



County of Fairfax, Virginia

July 22, 2015

STAFF REPORT

SPECIAL PERMIT SP 2014-SU-209

SULLY DISTRICT

APPLICANT: Lisa P. Hoang
Lisa Hoang's Daycare

OWNERS: Lisa Hoang
Dung T. Nguyen

SUBDIVISION: Poplar Tree Woods

STREET ADDRESS: 13451 Stream Valley Drive, Chantilly, 20151

TAX MAP REFERENCE: 45-1 ((9)) 1

LOT SIZE: 10,248 square feet

ZONING DISTRICT: R-3

ZONING ORDINANCE PROVISIONS: 8-305, 3-303

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

STAFF RECOMMENDATION:

Staff recommends approval of SP 2014-SU-209 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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

Erin M. Haley

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

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

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**

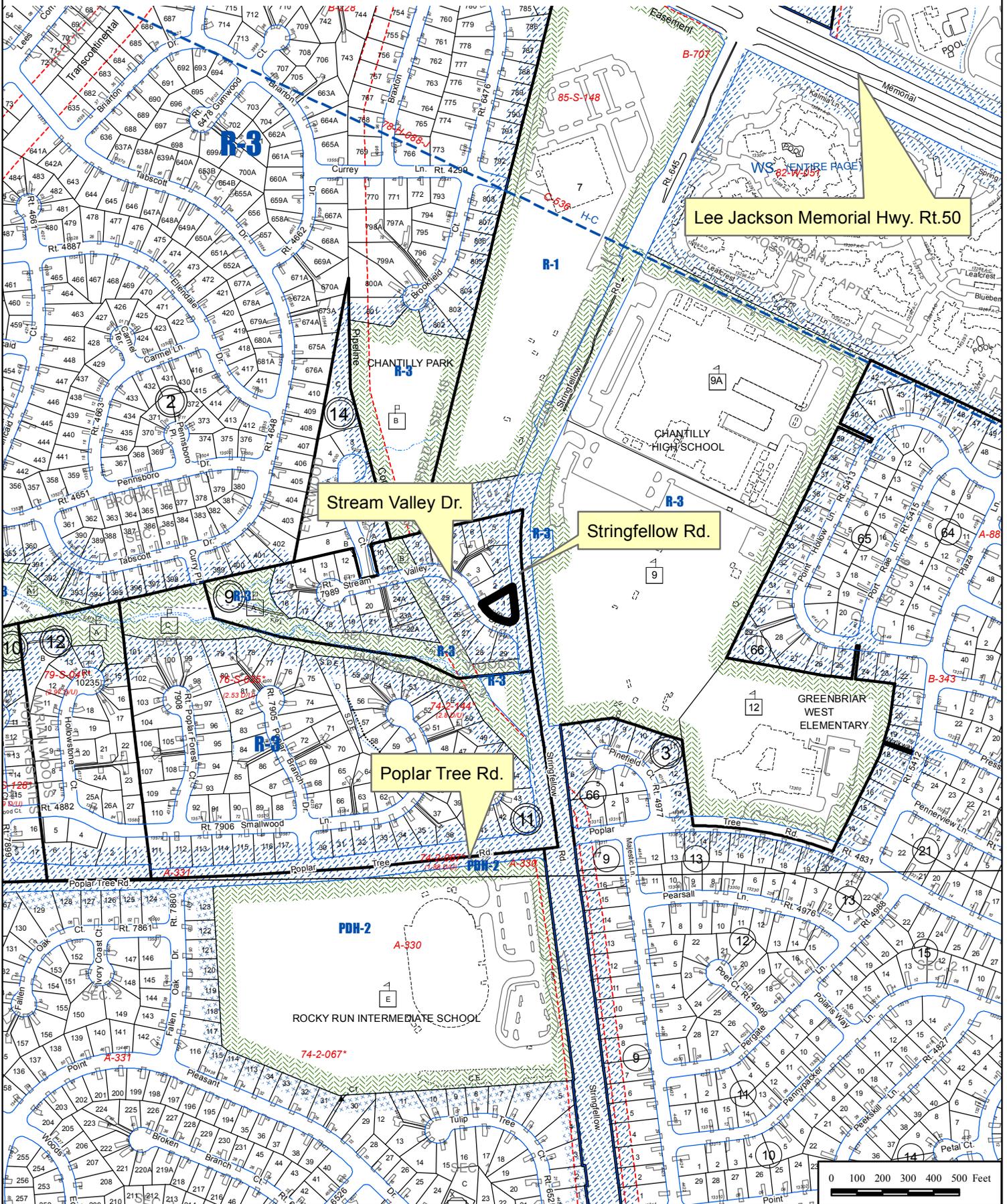


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit

SP 2014-SU-209

LISA P. HOANG / LISA HOANG'S DAYCARE



NOTES: 1. FENCES
2. UTILITIES UNDER.

X - X Fence
6' Tall
O - O Fence
4' Tall

STRINGFELLOW ROAD
(VARIABLE WIDTH)

Slide Set
10' x 6' x 5 1/2'

Swing Set
10' x 6' x 6'

