



County of Fairfax, Virginia

November 25, 2015

STAFF REPORT

SPECIAL PERMIT SP 2015-LE-121

LEE DISTRICT

APPLICANT: Sangeeta Rani
DBA Tender Steps Child Care LLC

OWNER: Amar Jeet

SUBDIVISION: Van Dorn Village

STREET ADDRESS: 6042 Hydrangea Dr., Alexandria, 22310

TAX MAP REFERENCE: 81-4 ((34)) 222

LOT SIZE: 2,426 square feet

ZONING DISTRICT: R-8

ZONING ORDINANCE PROVISIONS: 8-305, 3-203

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

STAFF RECOMMENDATION:

Staff recommends approval of SP 2015-LE-121 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.

Paul S. Yoon

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**

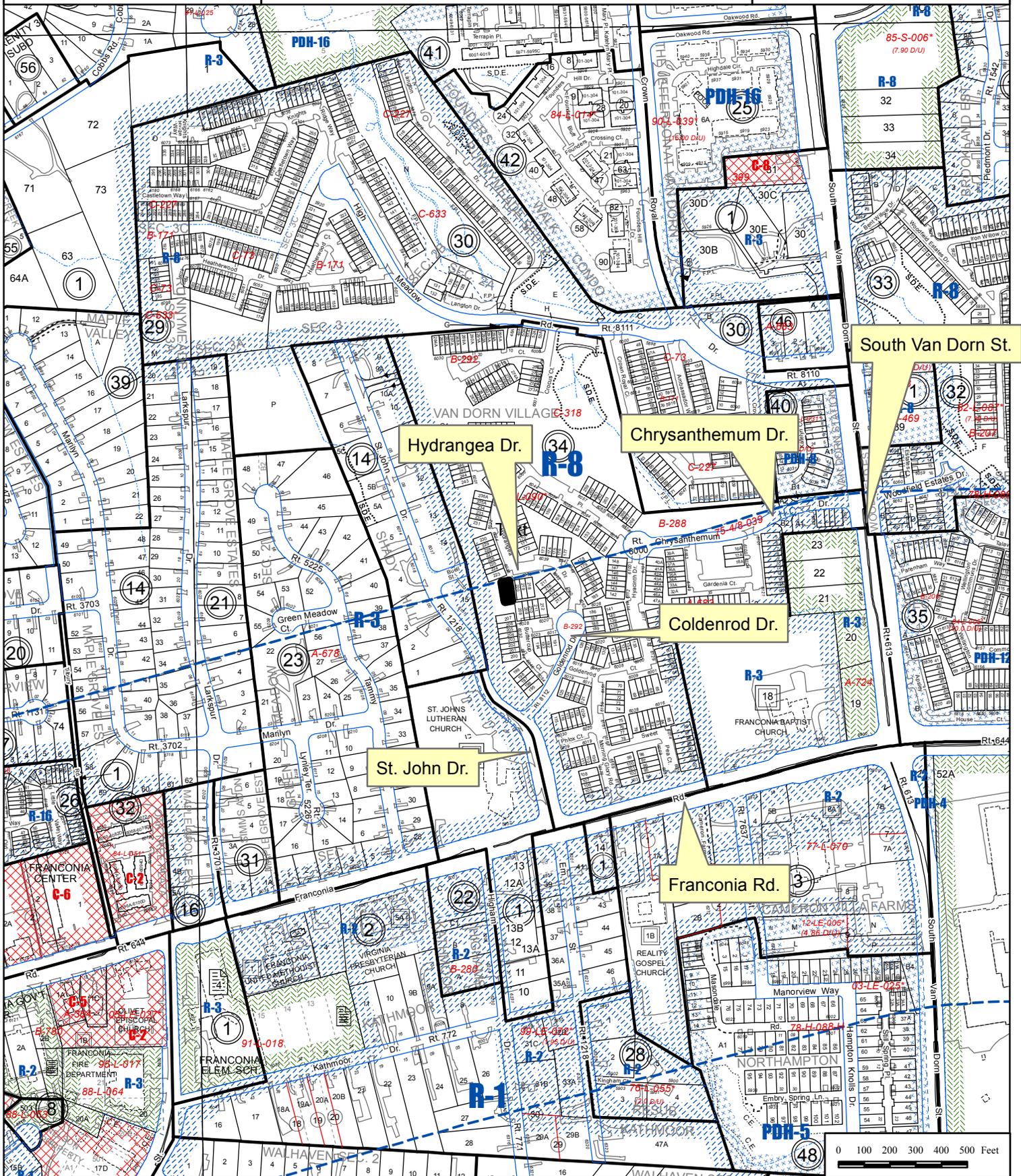


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2015-LE-121

SANGEETA RANI / TENDER STEPS CHILD CARE, LLC



SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 8 children. A copy of the special permit plat, titled "Plat Showing House Location, Lot 222, Van Dorn Village, Lee District, Fairfax County, Virginia," prepared by Vineeta S. Panwalkar, dated August 12, 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 an end-unit two-story townhouse. A concrete walkway and set of stairs extends from Hydrangea Drive and connects to the main entrance. A stone pathway extends to the side of the home to a fenced-in rear yard, which leads to a basement-level main entrance for the child care facility in the rear. The rear yard contains a shed 7.2 feet in height, moveable play equipment, and is enclosed by a wood fence 6 feet in height.

