



County of Fairfax, Virginia

September 16, 2015

STAFF REPORT

SPECIAL PERMIT SP 2015-LE-096

LEE DISTRICT

APPLICANT: Sasanavadee Adam
"Ms. Sandy's Daycare"

OWNER: Sasanavadee Adam

SUBDIVISION: Monticello Woods

STREET ADDRESS: 6519 Deepford St, Springfield, 22150

TAX MAP REFERENCE: 80-4 ((07)) (F) 302

LOT SIZE: 13,743 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 2015-LE-096 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.

Mike D. Van Atta

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**

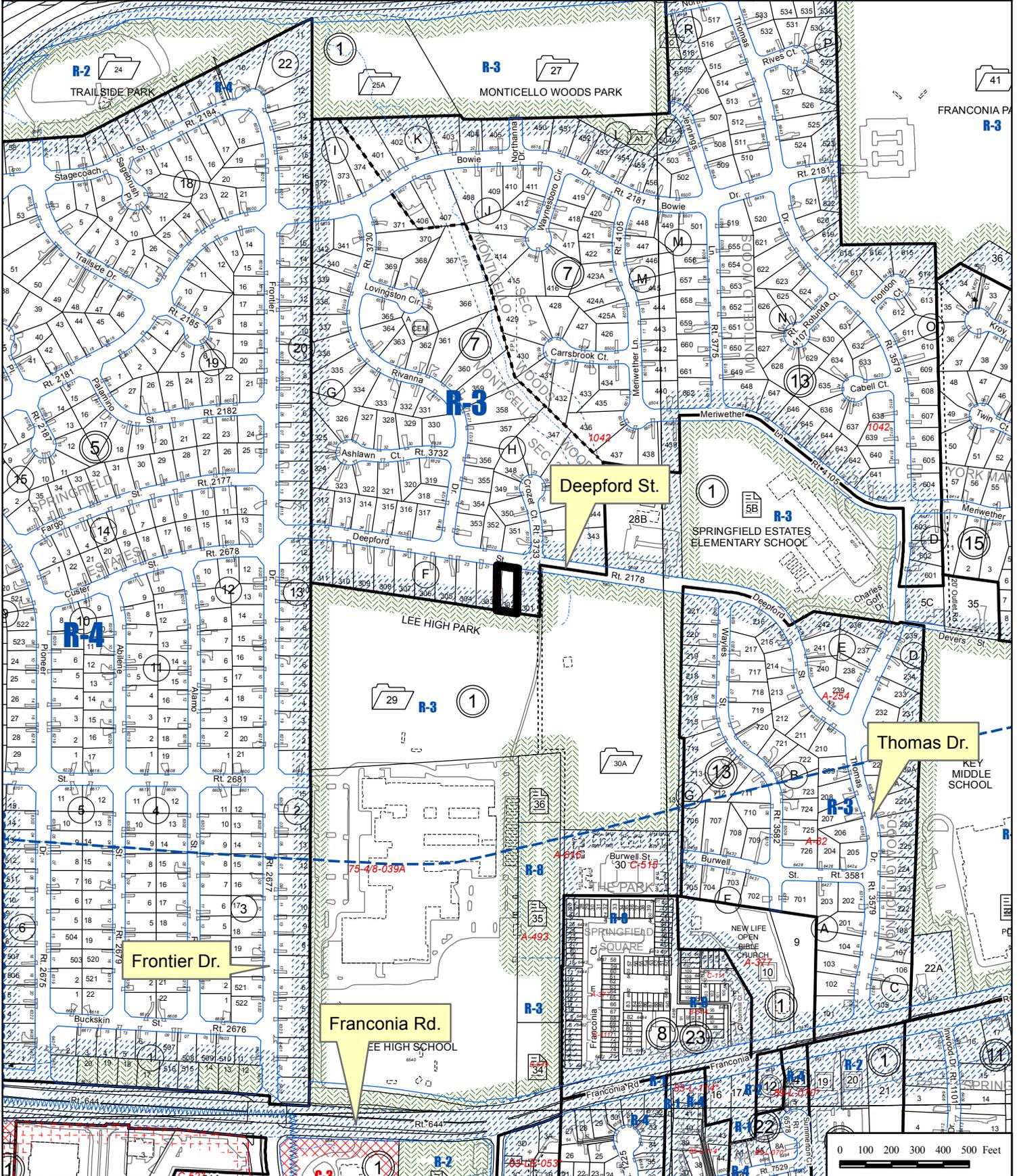


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2015-LE-096

SASANAVADEE ADAM "MS. SANDY'S DAYCARE"