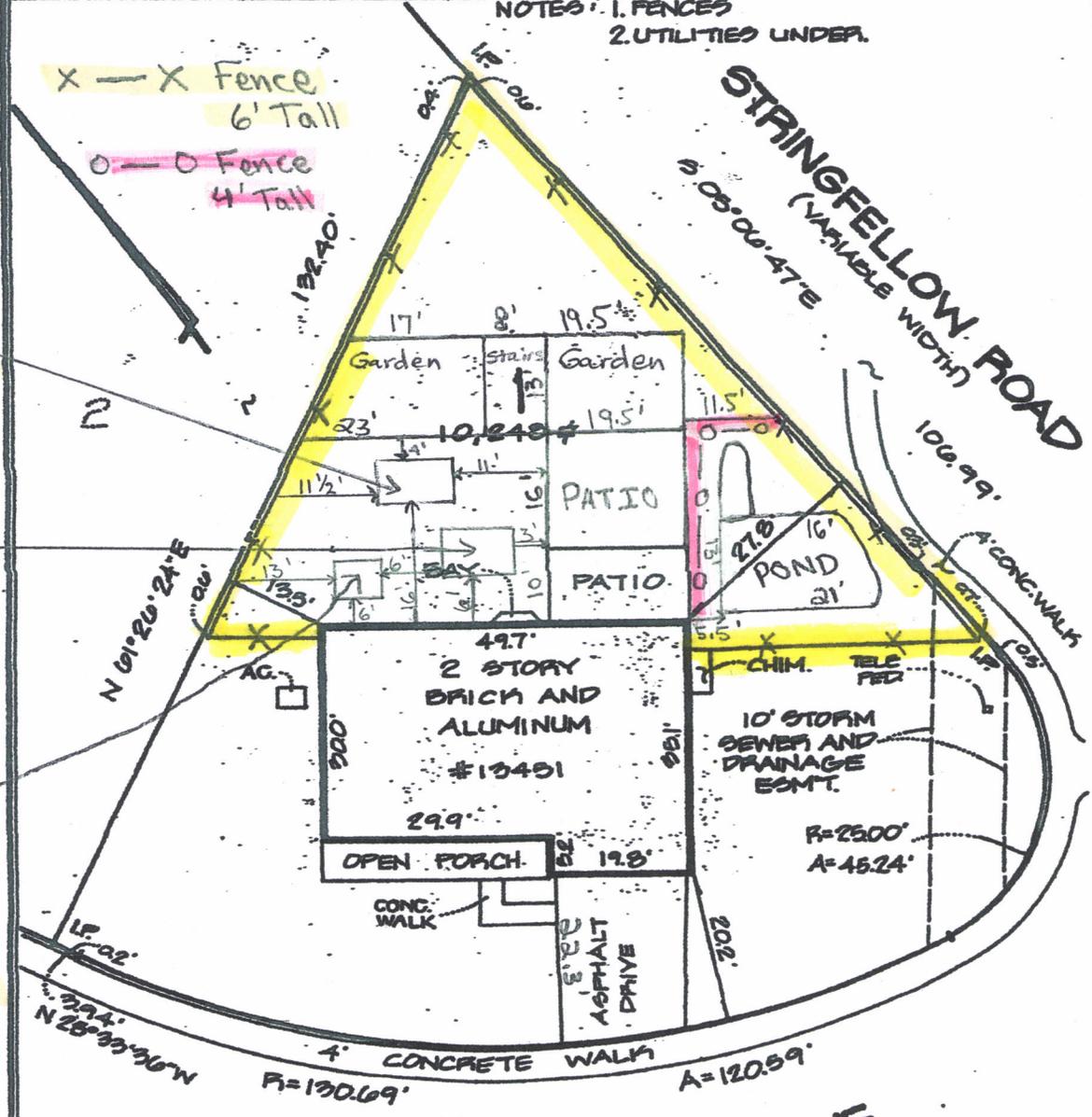
Play House
5' x 6' x 4'

Outdoor Play Area

50.5

x 26

1313



STREAM VALLEY DRIVE
50' R/W

PLAT
SHOWING HOUSE LOCATION ON
LOT 1, SECTION 1
POPLAR TREE WOODS
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 20'
SEPT. 11, 1997

Lisa Hoang 3-8-14

RECEIVED
Department of Planning & Zoning
MAR 24 2014
Zoning Evaluation Division

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
PLAT SUBJECT TO RESTRICTIONS OF RECORD.
TITLE REPORT NOT FURNISHED.

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

Kenneth W. White
KENNETH W. WHITE LS.



CASE NAME:
YU - PHAM
MARSHALL

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306
703-660-6615
FAX 703-768-7764

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children. A copy of the special permit plat, titled, "Plat Showing House Location on, Lot 1, Section 1, Poplar Tree Woods," by Kenneth W. White, dated September 11, 1997, as revised by Lisa Hoang through March 9, 2014, is included in the front of the staff report.

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

CHARACTER OF THE SITE AND SURROUNDING AREA

The application property is a two story single-family dwelling. An asphalt driveway provides access from Stream Valley Drive to the main entryway of the home. The rear yard is adjacent to Stringfellow Road and contains two patios, a terraced garden, and a fenced pond. Moveable play equipment is located in the yard. A wood fence approximately 6.0 feet in height encloses the rear yard. A portion of a storm sewer and drainage easement 10.0 feet in width crosses the southwest corner of the property.



Figure 1: House Location
For illustrative purposes only

The subject property and surrounding properties are zoned R-3. Properties to the north, south, and west are developed with single family detached houses and the property to the east is developed with Chantilly High School.

BACKGROUND

Fairfax County Tax Records and building permit records indicate that the house and full basement were constructed in 1987 and purchased by the property owner in 2003.

In June 2015, an electrical permit was obtained for a new outdoor electrical receptacle by the property owner. This improvement addressed one some of the items noted on the Zoning Inspection Report and discussed below. Relevant building permit information is included in Appendix 4.

Records indicate that no other special permit applications relating to a home child care facility have been heard by the Board of Zoning Appeals (BZA) in the surrounding area.

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home child care facility for up to 10 children on-site at any one time between the hours of 7:30 a.m. and 6:00 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children. The applicant is requesting two full-time non-resident assistants.

The applicant holds a current Family Day Home License from the Commonwealth of Virginia, Department of Social Services, valid through November 23, 2015. The license permits a capacity of 12 children, ages birth through 12 years, 11 months. The applicant's current state license permits the facility to operate from 7:30 a.m. to 6:00 p.m. Monday through Friday. A copy of the license information is included as Appendix 5.

