



APPLICATION ACCEPTED: December 18, 2014
BOARD OF ZONING APPEALS: July 15, 2015 @ 9:00 a.m.

County of Fairfax, Virginia

July 8, 2015

STAFF REPORT

SPECIAL PERMIT NO. SP 2014-LE-257

LEE DISTRICT

APPLICANT: Feriha Ibrahim
Perfect Child Care

OWNERS: Feriha Ibrahim
Afewerk Makonnen

SUBDIVISION: Windsor Estates, Section 3

STREET ADDRESS: 7233 Barry Road, Alexandria, 22315

TAX MAP REFERENCE: 91-3 ((2)) 2

LOT SIZE: 37, 731 square feet

ZONING DISTRICT: R-1

ZONING ORDINANCE PROVISIONS: 3-103, 8-305

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

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-LE-257 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.

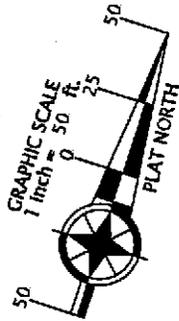
The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

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.**

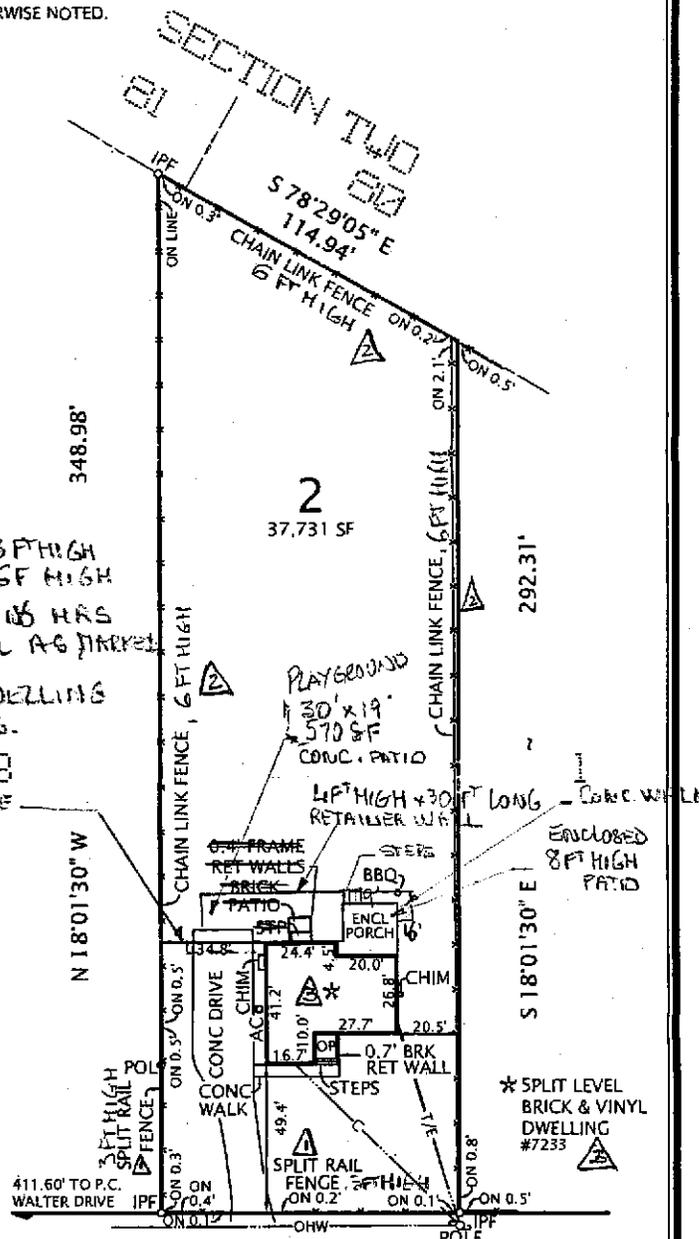


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

NOTES: 1. FENCES ARE CHAIN LINK UNLESS OTHERWISE NOTED.



- ▲ SPLIT RAIL FENCE ARE 3 FT HIGH
- ▲ CHAIN LINK FENCE ARE 6 FT HIGH
- ▲ LOWER LEVEL DWELLING HAS ALL SIDES BRICK WALL AS DRAWN IN RED
- ALL UPPER LEVEL DWELLING HAS VINYL SIDINGS.



