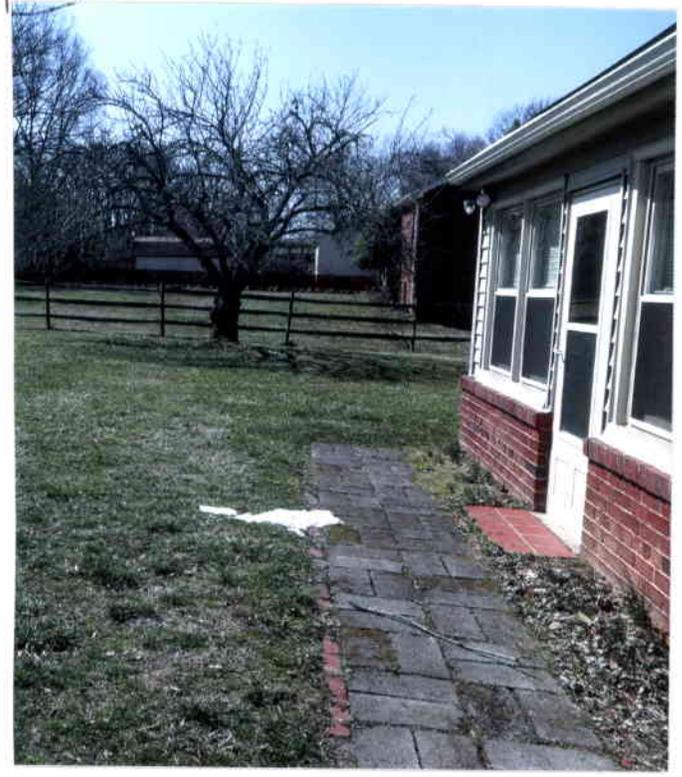
Zoning Evaluation Division



(15) Door used to go back to the Day Care from play area



(16) Emergency Exit



RECEIVED
Department of Planning & Zoning
MAR 28 2014
Zoning Evaluation Division

Door used to go outside to the Play are from the Day Care

(15)



Drive Way Where Parents Park



Drive Way Coming from the Street



RECEIVED
Department of Planning & Zoning
MAR 28 2014
Zoning Evaluation Division

13

14

eating area



11

RECEIVED
Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

Sleep area

12



12



OUT DOOR Play area (Back Yard)

7



RECEIVED
Department of Planning & Zoning
MAR 28 2014
Zoning Evaluation Division

8



Changing area.

10



Bathroom used For the day Care

9



Learning area

5



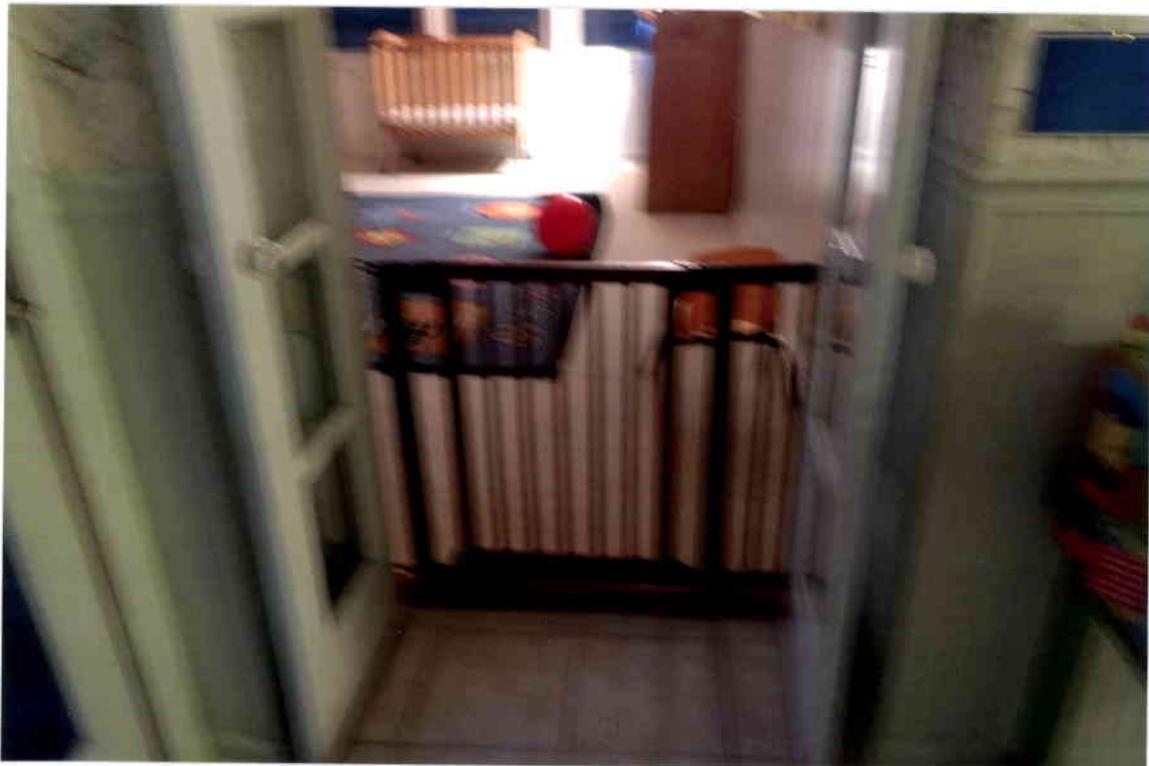
RECEIVED
Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