The home child care facility is operated in the main level of the dwelling which consists of a living room, dining room, family room, breakfast room and kitchen. All napping occurs on this level that has adequate emergency egress through two doors to the outside. The basement is not used for the home child care facility. The rear yard is utilized for outdoor play. Pictures provided by the applicant show toys and play equipment located in this area.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area III, Bull Run Planning District
Planning Sector: Stringfellow Community Planning Sector (BR4)
Plan Map: Residential, 2-3 du/ac

Zoning District Standards

Bulk Standards (R-3)		
Standard	Required	Provided
Lot Size	10,500 sf.	10,248 sf.*
Lot Width	Corner: 105 feet	130.69 feet
Building Height	35 feet	Not provided
Front Yard	30 feet	20.2 ft.*
Side Yard	12 feet	13.3 ft.

Bulk Standards (R-3)		
Standard	Required	Provided
Rear Yard	25 feet	27.8 ft.

* The subdivision was originally platted before the adoption of Zoning Ordinance Amendment 87-150 related to clustering. The house was built with an approved building permit in 1987. An approved final development plan is dated 1992 for the current location of the structure and is included in Appendix 4.

Accessory Structures

Staff obtained a yard determination from the Zoning Administrator to confirm that the yard adjacent to Stringfellow Road is a functional rear yard. The pond and gardens are determined to be landscape features. Therefore, pond, patios, gardens, and fence are all structures that meet the location requirements of the Zoning Ordinance.

On-Site Parking and Site Circulation

The house has a two car garage and a driveway that can accommodate approximately two parking spaces. On-street parking is available on Stream Valley Drive, though it is regulated by permit from 8:00 a.m. to 3:30 p.m. on school days. The applicant allows her employee to use her permit to keep the driveway clear for pick-up and drop-off of children. Parents conduct drop-off and pick-up activities at staggered times. A condition has been included to require the applicant to keep the driveway clear for the parents to use during all drop-off and pick-up times.

Zoning Inspection Report (Appendix 6)

During the site visit, staff observed a number of building code issues that the applicant has worked to address. She has replaced wiring, replaced the double cylinder dead-bolt locks, replaced a broken window, removed the obstructions in front of the service panel and mechanical equipment, removed the damaged fence in the rear yard, and installed a handrail on the basement staircase. The applicant will provide photos of her improvements before the date of the hearing.

Zoning Ordinance Requirements (Appendix 7)

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

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

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. An outdoor play area with play equipment is found in the rear yard. In staff's opinion, the proposed use will not hinder or discourage the use or development of neighboring properties or negatively affect value.
Standard 4 Pedestrian/Vehicular Traffic	Arrival and departure times of the children are staggered, and in staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 5 Landscaping/Screening	There is an existing fence in the rear yard that provides screening to the outdoor play area.
Standard 6 Open Space	Open space is not a requirement in an R-3 zone.
Standard 7 Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property. As previously discussed, the driveway would be used for parking for the home child care facility.
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 meets the lot size and bulk regulations as originally approved with the subdivision plat. No new construction or exterior modifications are proposed.
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 Employee	The applicant is proposing a maximum of 12 children at any one time and two full-time non-resident employees.
Standard 2 Access and Parking	Arrival and departure times of the children are staggered and parking is available in the driveway. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 3 Landscaping/Screening	There is an existing fence in the rear yard that provides screening to the outdoor play area.

Standard 4 Submission Requirements	The applicant met all submission requirements for a home child care facility.
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.

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 permit 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.
Part D Non-Resident Employee	The applicant is proposing two full-time non-resident employees.
Part E Provider is a Resident	The provider is a resident.
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.
Part G Increase in Children or Non-Resident Employee	The maximum number of children permitted by-right at any one time is seven in a single family detached dwelling and can be increased up to 12 children with special permit approval. The applicant requests special permit approval to permit a maximum of 12 children at any one time and two full-time non-resident employees.

CONCLUSION / RECOMMENDATION

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

Staff recommends approval of SP 2014-SU-209 for the home child care facility with

adoption of the proposed development conditions contained in Appendix 1.

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

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

APPENDICES

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

PROPOSED DEVELOPMENT CONDITIONS**SP 2014-SU-209****July 22, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2014-SU-209 located at Map 45-1 ((9)) 1 to permit a home child care facility pursuant to Section 8-305 and 3-303 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Lisa Hoang, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 13451 Stream Valley Drive, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat titled, "Plat Showing House Location on, Lot 1, Section 1, Poplar Tree Woods," by Kenneth W. White, dated September 11, 1997, as revised by Lisa Hoang through March 9, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation of the home child care facility shall be limited to 7:30 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant's own children, the maximum number of children on site at any one time shall be 12.
7. A maximum of two full-time and one part-time non-resident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
8. There shall be no signage associated with the home child care facility.
9. All drop-off and pick-up activities shall occur in the driveway on the subject property.
10. 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.

11. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number and ages of children being cared for at the home child care facility.
12. 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.

RECEIVED
Department of Planning & Zoning
MAR 24 2014
Zoning Evaluation Division

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

Name: LISA HOANG
Address: 13451 Stream Valley Drive
Chantilly, VA 20151
Phone#: (703) 378-1485

Date 9-7-13

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

Re: Special Permit Application

Applicant: LISA HOANG

Zoning Ordinance Section 8-305 for Home Child Care Facility
Section 8-004 of General Standards

Tax map # 0451090001

Zoning District: R-3

Lot Size: 10,248 square feet

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 13451 Stream Valley Drive Chantilly, VA 20151. The property is zoned R-3 and I understand I need to seek approval of a special permit in order to operate a childcare facility within my home. I am currently licensed by the State of Virginia to have 12 children in my childcare facility in my home. Below is information about my childcare facility's operations:

Hours. The childcare is open from 7:30AM to 6:00PM Monday through Friday

Number of Children. I care for up to 12 children at any one time. This number does not include my own 2 children.

Employees. I have 2 assistants who work full-time.

Arrival Schedule. 6 of the children arrive between 7:30AM and 9:00AM. 6 children arrive between 9:00AM and 10:30AM. All children are being dropped off by car.

Departure Schedule. 5 of the children are picked up between 4:00PM and 5:00PM. Seven of the children are picked up between 5:00PM and 6:00PM. (See Attachment for Arrival and Department Schedule)

Area Served. All ten of the children live outside of my neighborhood. They live 15 to 30 minutes from my house.