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

PLAT
 SHOWING HOUSE LOCATION ON
 LOT 2, SECTION THREE

WINDSOR ESTATES
 FAIRFAX COUNTY, VIRGINIA
 LEE DISTRICT

SCALE: 1" = 50'

DECEMBER 20, 2004

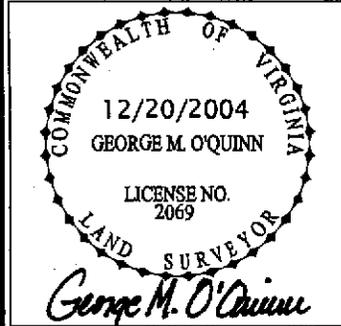
S 71°58'30" W ~ 100.00'
BARRY ROAD
 50' WIDE ~ STATE ROUTE #1317

Ferha Imani 12/10/14
Makonnen 12/10/14

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I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:

THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD.
 A TITLE REPORT WAS NOT FURNISHED.
 NO CORNER MARKERS SET.



CASE NAME:
 WICKS ~ MAKONNEN
 HERITAGE TITLE COMPANY Co.

DOMINION SURVEYORS, INC.®
 8808-H PEAR TREE VILLAGE COURT
 ALEXANDRIA, VIRGINIA 22309
 703-619-6555
 FAX: 703-799-6412

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 2, Section Three, Windsor Estates,” prepared by George M. O’Quinn L.S., on December 20, 2004, as revised by the applicant Feriha Ibrahim on December 10, 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 split level single family detached dwelling. A concrete driveway, open porch and a walkway are located in the front yard. A patio and a screened porch are located in the rear yard. A 6 foot high fence encloses the rear yard. A 3 foot high split rail fence is located along the front and western side property lines. A steep grade is located in the rear yard and the patio is contained on the northern side by a retaining wall.

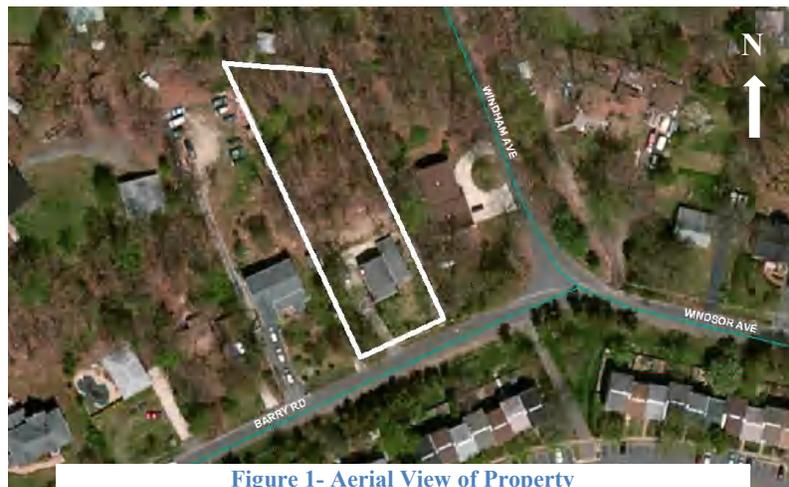


Figure 1- Aerial View of Property

The property is located south of the Franconia-Springfield Parkway and west of Beulah Street. The subject property and surrounding properties to the north, east and west are zoned R-1 and developed with single family detached dwellings. The properties to the south are zoned R-8 and developed with single family attached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the single-family dwelling was constructed in 1972 and purchased by the property owners in 2005.

- June 11, 2015: A building permit was issued for an existing enclosed porch addition (Appendix 4). A proposed development condition is included to ensure the applicant passes a final inspection for the addition.

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 6:00 p.m., Monday through Friday. There is an existing staggered drop-off and pick-up schedule for the children. Currently, there are two assistants.

The home child care facility is operated on the main level of the dwelling, which has adequate emergency egress through an existing sliding door that accesses the rear yard.

The applicant holds a current Family Day Home License, effective for two years and which expires of January 20, 2017, from the Commonwealth of Virginia, Department of Social Services. The license lists the business hours 6:30 a.m. to 6:00 p.m., Monday through Friday. 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 have the applicant limit hours of operation on the state license as requested with this application. A copy of the license is included as Appendix 5.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Springfield Planning District
Planning Sector: Beulah Community Planning Sector (S9)
Plan Map: Residential, 1-2 du/ac

On-Site Parking and Site Circulation

The existing driveway can accommodate approximately eight cars and there is adequate on-street parking. The applicant parks their personal car in the driveway. The two assistants park in the driveway as well.