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 "House Location Survey, Lot 302, Block F, Section Three, Monticello Woods," prepared by Charles B Shreve & Associates, dated September 11, 1984, and revised by the applicant, Sasanavadee Adam, through May 13, 2015, 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 three-story split-level single-family detached dwelling. A concrete driveway extends to Deepford Street, and a concrete walkway leads to the front door of the house. The main entrance to the child care operation is located on the side of the house and opens directly to the driveway and carport. The rear yard contains moveable play equipment, a swing set, a larger play structure, four sheds and a small outdoor patio. The rear yard is enclosed by a chain link fence. Existing mature vegetation provides screening of the rear yard.



Figure 1: House location

The subject property and surrounding properties to the north, west and east are zoned R-3 and are developed as single-family detached dwellings. Lee High Park and Lee High School are located to the south of the property and are also zoned R-3.

BACKGROUND

Fairfax County Tax Records indicate that the house was constructed in 1964 and purchased by the owner in 2014.

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

DESCRIPTION OF THE PROPOSED USE

The applicant requests approval of a special permit for a home child care facility for up to 12 children on-site at any one time between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children. The applicant would like to request up to two assistants to be present at any one time.

The applicant holds a current Family Day Home License from the Commonwealth of Virginia, Department of Social Services, valid through July 25, 2016. The license permits a capacity of twelve children, ages birth through 12 years, 11 months. A copy of the license is included as Appendix 5.

The home child care facility is mostly operated on the main floor of the dwelling, which contains a large play area, a napping room, and an eating room. There is also a napping room on the upstairs level. The rear yard is utilized for outdoor play. Photographs provided by the applicant show toys and play equipment located in this area.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Springfiled Planning District
Planning Sector: Monticello Woods Community Planning Sector (S8)
Plan Map: Residential, 2-3 du/ac

Zoning District Standards

Bulk Standards (R-3)		
Standard	Required	Provided
Lot Size	10,500 sf.	13,743 sf.
Lot Width	Interior: 80 feet	80 feet
Building Height	35 feet max.	Figure not provided
Front Yard	Min. 30 feet	41.0 feet
Side Yard	Min. 12 feet	15.1 feet
Rear Yard	Min. 25 feet	66.0 feet

On-Site Parking and Site Circulation

Vehicular access to the site is provided from a concrete driveway from Deepford Street. The existing driveway is able to accommodate approximately 16 vehicles, providing room in the driveway for both the parking of employee vehicles and for the drop-off and pick-up of children. There is also available street parking. A development condition has been proposed to ensure that the employee vehicles will be parked in a manner that leaves room for the drop-off and pick-up of children to occur in the driveway. This means that employee vehicles will either park under the carport or further back in the driveway, or on the street. A walkway connects to the driveway and provides direct access to the front entrance of the dwelling. However, the main entrance for the home child care operation is located on the side of the house underneath the carport.

Zoning Inspection Report

The Zoning Inspections Branch report is included in Appendix 6. During the site visit, it was recommended that the applicant relocate the napping room to the upstairs bedroom in order to ensure adequate emergency egress to the outside. This change was made and photos of the napping room are included in Appendix 7. Three other issues were identified during the site visit, all of which have since been rectified. The applicant has removed storage items in front of the electrical service panel and water heater, removed storage items from the carport and lumber from the side yard, and installed a smoke alarm on the upstairs floor outside of the napping room. Although multiple structures and play equipment were observed in the rear yard, the Plat confirms that both the front and rear yard coverage calculations conform to the ordinance limits. Specifically, the front yard coverage totals 23.1 percent and the rear yard coverage totals 20.4 percent.

Accessory Structures On-Site

There are four sheds located in the rear yard. All of the sheds are less than 8.5 feet in height and meet all Ordinance location requirements. There is also an 8.6-foot high

metal swingset, a 9.0-foot high wood playset and a 9.8-foot high no-roof trellis located in the rear yard. Each of these structures is located at least a distance equal to its height or greater to the rear lot line and therefore each of these structures meets all Ordinance location requirements .