Operations. As I stated, my house is a single family detached dwelling. It has a basement, but no walkout, so I use my main 1st floor for daycare. Attached is a floor plan that indicates the areas where the daycare is located. The house has 3,290 square feet. The following rooms are where I conduct the daycare: Living, family, kitchen, breakfast and dinning rooms where I conduct my daycare. (See Attachment for floor layout) These rooms are 1,151.6 square feet total.

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

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

Outdoor Play Area. I use my backyard for outdoor play for the children. The area is approximately 1,313 square feet. The outdoor play area consists of: Swing sets, plenty of slides play house and plastic cars. Included in plat.

Parking. I use my garage to park my family car. After 8:30AM the driveway has no car when my husband goes to work. My one employee lives with me and she has no car. The other employee parks in front of my house, or across the street.

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

In conclusion, I am proposing no changes to the outside appearance of my 2 story brick and aluminum home. I propose no addition and no signs regarding my daycare. Plenty of parking for my family, my employee and parents. My house is the first house off of Stringfellow. I believe that my proposed home daycare does not have a negative impact toward my neighbors in anyway.

Sincerely,
Lisa P. Hoang
Owner of Lisa Hoang's Daycare

MAR 24 2014

Zoning Evaluation Division

Arrival Schedule and Departure Schedule

Arrival Schedule

Child	7:30 - 8:00am	8:00 - 9:00 am	9:00 - 10:00 am	10:00 - 10:30 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	4:00 - 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				X
11				X
12				X

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151



1: The front of the house



2: The front left side of house

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Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151



3: The front right side of house



4: The front far right side of house

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Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151



5: The front right corner of house



6: Backyard playground

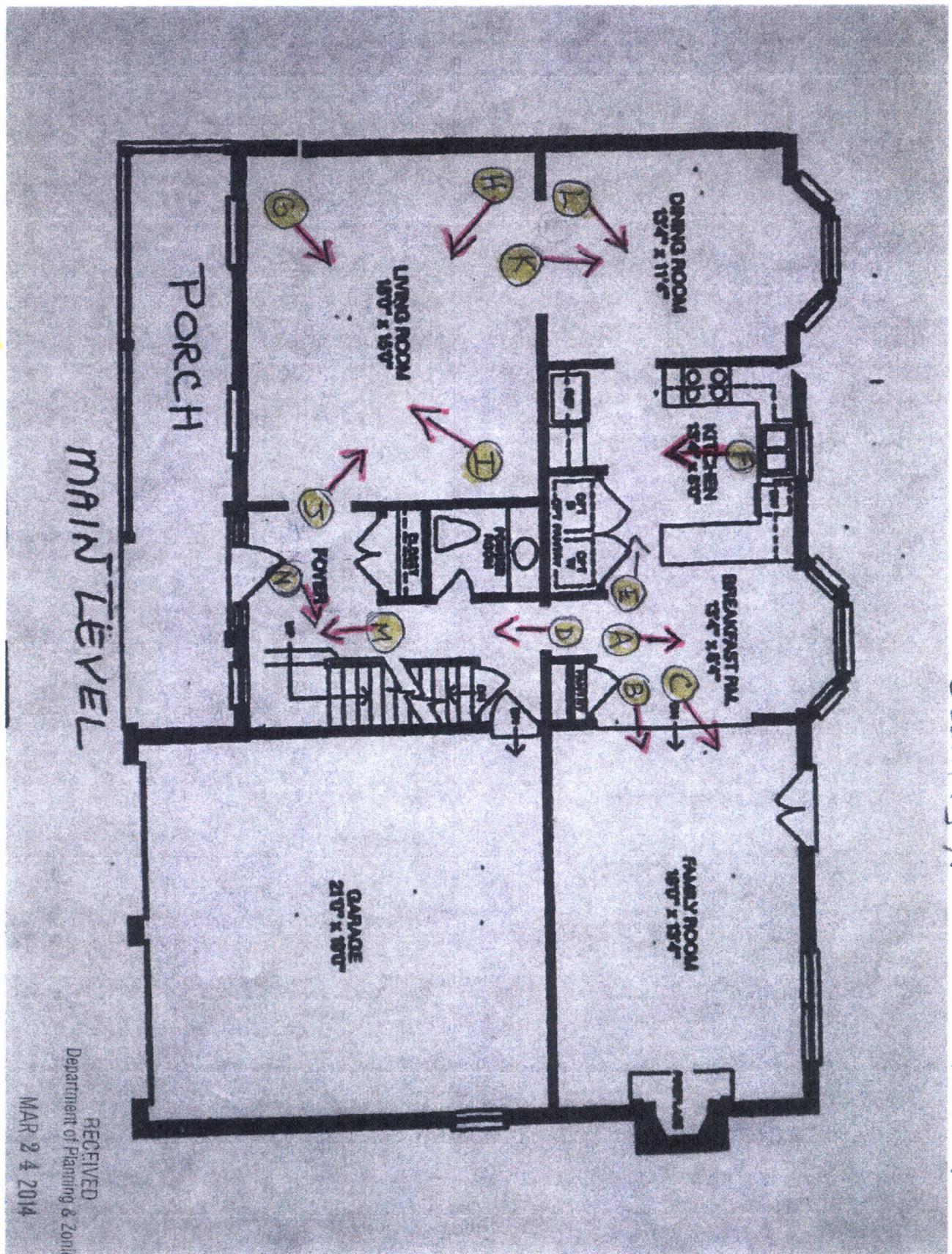
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Internal Photographs

Name: Lisa Hoang
Address: 13451 Stream Valley Dr.
Chauhtilly, VA 20151
Taken 9-20-13



Letter (Standing)
→ View of photo

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E: Kitchen, facing West towards backyard