Zoning Inspection Branch Comments (Appendix 6)

During the inspection, staff observed that the electric service panel was blocked by household items. The applicant has cleared a path to the electric panel and provided photos in Appendix 6.

In addition, staff found an accessory structure (playset) in the front yard and a fence over four feet tall in the front yard. The applicant has lowered the fence and removed the play set from its front yard location (see the photos included in Appendix 6).

Staff also noted during the site inspection that there were no building permits for the screened porch addition. The applicant has applied for a building permit and a development condition is proposed requiring a final inspection before the area can be used for the home child care.

Staff found eight cribs located in a 135 square foot sleeping area. The applicant has removed two cribs from the sleeping area to make the room less crowded (see Appendix 6 for updated photos).

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-1)		
Standard	Required	Provided
Lot Size	36,000 sf.	37, 731 sf.
Lot Width	Interior: 150 feet	100 feet*
Building Height	35 feet max.	Not provided
Front Yard	Min. 40 feet	49.4 feet
Side Yard	Min. 20 feet	34.8 feet, 20.5 feet
Rear Yard	Min. 25 feet	> 25 feet

* The lot was platted and recorded in 1975, before the adoption of the current zoning ordinance. Therefore, the lot is deemed a legal, buildable lot per Sect.2-405.1 of the Zoning Ordinance.

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-1 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 neighboring fencing and landscaping separates the play area from the neighbors.
Standard 6 Open Space	There is no prescribed open space requirement in the R-1 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-1 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 eight 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 neighboring fence and landscaping 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 January 20, 2017, for 12 children from 6:30 a.m. to 6:00 p.m., Monday through Friday. A proposed development condition will require the applicant to obtain an updated license with the requested hours of operation.

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 seven 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 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 (Appendix 1) to ensure the home child care will continue to meet Fairfax County Code provisions and 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 seven 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 2015-LE-257 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
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-LE-257****July 8, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-LE-257 located at Tax Map 91-3 ((2)) 2 to permit a home child care facility pursuant to Sects. 3-103 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, Feriha Ibrahim, and is not transferable without further action of the Board, and is for the location indicated on the application, 7233 Barry Road, 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 2, Section Three, Windsor Estates," prepared by George M. O'Quinn L.S., on December 20, 2004, as revised by the applicant Feriha Ibrahim on December 10, 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 within the approved hours of operation, 6:30 a.m. to 6:00 p.m., Monday through Friday, until a revised state license is obtained with the requested hours of operation of 7:00 a.m. to 6:00 p.m, Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
7. A maximum of two non-resident employees may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
8. All pick-up and drop-off of children shall occur in the driveway.
9. There shall be no signage associated with the home child care facility.

10. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
11. The screen porch shall not be used in any way for the home child care use, including but not limited to use as a play area or for access to the rear yard until approval of a setback certification and final inspection.
12. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping or rest area shall be located in a room with an operable exterior window, door or similar device that provides for a means of escape and access for rescue in the event of an emergency. Such emergency escape and rescue openings shall be of the dimension and size specified by the Virginia Uniform Statewide Building Code.
13. The child care facility shall be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards".

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

MAR 28 2014

Zoning Evaluation Division

Feriha Ibrahim
7233 Barry Road
Alexandria, VA 22315
(703) 347-9819
ferihalbra@yahoo.com

March 21, 2014

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

Re: Special Permit Application
Applicant: Feriha Ibrahim
Zoning Ordinance Section 8-305 for Home Child Care Facility
Section 8-004 of General Standards

Tax Map#: 0913-02-0002
Zoning District: Lee District
Lot Size: 37,731

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 detached dwelling at 7233 Barry Road, Alexandria, VA 22315. The property is zoned R-1 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 facility's operations:

Hours: The child care is open from 7:00am to 6:00pm.

Number of Children: I care for up to 12 children at any one time. This number does not include three of my own children.

Employee: I have one full time assistant and one part time.

Arrival Schedule: The children arrive between 7:10am and 9:30am: at 7:10 1 child arrives with her parent by stroller walking the rest arrive by driving. At 7:15am 2 kids arrive at 7:30am 2 kids, at 7:45am 2 kids, at 8:00am 2 kids, at 8:15am 1 kid, at 8:30am 1 kid and at 9:30am 1 kid.

Departure Schedule: departure for some kids starts from 3:30pm 2 kids leave at 6:00pm.

Area Served: I serve Kingstown neighborhood and its vicinity (Springfield, Lorton, Newington).