Zoning Ordinance Requirements (Appendix 8)

- 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)

<p>Standards 1 and 2 Comprehensive Plan/ Zoning District</p>	<p>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.</p>
<p>Standard 3 Adjacent Development</p>	<p>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.</p>
<p>Standard 4 Pedestrian/Vehicular Traffic</p>	<p>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.</p>
<p>Standard 5 Landscaping/Screening</p>	<p>There is existing vegetation in the rear and side yards that provides screening to the outdoor play area.</p>
<p>Standard 6 Open Space</p>	<p>There is no prescribed open space requirement for individual lots in the R-3 District.</p>
<p>Standard 7 Utilities, Drainage, Parking, and Loading</p>	<p>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.</p>
<p>Standard 8 Signs</p>	<p>Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.</p>

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

<p>Standard 1 Lot Size and Bulk Regulations</p>	<p>The property meets the lot size and bulk regulations for the R-3 District. No new construction or exterior modifications are proposed.</p>
<p>Standard 2 Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p>Standard 3 Site Plan</p>	<p>Home child care facilities are not subject to the provisions of Article 17, Site Plans.</p>

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. The development conditions allow up to two non-resident employees.
Standard 2 Access and Parking	Arrival and departure times of the children are staggered and ample 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 existing vegetation in the rear and side yards that provides screening to the outdoor play area.
Standard 4 Submission Requirements	The application meets 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 through July 25, 2016.

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 twelve 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.
Part D Non-Resident Employee	The applicant is proposing two 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.

<p style="text-align: center;">Part G Increase in Children or Non-Resident Employee</p>	<p>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 twelve children at any one time and two non-resident employees.</p>
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CONCLUSION / RECOMMENDATION

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

Staff recommends approval of SP 2015-LE-096 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. State Family Day Home License
5. Zoning Inspections Branch Comments
6. Corrected Photos of ZIB Violations
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-LE-096****September 16, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-LE-096 located at Tax Map 80-4 ((07)) (F) 302 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, Sasanavadee Adam “Ms. Sandy’s Daycare”, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6519 Deepford Street, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, “House Location Survey, Lot 302, Block F, Section Three, Monticello Woods,” prepared by Charles B Shreve & Associates, dated September 11, 1984, and revised by the applicant, Sasanavadee Adam, through May 13, 2015, 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 7:00 a.m. to 5:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant’s own children, the maximum number of children on site at any one time shall be twelve.
7. A maximum of two nonresident employees at a time, 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.
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. The portion of the driveway in front of the carport shall be kept clear and open during the hours of operation of the home child care facility.
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 child care facility shall be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards."
12. 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.
13. All sheds shall remained locked during the hours of operation of the home child care facility.

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

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

Special Permit Statement of Justification

I am applying for a special permit for my Family Day Home (Childcare). My hours of operation are 7am – 5pm; Monday- Friday.

There is an estimate maximum of 12 children to be in my care at any one time.

I will have myself present as the Head Provider and at least one other assistant at any given time.

The estimated drop off schedule will be between 7am -9am. The largest number of drop-offs will be around 7:15- 7:30am which is no more than 4 children. The estimated pick up schedule will be between 2:45-5:00pm with the maximum pick up between 3:30-4:00 of 3 children.

The general area of neighborhood which will be served by my child care are for parents who work at Lee High School (which is right behind my house).

The parents arrive at my house by car. They usually park on my driveway (I have a long driveway that leads all the way to the back of the house.)