F: Kitchen, facing South towards fridge and Stream Valley Dr

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151

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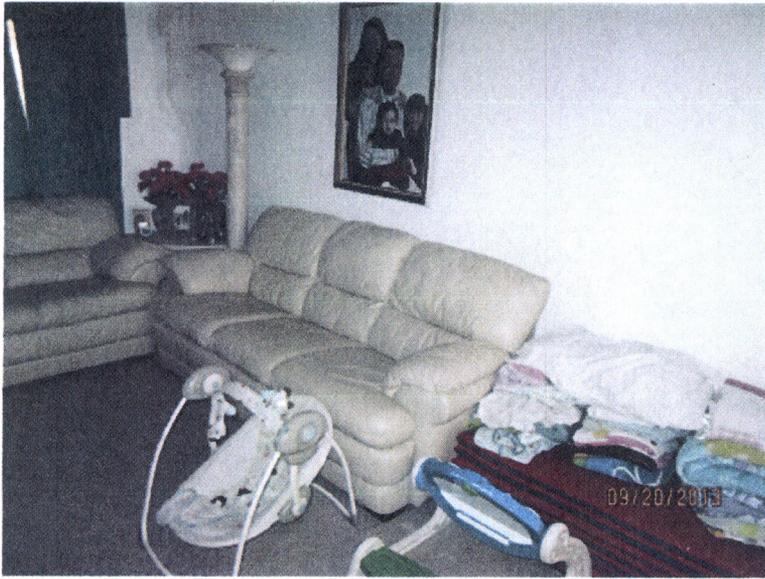
G: Living room, facing North East towards cribs and Stringfellow Rd



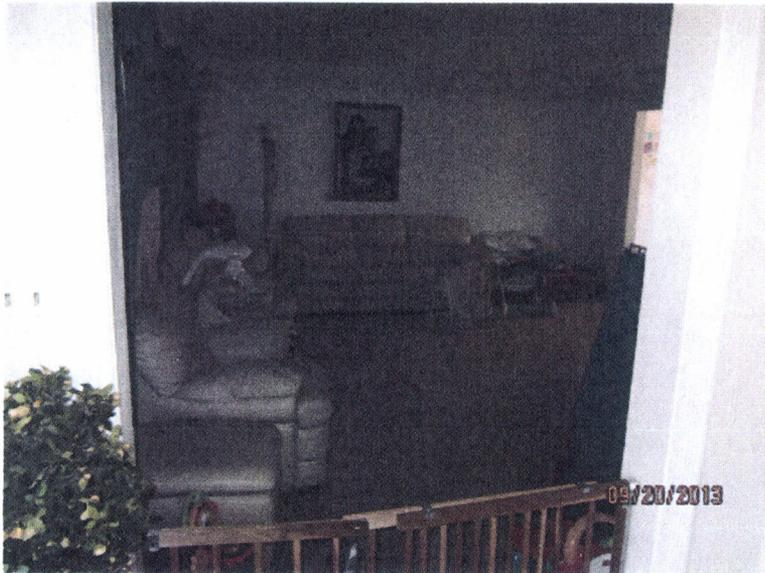
H: Living room, facing South East towards front door and Stringfellow Rd

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151

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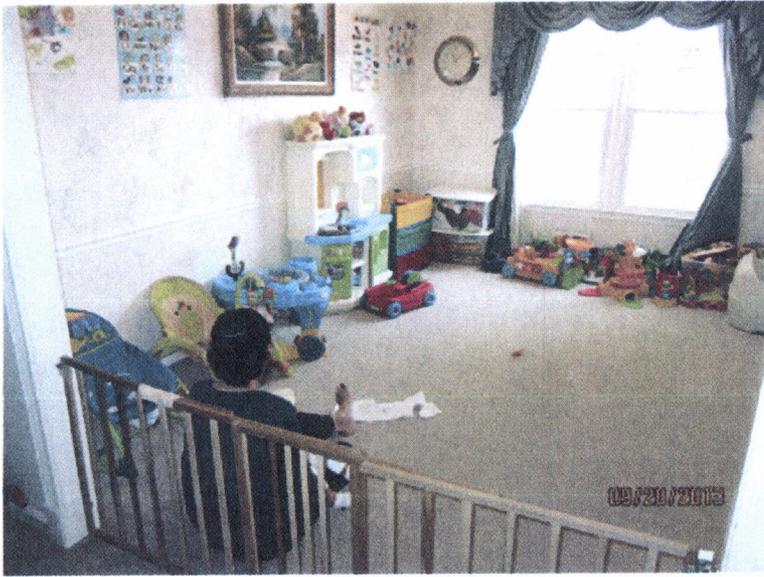
I: Living room, facing South West towards Stream Valley Dr