Operation: As I stated, my house is a single family detached dwelling. It has 3 level, I use the middle level for my child care as its outlined on the picture. Attached is the floor plan that indicates the areas where the day care is located.

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.

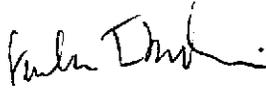
Zoning Ordinance Compliance: The proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standard or, if any waiver exception or variance is sought, such request ha been specifically noted with the justification for such modification.

Outdoor Play Area: I use my backyard for outdoor play for the children. The area is approximately 600 square feet, it has outside play toys example: kids bicycle ball etc.

Parking: I use my drive way to park my own car and my assistant side by side, and it provides enough parking for parent to park and pick up their kids, in addition there is ample parking is available along side the street in front of my house.

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 no changes to the outside appearance of my brick and vinyl sided home. I propose no addition and no signs regarding the day care. Adequate parking is available for my 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,
Feriha Ibrahim 
Perfect Child Care

Arrival Schedule and Departure Schedule

RECEIVED
Department of Planning & Zoning

MAR 28 2014

Zoning Evaluation Division

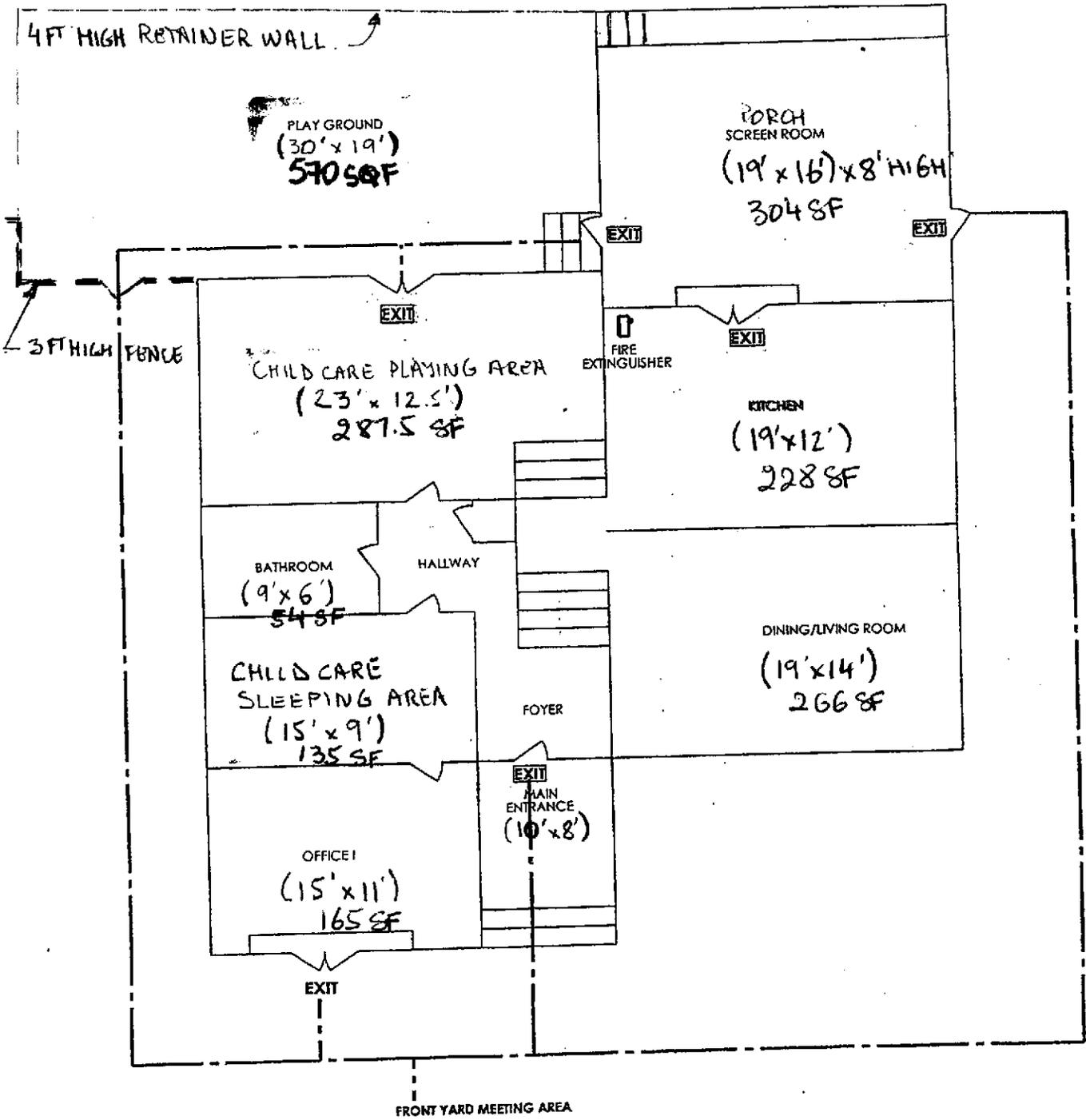
Arrival Schedule

Child	7:00 – 7:45 AM	7:45 – 8:00 AM	8:00 – 8:30 AM	9:00 – 9:15 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