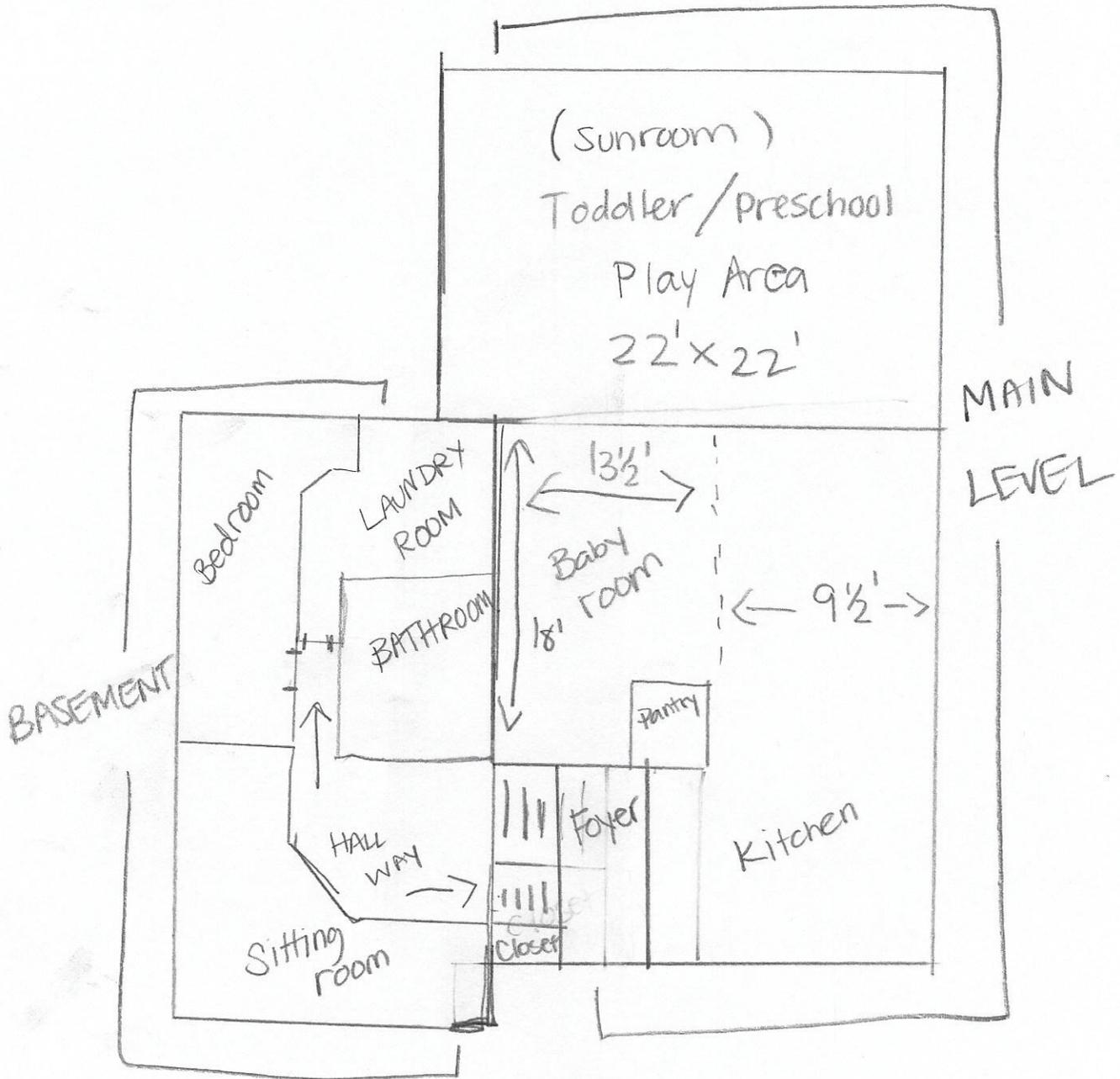
We have a split level (single family) home and the majority of the home is used for the child care. Inside the house we have over 2,200 sq ft of space that is designated to the child care including a recently added (22x22ft) extension which serves as a large indoor play area for the children. The main floor has two separate play areas (one for infants and one for 2yrs and up). The basement is not currently being used for childcare except for bathroom purposes. Upstairs we also have a nap room for children who require a more quiet atmosphere. Attached is a floor plan and pictures of the home.