J: Living room, facing West into living room

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151

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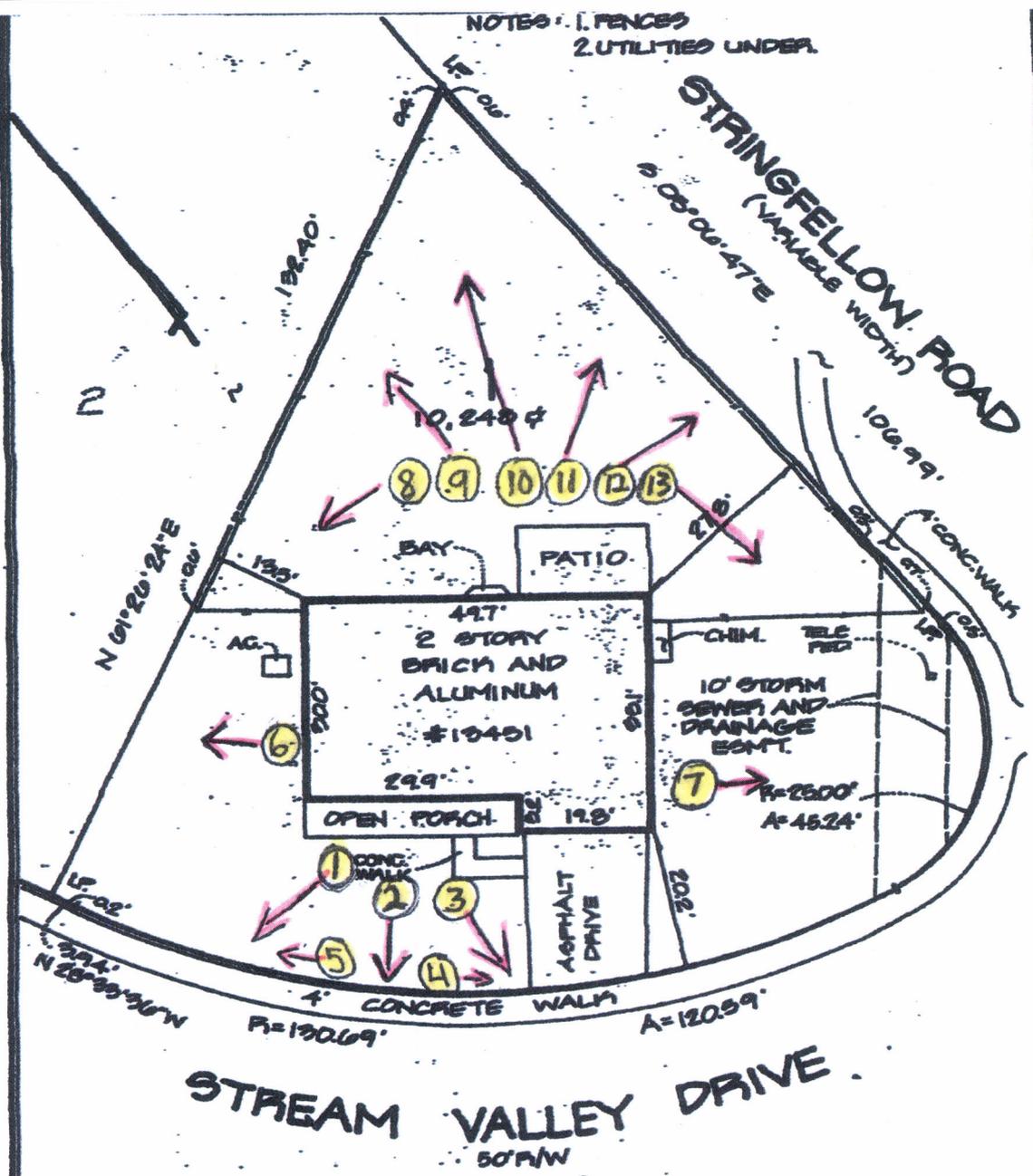


K: Play room, facing North towards backyard and Stringfellow Rd



L: Play room, facing North East to backyard and Stringfellow Rd

Photographs
Of Surrounding
Properties



STREAM VALLEY DRIVE
50' RW

PLAT
SHOWING HOUSE LOCATION ON
LOT 1, SECTION 1
POPLAR TREE WOODS
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 20'
SEPT. 11, 1997

standing

→ View: of photo

Pictures taken 9-20-13
3-23-14

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<p>THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA. PLAT SUBJECT TO RESTRICTIONS OF RECORD. TITLE REPORT NOT FURNISHED.</p>		<p>CASE NAME: YU - PHAM MARSHALL</p>
<p>I HEREBY CERTIFY THAT THE PORTIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRUSTY TAPE SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.</p> <p><i>Kenneth W. White</i> KENNETH W. WHITE L.S.</p>	<p>ALEXANDRIA SURVEYS, INC. 6343 SOUTH KINGS HIGHWAY ALEXANDRIA, VIRGINIA 22306 703-680-6615 FAX 703-768-7764</p>	

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151

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1: Front neighbors across the street on Stream Valley Dr on left



2: Front neighbors across the street on Stream Valley Dr

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151

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3: Front neighbors across the street on Stream Valley Dr on the right



4: Front right street view of Stream Valley Dr

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151

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5: Front left neighbor on Stream Valley Dr adjacent to my house



6: Front left neighbor adjacent property

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151



7: Backyard overview



8: Backyard patio

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9: Back yard left side fence adjacent to neighbor



10: Back yard far rear fence

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151

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11: Back yard right side fence adjacent to Stringfellow Rd



12: Back yard right side fence adjacent to Stringfellow Rd

Lisa Hoang 13451 Stream Valley Dr, Chantilly, VA 20151



11: Backyard rear left of house



12: Backyard rear left corner of playground

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MAR 24 2014

Zoning Evaluation Division

Application No.(s): SP 2014-SU-209
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

124866a

DATE: 9-27-14
(enter date affidavit is notarized)

I, LISA P. HOANG, 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)
LISA P. HOANG / LISA HOANG'S DAYCARE	13451 STREAM VALLEY DR. CHANTILLY, VA 20151	APPLICANT / TITLE OWNER
DUNG T. NGUYEN	13451 STREAM VALLEY DR. CHANTILLY, VA 20151	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).

Application No.(s): SP 2014-SU-209
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9-27-14
(enter date affidavit is notarized)

124866a

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)

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 SU-209
(county-assigned application number(s), to be entered by County Staff)

Page Three

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9-27-14
(enter date affidavit is notarized)

124866 a

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-SU-209
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 9-27-14
(enter date affidavit is notarized)

124866 a

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-SU-209
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

124866a

DATE: 9-27-14
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

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

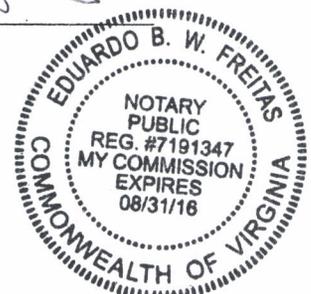
Lisa P. Hoang, Daycare Provider
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 27th day of SEPTEMBER 2014, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

[Signature]

Notary Public

My commission expires: 08-31-16



DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
FAIRFAX COUNTY, VIRGINIA
PERMIT APPLICATION CENTER
10555 MAIN STREET, 4TH FLOOR
FAIRFAX, VA. 22030 691-3031

**BUILDING
PERMIT APPLICATION**

APPLICATION NO _____
Date 19

JOB LOCATION

Street 13451 Stream Valley Drive
Building Lot 1 Floor _____ Suite _____
Subdivision Poplar Tree Woods
Tenants Name _____