Safety Gate

6



Right Side of Gate to the Back Yard

3



RECEIVED
Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

Left Side of Gate to the Back Yard

4



Information Center

3

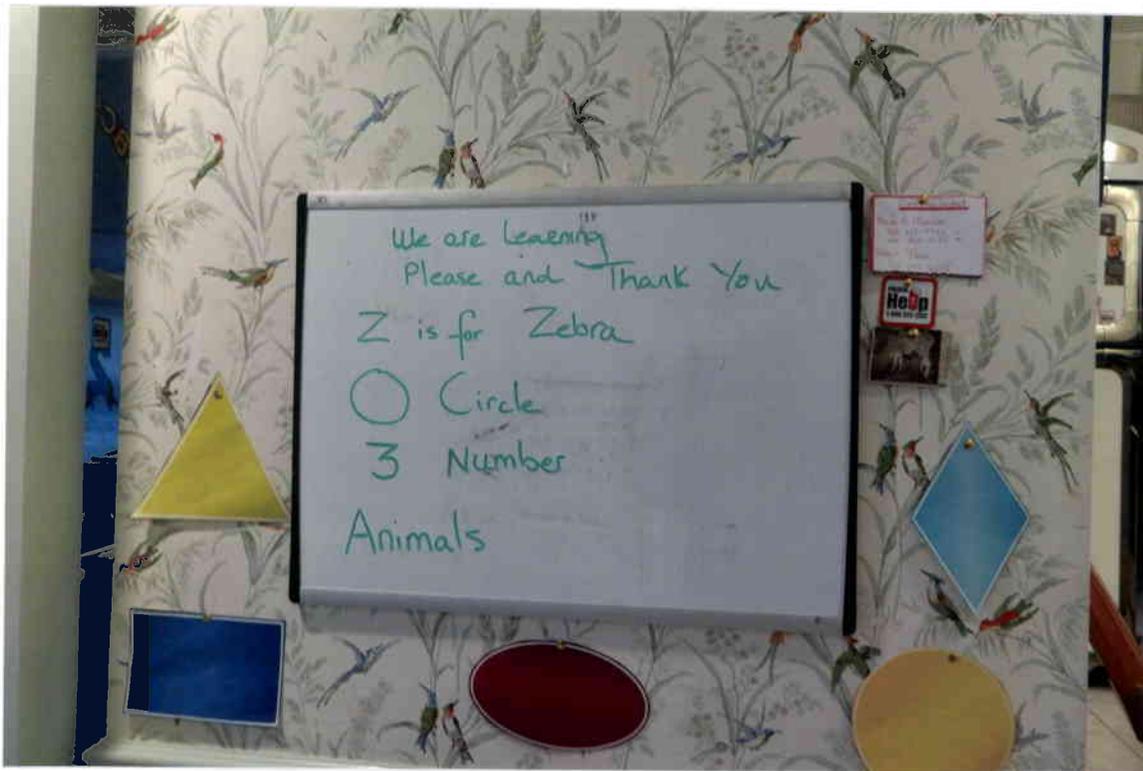


RECEIVED
Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

3



Main Entrance to the House

①



2 Garage

②



RECEIVED
Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

Application No.(s): SP 2014 - MA - 248
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/1/2014
(enter date affidavit is notarized)