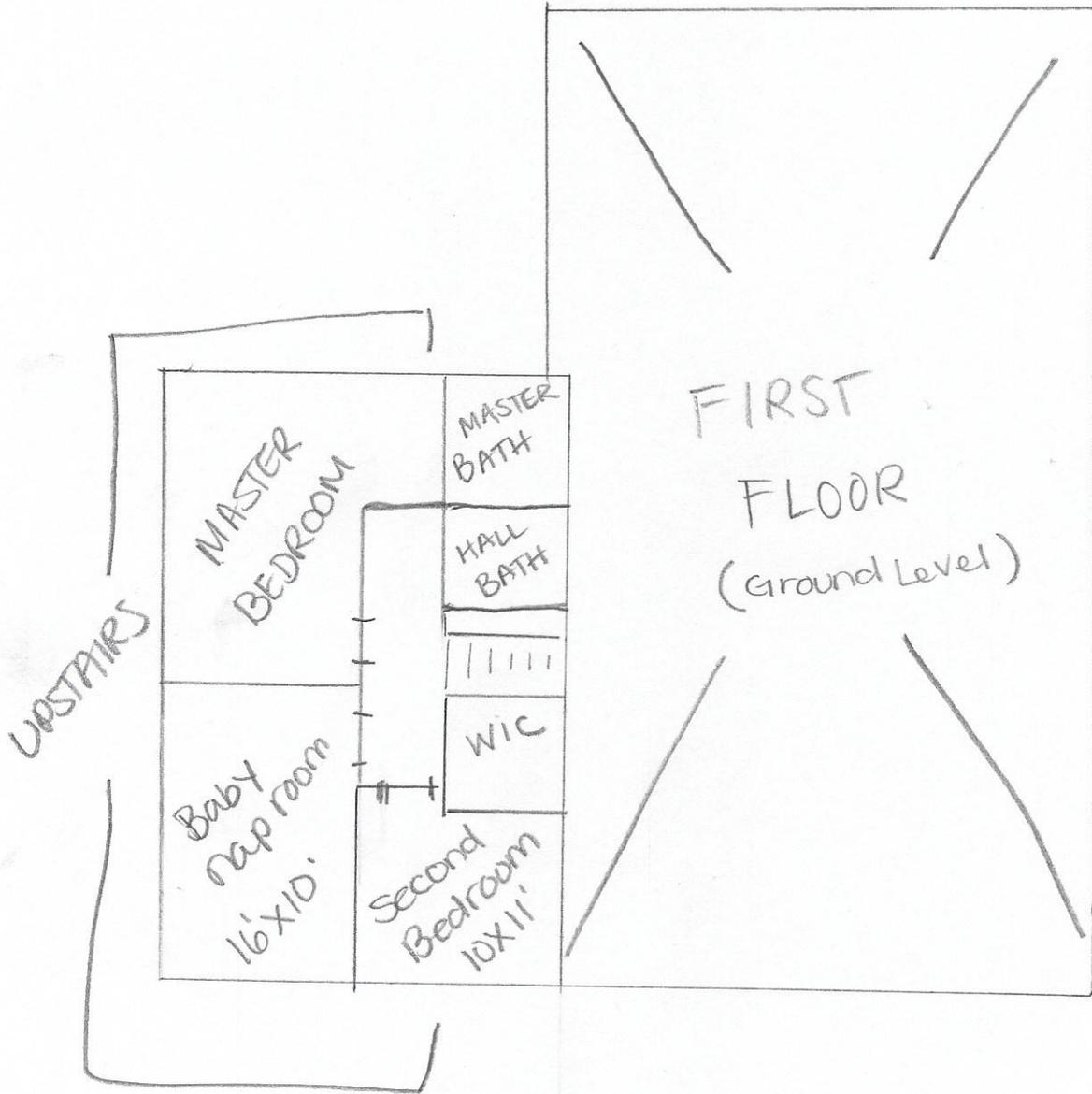
Our backyard is fenced in so we are able to take the children outside for playtime when the weather permits. We have a large play area that is fenced in with multiple playgrounds that is lined with mulch. We also have a large grass area just for them to run around. We have a separate fenced in area for the big kids (5-12 yrs) so they are not with the smaller children.

We are not under a HOA.

We have had our Family Day Home here since 1990 and have been in good standing with all our surrounding neighbors since. I have had a State License for up to 12 children since 2000 and have not had any issues with my neighbors. We know all the teachers at all 3 surrounding schools (Springfield Estates Elementary School; Francis Scott Key Middle School; and Robert E. Lee High School) and have a very good relationship with all of them. They often send new referrals to us every time someone is inquiring about childcare in the area. We have been servicing children in the Springfield/Alexandria area for 24 years and I hope that we can continue to provide the same great care moving forward.

There are no known Hazardous or Toxic Substances as set forth in Title 40-Code of Federal Regulations Parts 116.4, 302.4 and 355.