DO NOT WRITE IN THIS SPACE
Permit No. _____
Map Reference _____
Building Permit No. _____ Control No. _____
Std. _____ Mag. _____ Plan _____ Census _____

OWNER
Name The Richards Group of Wash.
Address (Mailing) 13456 Stream Valley Dr.
City Chantilly State VA Zip 22021
Telephone 531-4663

CONTRACTOR
Company Name _____
Master _____
Address _____
City _____ State _____ Zip _____
Telephone _____ License No. _____
State Contractors License No. _____
County Business Account No. _____

For _____ Description _____

SFD Model B

Model/Use _____

- Sewage: Public Community Septic Tank None
WATER: Public Individual Well None
 N-New D-Demolish
 R-Alter or Repair M-Move
 A-Add To O-Other

REMARKS:

BUILDING DESCRIPTION	QUANTITY
# Units	<u>1</u>
# Stories	<u>2</u>
# Rooms	<u>9</u>
# Bedrooms	<u>4</u>
# To be Added	<u>0</u>
# Baths	<u>2</u>
# Half Baths	<u>1</u>
# Kitchens	<u>1</u>
# Fireplaces	<u>1</u>
Basement	<u>yes</u>
% Basements to Finish	_____

BUILDING DIMENSIONS			
No. Stories	Width	Depth	Sq. Ft.
	X	=	
	X	=	
	X	=	
	X	=	

ROUTING

	Date	Approved By:
Health Review		
Site Review		
Zoning Review		
Sanitation Review		
Building Review		
Fire Review		

Use Group of Building R3
Type of Construction S/B
Building Area 2650
Estimated Const. Cost 45,500

ZONING REVIEW
Zoning Proffers Building R3-C
Zoning Class _____
Zoning Case # _____

BUILDING CHARACTERISTICS
Building Height 26'
Exterior Walls aluminum siding
Interior Walls Drywall
Roofing Material Asphalt Shingles
Flooring Material Carpet & Tile
Heating Fuel Electric
Heating System Boat Pump

GRADING AND DRAINAGE REVIEW
Soils _____
Historical _____
Plan # _____
Retaining Wall _____

YARDS Front Front Left Side Right Side Rear
N/A 20' 12' 8+' 32'

REMARKS Poplar Tree Woods Subdivision Lot 1 Section 1
6040 Master File

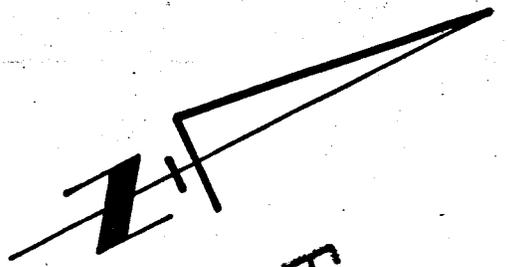
FOR COUNTY USE ONLY:

Date _____ By _____ Approved for Issuance of Building Permit	Fee _____ Filing Fee _____ Amount Due _____
--	---

The request for and use of personal information on this form is subject to the provisions of the Privacy Protection Act of 1976 and the Freedom of Information Act.

I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that if a permit is issued the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. He/She and the company or organization name and represented herein is duly registered or exempt from registration in accord with the provisions of Chapter 7 of the Code Virginia.