I, Edla Yilmaz, 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: 125016

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)
Edla Yilmaz d/b/a Where all Stars Shine Daycare	5603 Dawes Ave Alex, Va 22311	Applicant Co-Title owner
Haile B. marlam	5603 Dawes Ave Alex, Va 22311	Co-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).

CAB

Application No.(s):

SP 2014-MA-248

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

Page Two

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

7/1/2014

(enter date affidavit is notarized)

125016

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)

N/A

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)

N/A

(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-248
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/1/2014
(enter date affidavit is notarized)

125016

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**)

N/A

(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-248
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/1/2014
(enter date affidavit is notarized)

125016

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):

SP 2014-MA-248

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 7/1/2014 (enter date affidavit is notarized)

125016

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 Edla Yilma [] Applicant's Authorized Agent Edla Yilma

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

Subscribed and sworn to before me this 1st day of JULY 2014, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: 01/31/2017



Suresh Dinku Notary Public



Land Development Information History: ISIS - Building Permit - 00049B0450

Permit Information

Permit Id:	00049B0450	Application Date:	2000-02-18	Time:	11:43:41
Job Address:	005603 DAWES AV	Tax Map:	061-4 ((10)) (10) 0058		
Subdivision:	DOWDEN TERRACE	Permit Status:	Initial/Approved (IA)		
Trade Name:	NA	Subobj:	181 R/C: R		
Applicant Name:	SHAMUEL C	Bldg:	NA	Floor:	NA
Suite:	NA				
Work Description:	SFD/INT ALTS TO REMODEL KITCHEN//GSF				
Type Work:	Multiple Work (O24)				
Building Use:	Single-Family, Detached Or Semi-Detached (010)				
Standard:	0295				
Plan Number:	Use Group: R4 Bldg Permit: NA				
Permit Hold Date:	By: QNO: W-00-00756 POF:				
Hold Release Date:	By: Proffer: Pre-Const Meeting: Date:				
Comments:	ENCLOSE EXIST CARPORT FOR GARAGE				

Permit Status Summary

Permit Status:	Initial/Approved (IA)	Building Plan Review:	2000-02-18	RSLT:	APP	BY:	KTD
Applied Date:	2000-02-18	Real Estate:	2000-02-18	RSLT:	APP	BY:	GSF
Issued Date:	2000-02-24	Business Licensing:	2000-02-18	RSLT:	APP	BY:	SM
Paid Date:	2000-02-24	Zoning:	2000-02-18	RSLT:	APP	BY:	WW
Expiry Date:	2000-08-25	Licensing:	2000-02-18	RSLT:	APP	BY:	SM
Inspection Date:	2001-01-18	Final Inspection:	2001-01-18	RSLT:	A	BY:	DBB

Owner Information

Leasee:		Corp:	
Owner:	BALLANCE BOBBY	Job Magisterial Dist:	Mason
Address:	05603 DAWES AVE XX		

City: ALEXANDRIA **State:** VA **Planning Dist:** Baileys
Zip: 22311 **Subcensus Tract:** 528.01
Phone:

Contractor Information

Name: CASE DESIGN/REMODELING **Master:**
Address: 00701 PARK AV **BPOL Licnese:** 35034
City: FALLS CHURCH **State:** VA **State License:** 39723
Zip: 22046 **Trade Reg.:** 0
Phone:

Building Permit

Building Plan Review

Estimated Cost: 17230 **Sewer Water Code:** 1
Use Group: (01) R4 **Sewer Shed:** N1
Type Const: (01) Combustible/Unprotected (5B)
Model Group:
Plan Received: 2000-02-18 **Review Time:** 00:00:00
Review Started: 2000-02-18 **Results:** APP
Review Completed: 2000-02-18 **Engineer:** KTD