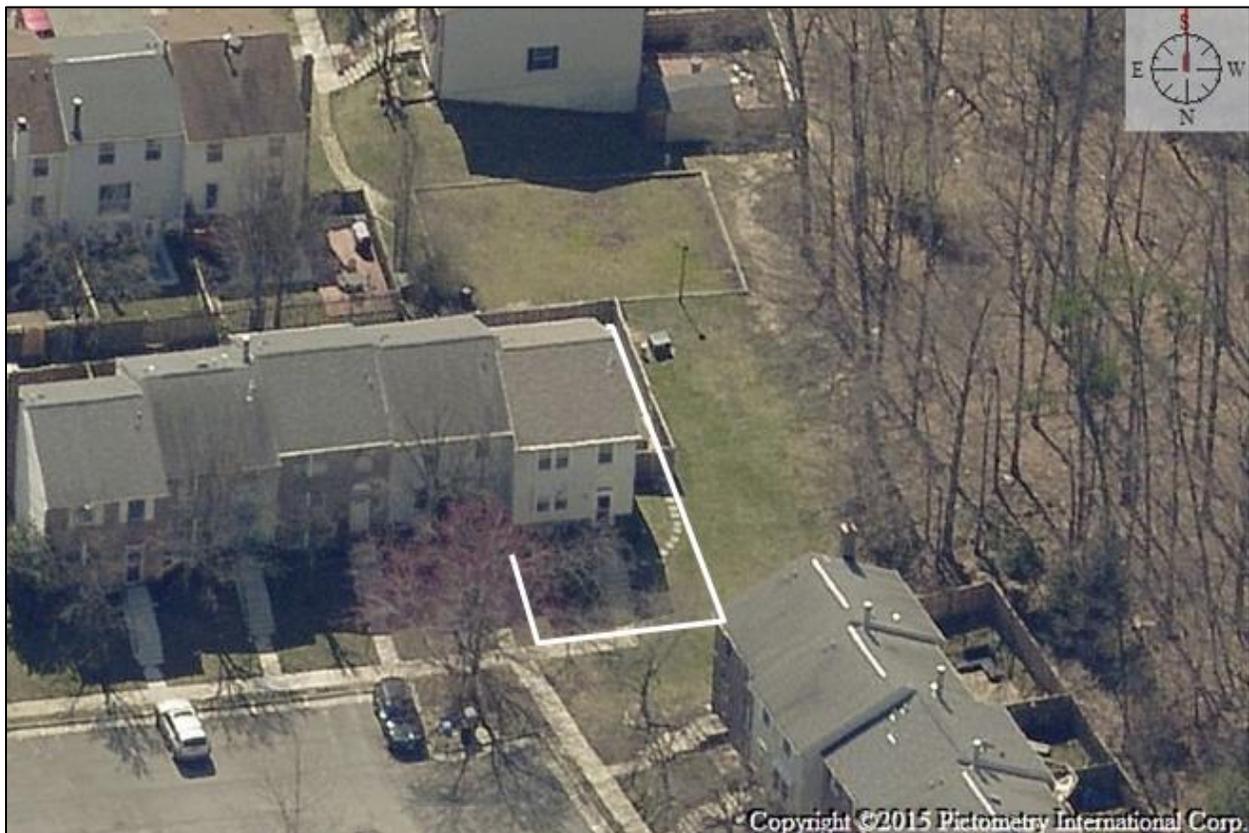


Figure 1: House location

The subject property and surrounding properties are zoned R-8. The property immediately east is developed with a townhouse, and the enveloping property to the north, west and south is private open space owned by the Van Dorn Village Homeowners Association.

BACKGROUND

Fairfax County Tax Records indicate that the house was constructed in 1989 and purchased by the owner in 2008.

Records indicate that no other special permit applications for 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 8 children on-site at any one time between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children and proposes to have 1 full-time assistant.

The applicant holds a current Family Child Care Permit from Fairfax County for a by-right operation with 5 children. The license permits a capacity of five children, ages birth through 12 years, 11 months. A copy of the license is included as Appendix 4. A development condition has been included requiring the applicant to obtain a state license for nine children and the aforementioned hours of operation before she increases the capacity of her home child care facility.