Departure Schedule

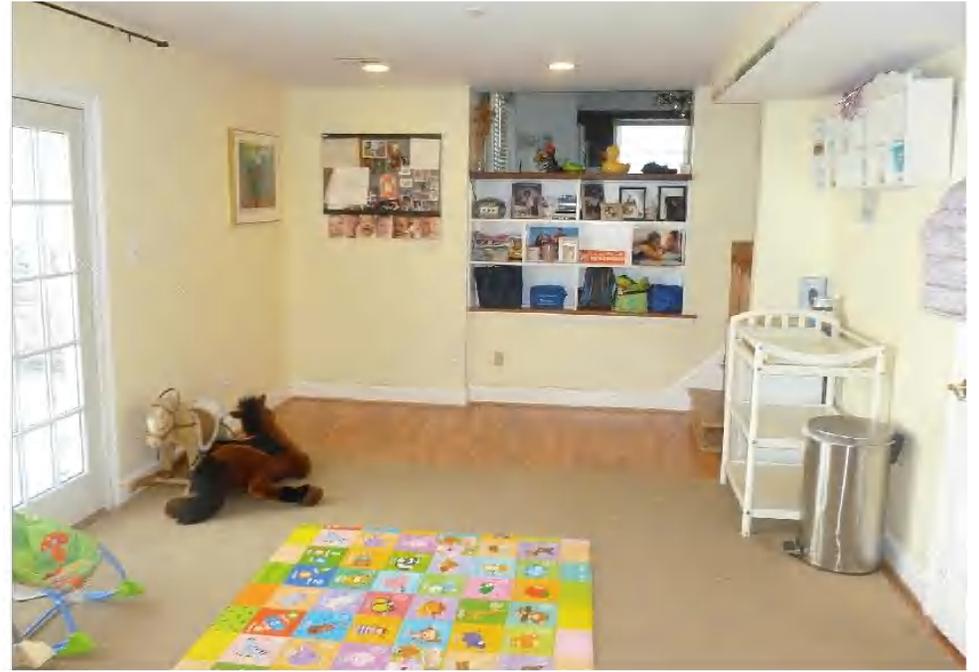
Child	2:45 – 4:15 PM	4:15 – 4:30 PM	4:30 – 5:00 PM	5:00 – 5:30 PM	5:30 – 6:00 PM
1	X				
2		X			
3			X		
4			X		
5			X		
6				X	
7				X	
8				X	
9				X	
10					
11					X
12					X

7233 BARRY ROAD
ALEXANDRIA VA 22315











Application No.(s): SP 2014-LE-257
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/24/14
 (enter date affidavit is notarized)

125014

I, Feriha Ibrahim, 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)
FERIHA IBRAHIM d/b/a PERFECT CHILD CARE	7233 BARRY ROAD, ALEXANDRIA, VA 22315	APPLICANT / TITLE OWNER
AFEWERK MAKONNEN	7233 BARRY ROAD, ALEXANDRIA, VA 22315	TITLE OWNER

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

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

Jem

Application No.(s): SP 2014-LE-257
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/24/14
(enter date affidavit is notarized)

125014

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Application No.(s): SP 2014-LE-257
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/24/14
(enter date affidavit is notarized)

125014

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**)

(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-LE-257

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

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE:

6/24/14

(enter date affidavit is notarized)

125014

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-LE-257
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 6/24/14
(enter date affidavit is notarized)

125014

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:

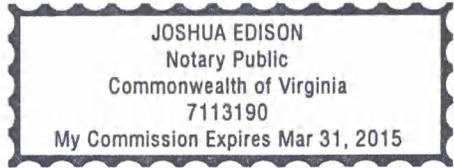
(check one) Feriha Ibrahim
 Applicant Applicant's Authorized Agent

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

Subscribed and sworn to before me this 24th day of June 2014, in the State/Comm. of Virginia, County/City of Fairfax.