Comments: INT \$13,230/CARPORT 4,000/FEE O/R

Totals Fee Area

Type of Construction	Fee	Fee Rate
Combustible/Unprotected (5B)	448	0.054

Total	448
Filing Fee	111.32
Total Fee	222.64
Amount paid	222.64

Real Estate Review

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

Stories:

Building Height: 0

Building Area: 0

Fuel System:

Fireplace: 0

Owner of Record: BALLANCE BOBBY

Review Data

Date To: 2000-02-18

Date From: 2000-02-18

Results: APP

Reviewer: GSF

Comments:

Business Licensing Review

Review Data

Date To: 2000-02-18

Date From: 2000-02-18

Results: APP

Reviewer: SM

Comments:

Zoning Review

Review Data

Date To: 2000-02-18

Date From: 2000-02-18

Results: APP

Reviewer: WW

Comments:

Licensing Review

Review Data

Date To: 2000-02-18

Date From: 2000-02-18

Results: APP

Reviewer: SM

Comments:

Inspections

Inspection - FRM - 999998

Req Taken: 2000-05-02 Phone:
 Time: 09:24:15 Floor: NA
 Sched For: 2000-05-03 Suite/Area: NA
 Assigned To: A43 Comments:
 Branch: 4 Req Taken By: MB
 Requested By: KIM Ovrd:
 Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FRM		2000-05-03	DBB	C	A	N		N			00:00:00	00:00:00	00:00:00	1

Inspection - RTNB - 999997

Req Taken: Phone:
 Time: Floor: NA
 Sched For: Suite/Area: NA
 Assigned To: Comments:
 Branch: Req Taken By:
 Requested By: Ovrd:
 Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
RTNB		2000-05-11	DBB		A			N			00:00:00	00:00:00	00:00:00	1

Inspection - FINB - 999996

Req Taken: 2001-01-17 Phone:
 Time: 14:25:17 Floor: NA
 Sched For: 2001-01-18 Suite/Area: NA
 Assigned To: A43 Comments:
 Branch: 4 Req Taken By: UK
 Requested By: STEVE Ovrd:
 Rpt Br: 4

Insp Type	Mech Ind	Insp Date	Insp Init	P/C	Result	Re-Fee	Elev Type	Crit Stru	Stru Type	Cert Eng	Visit Arrive	Visit Depart	Insp Time	Units
FINB		2001-01-18	DBB	C	A	N		N			00:00:00	00:00:00	00:00:00	1

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

Edla Yilma

5603 Dawes Avenue

ALEXANDRIA, VA 22311

(703) 628-9782

Facility Type: [Family Day Home](#)License Type: [One Year](#)[Expiration Date](#): May 16, 2016Business Hours: 6:00 AM - 6:00 PM
Monday - Friday

Capacity: 12

Ages: 0.0 years 0.0 months - 12.0 years 11.0 months

Inspector: Brenda Kuhlman
(703) 304-9609



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-248

Applicant: Edla Yilma
5603 Dawes Ave, Alexandria, Virginia 22311
Dowden Terrace, Lot 58, BLK 10
Tax Map# 61-4 ((10)) (10) 58
Zoning District: R-3
Magisterial District: Mason
ZIB # 2015-0151
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. An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
***Lacking (1) smoke detector in infants napping room.**
- 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.

Department of Planning and Zoning
Zoning Administration Division
Zoning Inspections Branch
12055 Government Center Parkway, Suite 829
Fairfax, Virginia 22035-5508
Phone 703-324-4300 FAX 703-324-1343
www.fairfaxcounty.gov/dpz/



- 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.

*Storage in front of the electrical panel.

- 7. Structures comply with the Zoning Ordinance.

*The rear yard contained one accessory structure (shed), located in the left side of the rear yard, which is in excess of 8' 6" in height and is located 10' 1" from side lot line.

*The property also contained a sunroom & garage additions, no building permits were found in the FIDO system.

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.