The home child care facility is operated in the basement of the dwelling, which serves as the play area, napping room, and eating area. Egress is provided from the walk out exit to the rear yard. The rear yard is utilized for outdoor play. Photographs provided by the applicant show toys and play equipment located in this area (Appendix 2).

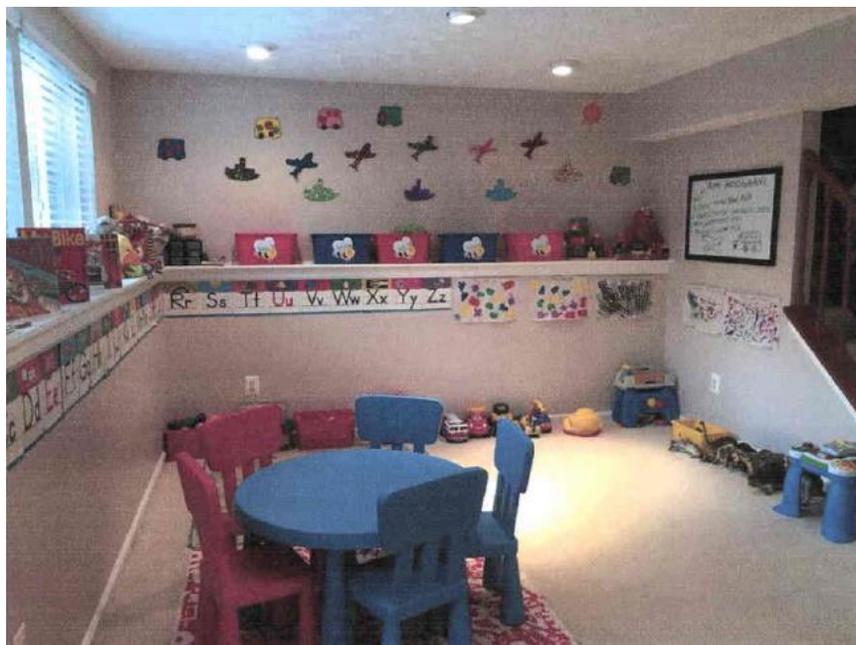


Figure 2: Play Area

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Rose Hill Planning District
Planning Sector: Franconia Planning Sector (RH1)
Plan Map: Residential, 5-8 du/ac

Zoning District Standards

Bulk Standards (R-8)		
Standard	Required	Provided
Lot Size	No Requirement	2,426 sf.
Lot Width	18 ft.	31 feet
Building Height	35 feet max.	Figure not provided
Front Yard	15° ABP, Min. 5 feet	19 feet
Western Side Yard	15° ABP, Min. 10 feet	11 feet
Rear Yard	30° ABP, Min. 20 feet	23 feet

On-Site Parking and Site Circulation

The parking spaces directly in front of the subject application property alternate between visitor and reserved status per space, and another eight visitor spaces are located within 200 feet of the applicant’s home. The applicant has one vehicle that is typically parked in a visitor space during operating hours.

The applicant proposes for the assistant to park in a visitor space, and parents will conduct drop-off and pick-up activities at staggered times. A condition has been included to require drop-off and pick-up to occur in the applicant’s reserved space.

Zoning Inspection Report

The Zoning Inspections Branch report is included in Appendix 5. During the site visit, county staff noted the basement entrance (used as the main entrance for the home child care operation) had a keyed lock instead of a thumb lock. Since this inspection, all noted violations have been corrected, and a photo of the new thumb lock is included in Appendix 6.

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)

<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-8 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, and the townhouse is an end unit surrounded by private open space on three sides. 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>Parking spaces are located close to the subject application property, ensuring pedestrian access to the home child care facility is unhindered. The applicant's reserved parking space is located approximately 60 feet away from the dwelling. 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 fencing 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-8 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 parking spaces located in front of the subject application property alternate between visitor and reserved status per space, and an additional eight visitor spaces are located within 200 feet of the subject property.</p>
<p>Standard 8 Signs</p>	<p>Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities. No signage is proposed.</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-8 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)

<p>Standard 1 Maximum of 12 Children & Non-Resident Employee</p>	<p>The applicant is proposing a maximum of 9 children at any one time. The development conditions allow up to three non-resident employees.</p>
<p>Standard 2 Access and Parking</p>	<p>Arrival and departure times of the children are staggered, and as previously discussed, the parking spaces located in front of the subject application property alternate between visitor and reserved status per space, and an additional eight visitor spaces are located within 200 feet of the subject property. 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 3 Landscaping/Screening</p>	<p>There is existing fencing in the rear and side yards that provides screening to the outdoor play area.</p>
<p>Standard 4 Submission Requirements</p>	<p>The application meets all submission requirements for a home child care facility.</p>
<p>Standard 5 Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17</p>	<p>The applicant has a valid county Family Child Care Permit valid through October 31, 2016.</p>