Signature of Owner or Agent _____ Date _____ Notary Signature _____ Date _____

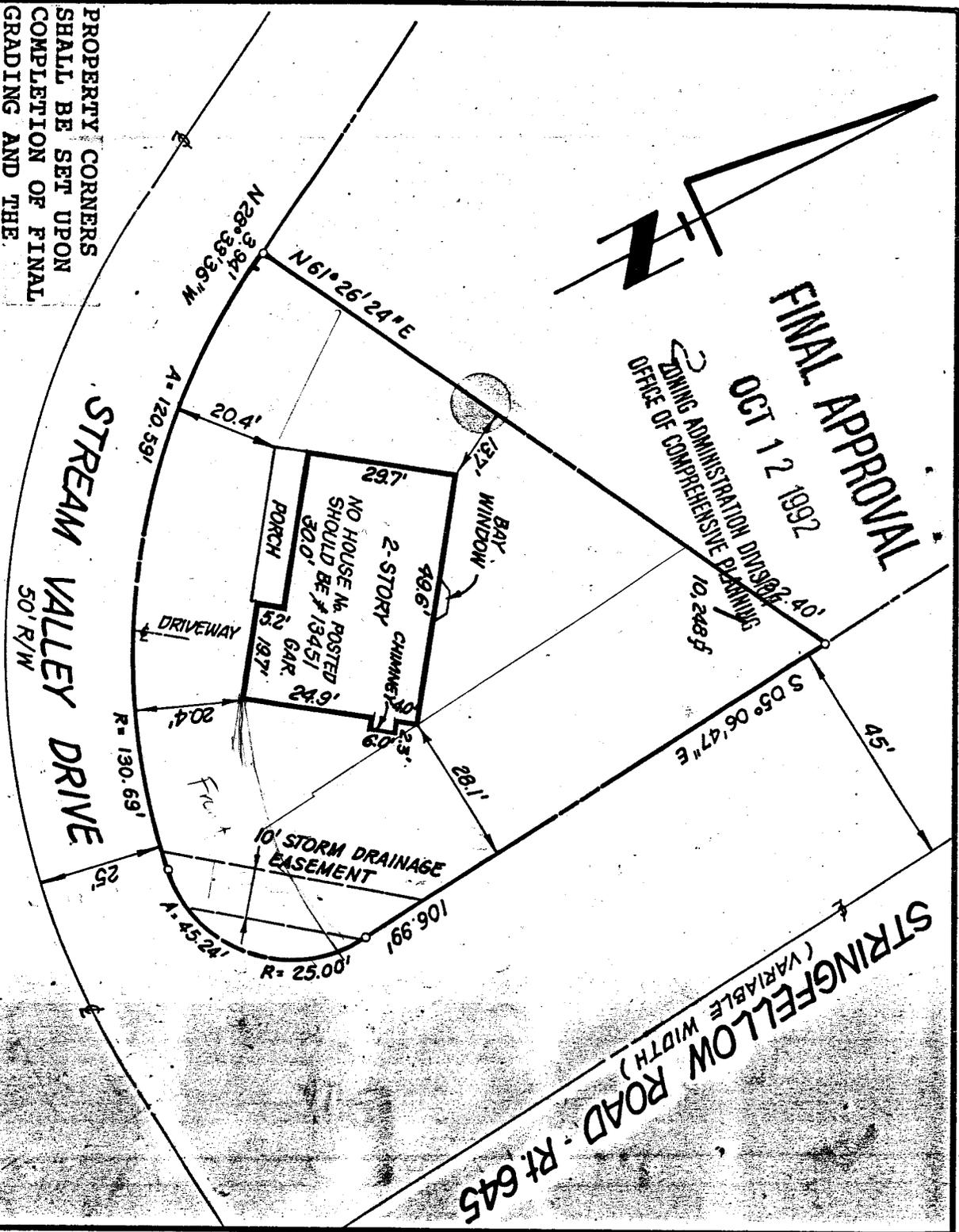


FINAL APPROVAL

OCT 12 1992

ZONING ADMINISTRATION DIVISION
OFFICE OF COMPREHENSIVE PLANNING

10,248.8



PROPERTY CORNERS SHALL BE SET UPON COMPLETION OF FINAL GRADING AND THE ESTABLISHMENT OF VEGETATION.

HOUSE LOCATION ON
LOT 1
SECTION ONE
MOUNTAIN VIEW

NOTES:

- 1. FOR EASEMENTS AND RESTRICTIVE COVENANTS NOT SHOWN SEE TITLE REPORT.
- 2. I HEREBY CERTIFY THAT THIS HOUSE HAS BEEN LOCATED BY TRANSIT AND TAPE.
- 3. THE PROPERTY DELINEATED HEREON IS LOCATED ON RAILROAD

20151

Contractor Information

Name: MINH V NGUYEN
 Address: 13506 RIDGE ROCK DRIVE
 City: CHANTILLY State: VA Zip: 20151-0000
 Trade Name:

BPOL License:
 State License:
 Trade Reg.:

Applicant Information

Applicant: NGUYEN
 Address: 13506 RIDGE ROCK DR
 City: CHANTILLY State: VA Zip: 20151

Other Contact Information

Contact:
 Address:
 City: State: Zip:

Inspections

Inspection - R FINAL - FINAL INSPECTION - 6770389

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R FINAL	2015-06-17	LARRY VANNOY	N	Passed	NO	

Inspection - R ELECTRIC - RES ELECTRICAL CONCEALMENT INSPECTION - 6770390

Insp Type	Insp Date	Insp Name	Partial?	Insp Result	Re-Fee	Comments
R ELECTRIC			N	None	NO	Auto Finalization

Reviews

There were no reviews.

**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](#)**

[ADA Accessibility](#) | [Website Accessibility](#)
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VIRGINIA DEPARTMENT OF
SOCIAL SERVICES**Lisa Hoang**

13451 Stream Valley Drive

CHANTILLY, VA 20151

(703) 378-1485 [📞](#)Facility Type: [Family Day Home](#)License Type: [Three Year](#)[Expiration Date](#): Nov. 23, 2015Business Hours: 7:30am - 6:00pm
Monday - Friday

Capacity: 12

Ages: Birth - 12 years 11 months

Inspector: Pernille Brandt
(703) 203-8659 [📞](#)



County of Fairfax, Virginia

MEMORANDUM

Date: April 20, 2015

To: Erin Haley, Staff Coordinator
Zoning Evaluation Division

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

Subject: Home Child Care Facility (HCCF), Special Permit # SP 2014-SU-209

Applicant: Lisa P. Hoang / Lisa Hoang's Daycare
13451 Stream Valley Drive, Chantilly, Virginia 20151
Legal Description: Poplar Tree Woods, Sect. 1, Lot 1
Tax Map Ref: 45-1 ((9)) 1
Zoning District: R-3
Overlay District: WS
Lot Size: 10,248 square feet
ZIB# 2015-0125

On March 27, 2015, an inspection was conducted by Zoning/Property Maintenance Inspector Bruce Miller of the property located at 13451 Stream Valley Drive, Chantilly, Virginia 20151. The Inspector was accompanied by Staff Coordinator Erin Haley and the applicant.

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

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

Comment: The yellow electrical wiring in the basement HCCF appears to have been installed without an approved electrical permit. The date on the wire was not clearly visible to the inspector at the time of the inspection, but it dates from the early 2000's.

April 20, 2015

Page 2

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

Comment: The use of extension cords as permanent wiring for the pond is prohibited.

- 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.

Comment: The service panel is obstructed by storage and small refrigerator.

- 7. Other Building Code issues:

Comment: Double cylinder dead-bolt (a dead-bolt that requires a key to open the lock from both the interior and exterior of the door) is prohibited on egress doors.

Comment: The electrical wire is dated 3/24/03 and is not an original installation to the house. No approved permits were found for this electrical installation.

Comment: The improperly terminated electrical wiring in the basement mechanical room constitutes an electrical system hazard.

Comment: The broken window pane on the first floor must be replaced. Taping the window is not compliant with the Virginia Maintenance Code.

Comment: Stairway from the first floor to the basement is missing the required handrail.

Comment: A clear working area in front of the mechanical equipment is not maintained. Storage obstructs access.

Comment: The water heater is not an original installation to the house and the orange wire that is serving this appliance is not an original installation. No approved permits were found for the plumbing work and electrical work involved in the installation of this appliance.

Comment: The outdoor stairway through the terraced garden requires a continuous handrail on one side.

Comment: The fence in the rear yard that is in disrepair must be removed or repaired.

- 8. Structures comply with the Zoning Ordinance.



County of Fairfax, Virginia

MEMORANDUM

Comment: Outdoor storage of gas cans, oil containers, and battery in the front yard is not permitted.

Photographs attached.

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.