Front view of house



Carport



Rear yard



Rear of house – sheds and play equipment



Main level play room



Main level baby area



Upstairs napping room

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

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

125073

I, Sasanavadee Adam, 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)
Ms. Sandy's Daycare Sasanavadee Adam	6519 Deepford St Springfield, VA 22150	Applicant/Owner

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

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

CAB

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

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

125073

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

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

CORPORATION INFORMATION

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

n/a

DESCRIPTION OF CORPORATION: (check one statement)

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

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

n/a

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

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

125073

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)

Ms. Sandy's Daycare
6519 Deepford St Springfield, VA 22150

(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**)

Pornsupa Adam Seballos, General Partner
Sasanavadee Adam (myself), General Partner

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: _____
(enter date affidavit is notarized)

125073

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

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

NONE

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

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

125073

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:

S. Adam

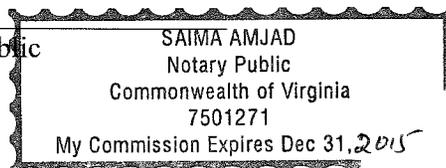
(check one) Applicant [] Applicant's Authorized Agent

SASANA VADEE ADAM OWNER
(type or print first name, middle initial, last name, and title of signee)

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

My commission expires: Dec 31, 2015

Saima Amjad
Notary Public



CAB

Sasanavadee Adam

6519 Deepford Street

SPRINGFIELD, VA 22150

(703) 922-4545

Facility Type: [Family Day Home](#)

License Type: [One Year](#)

[Expiration Date](#): July 25, 2016

Business Hours: 7:00 - 5:30
Monday - Friday

Capacity: 12

Ages: Birth - 12 years 11 months

Inspector: Dolores Casseen
(703) 479-4709



County of Fairfax, Virginia

MEMORANDUM

Date: August 19, 2015

To: Mike Van Atta, Staff Coordinator
Zoning Evaluation Division

From: Amy Moxley
Senior Zoning Inspector
Zoning Inspection Branch

Subject: Home Child Care – SP 2015-LE-096

Applicant: Sasanavadee Adam, “Ms. Sandy’s Daycare”
6519 Deepford Street, Springfield, Virginia 22150
Monticello Woods, Sec 3, Block F, Lot 320
Tax Map# 80-4 ((7) (F)) 302
Zoning District: R-3
Magisterial District: Lee
ZIB # 2015-0318
Date of Inspection: July 28, 2013

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.
At the time of inspection, there was no smoke alarm on the second floor outside of the sleeping area. After the inspection the applicant installed the required alarm and provided the staff coordinator with photos demonstrating such.
- 2. All exit stairs, interior or exterior, shall be in good repair and shall be provided with handrails and guard rails as required by the Virginia Uniform Statewide Building Code.
- 3. All egress pathway and exit doors shall be unlocked in the direction of egress and free from

obstructions that would prevent their use, including debris, storage, and accumulations of snow and ice.

- 4. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.
- 5. Extension cords, temporary wiring, and flexible cords shall not be substituted for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, or floors, or under doors or floor coverings, or be subject to environmental or physical damage.
- 6. A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.

At the time of inspection, there were storage items from in front of the electrical service panel. The applicant relocated the items in my presence and was advised to maintain required clearance.

Storage items in front of the water heater were removed after the inspection and the applicant has provided photos demonstrating such. The applicant was advised to maintain required clearance around the utilities.

- 7. Structures comply with the Zoning Ordinance.

Storage of items under the carport and lumber in the side yard must be relocated. Outdoor storage is restricted to the rear half of the yard, may not exceed 100 square feet and must be screened from view of first floor windows of neighboring dwellings.

On August 11, 2015 the applicant provided photos demonstrating that lumber and carport storage items have been relocated.

- 8. 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.

There are (2) windows located in the room labeled "Baby Nap Area" in the basement. The windows are 44.5 inches from the floor to the window opening. Rooms used for sleeping purposes must provide two means of egress, including one means of egress that leads directly to the outside, with a window opening no higher than 44 inches. The "Baby Nap Area" should not be used for sleeping purposes until proper ingress/egress is achieved. It is recommended that the applicant relocate the sleeping area to a room with proper egress.

The applicant has relocated the "Baby Nap Area" to a bedroom with adequate egress. The Staff Coordinator was notified of this change on August 11, 2015.



Cleared storage in carport



Cleared lumber on side of house



Upstairs smoke alarm



Cleared utility area

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.

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