Joshua Edison
Notary Public

My commission expires: Mar 31, 2015



City: ALEXANDRIA State: VA
Zip: 22315

Contractor Information

Name: OWNER IS CONTRACTOR

Address:

City: State: VA Zip:

Trade Name:

BPOL License:

State License:

Trade Reg.:

Applicant Information

Applicant:

Address:

City: State: Zip:

Other Contact Information

Contact:

Address:

City: State: Zip:

Inspections

Inspection - R FOOTING - FOOTING INSPECTION - 6768463

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FOOTING			N	None	NO	

Inspection - R FRAMING - FRAMING INSPECTION - 6768464

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FRAMING			N	None	NO	

Inspection - R INSLATION - INSULATION INSPECTION - 6768465

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R INSLATION			N	None	NO	

Inspection - R FINAL - FINAL INSPECTION - 6768466

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL			N	None	NO	

Reviews

Review - SETBACK - (SETBACK CERTIFICATION REVIEW) - 2441524

Review Type	Review Date	Reviewer	Started	Status

Review Type	Review Date	Reviewer	Started	Status
SETBACK	2015-06-15	CATHERINE BELGIN	Y	Failed

Review - SETBACK - (SETBACK CERTIFICATION REVIEW) - 2442218

Review Type	Review Date	Reviewer	Started	Status
SETBACK			N	Incomplete

Review - BUILDING - (BUILDING REVIEW) - 2441454

Review Type	Review Date	Reviewer	Started	Status
BUILDING	2015-06-11	DERRICK HEATH	Y	Approved

Review - SITEPERMIT - (SITE PERMITS REVIEW) - 2441453

Review Type	Review Date	Reviewer	Started	Status
SITEPERMIT	2015-06-11	SARON GETAHUN	Y	Approved

Review - ZONING - (ZONING REVIEW) - 2441452

Review Type	Review Date	Reviewer	Started	Status
ZONING	2015-06-11	TONY MOORE	Y	Approved

Contact Us: [General \(Office of Public Affairs\)](#) | [Technical \(Web Administrator\)](#) | [Directed Inquiries \(County Agencies\)](#)
Phone:County Main Number - 703-FAIRFAX (703-324-7329), TTY 711 | [County Phone Listing](#)

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VIRGINIA DEPARTMENT OF
SOCIAL SERVICES



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

Feriha Ibrahim

7233 Barry Road

ALEXANDRIA, VA 22315

(703) 347-9819

Facility Type: [Family Day Home](#)License Type: [Two Year](#)[Expiration Date:](#) Jan. 20, 2017Business Hours: 6:30am - 6:00pm
Monday - Friday

Capacity: 12

Ages: Birth - 5 years 11 months

Inspector: Pernille Brandt
(703) 203-8659



County of Fairfax, Virginia

MEMORANDUM

Date: May 15, 2015

To: Laura Arseneau, Staff Coordinator
Zoning Evaluation Division

From: Amy Moxley, Senior Zoning Inspector
Zoning Inspections Branch

Subject: Home Child Care – SP 2014-LE-257

Applicant: Feriha Ibrahim,
7233 Barry Rd, Alexandria VA 22315
Windsor Estates, Lot 2, Sec 3
Tax Map# 91-3 ((2)) 2
Zoning District: R-1
Magisterial District: Lee
ZIB # 2015-0224
Date of Inspection: May 15, 2015

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

- 1. An operable smoke alarm shall be provided outside of each sleeping area, with at least one such device on each floor.
- 2. All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- 3. All egress pathway and exit doors shall be unlocked in the direction of egress and free from obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.
- 4. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- 5. Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent







wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.

- 6. A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height, shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.

The electric service panel was blocked by storage of household items. Applicant was advised to clear a path and that the panel must remain accessible. Applicant will remove storage items and send photos to the staff coordinator after the work has been performed.

- 7. 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.)

- 8. Structures comply with the Zoning Ordinance.

The play set in the front yard is greater than 7' 6" and does not meet required front yard setbacks. The applicant was advised of this violation. The applicant was advised of the violation and the option of moving the play set to the rear yard was discussed.

The fence in the front yard, along the side property line, is 5' 6" tall, exceeding the 4' height limitation for front yards. Applicant was advised of this violation, reduction in height and removal were discussed as an option.

No building permits for the screened porch addition were found in FIDO.

At the time of inspection, 8 cribs were located in the "Sleeping Area", a 135 square foot room.



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.