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

<p>Part A Maximum Number of Children</p>	<p>The maximum number of children permitted by-right at any one time is 5 in a single family dwelling. The applicant requests special permit approval to permit a maximum of 9 children at any one time.</p>
<p>Part B Licensed Provider/Primary Residence</p>	<p>The applicant is a county permitted home child care provider with 5 children and the subject property is the provider's primary residence. A development condition has been included requiring the applicant to obtain a state license for 9 children and the aforementioned hours of operation before she increases the capacity of her home child care facility.</p>

<p>Part C No Exterior Evidence Except Play Equipment</p>	<p>There is no exterior evidence of the proposed use.</p>
<p>Part D Non-Resident Employee</p>	<p>The applicant is proposing 1 non-resident employee.</p>
<p>Part E Provider is a Resident</p>	<p>The subject property is the provider's primary residence.</p>
<p>Part F Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17</p>	<p>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 county family child care permit, and a development condition has been included requiring the applicant to obtain a state license for 9 children and the aforementioned hours of operation before she increases the capacity of her home child care facility.</p>
<p>Part G Increase in Children or Non-Resident Employee</p>	<p>The maximum number of children permitted by-right at any one time is 5 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 9 children at any one time and 1 non-resident employee.</p>

CONCLUSION / RECOMMENDATION

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

Staff recommends approval of SP 2015-LE-121 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. County Family Child Care License
5. Zoning Inspections Branch Comments
6. Corrected Photos of ZIB Violations
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-LE-121****November 25, 2015**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-LE-121 located at Tax Map 81-4 ((34)) 222 to permit a home child care facility pursuant to Section 8-305 and 3-203 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, Sangeeta Rani, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6042 Hydrangea 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 entitled, "Plat Showing House Location, Lot 222, Van Dorn Village, Lee District, Fairfax County, Virginia," prepared by Vineeta S. Panwalkar, dated August 12, 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 6:00 p.m., Monday through Friday.
5. Excluding the applicant's own children, the maximum number of children on site at any one time shall be eight.
6. A maximum of one nonresident employee 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.
7. There shall be no signage associated with the home child care facility.
8. All drop-off and pick-up activities shall occur in the applicant's reserved parking space.
9. 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.

10. The applicant shall obtain a state-issued family day home license permitting up to nine children with hours of operation consistent with Development Condition 4.
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

JUN 17 2015

Zoning Evaluation Division

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

Name: SANGEETA RANI

Address: 6042 HYDRAGEA DR

ALEXANDRIA, VA 22310

Tax Map #: 0814340222

Phone #: (571) 312-6289

E-mail address: sangeeta.rani112@gmail.com

RECEIVED
Department of Planning & Zoning

AUG 05 2015

Zoning Evaluation Division

Date: 7/6/15

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

Re: Special Permit Application

Applicant: Sangeeta Rani

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

Tax Map #: 0814340222

Zoning District: R8

Lot Size: 2426 SQFT

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 townhouse dwelling at 6042 Hydrangea Dr. Alexandria in Fairfax, Virginia with my husband, AmarJet. The property is zoned R* and I understand I need to seek *Residential S DU/AC approval of a special permit in order to operate a child care facility within my home. I am currently licensed by the State of Virginia to have 5** children in my child care facility in my home. **county permit
Below is information about my child care facilities operations:

Hours. The proposed child care facility is to be open from 7am to 6pm, M-F.

Number of Children. I propose to care for a maximum of 9 children at any one time. This number does not include my own 0 children.

Employees. I propose to have 1 assistant(s) who will work 8am to 5pm, M-F

Arrival Schedule. All of the children are proposed to arrive between 7 AM and 8:15 AM.

Departure Schedule. All of the children are proposed to be picked up at 4:30 PM. to 6 PM

Parking. I propose to use my guest parking to park my family car. My parents will park in one Reserved spot and any of 8 guest spots within 200 FT of the property. One child is walked over from neighboring community.

Area Served. City of Alexandria, Alexandria in Fairfax County and Springfield in Fairfax County.

At:
8-5-17

Operations. As I stated, my house is a town house. It has 3 bedrooms, 3.5 bathrooms, a fenced backyard. TOTAL HOUSE IS 2426 SQ. FEET. WHICH 610 SQUARE FEET WILL BE USED FOR HOME DAY CARE.

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

Outdoor Play Area. I propose to use my back yard for outdoor play for the children. The area is approximately 686 square feet. There is one shed, there are 2 flower beds, there is 1 air conditioning unit (fenced), not included in the 686 sq ft. The backyard is fenced. The stairway access to basement (daycare) is gated and fenced. The townhouse is an end-unit. For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

In conclusion, I am proposing to use the basement with attached full bathroom as the home daycare (Tender Steps). I propose to use fenced in backyard as the outdoor play area. It has 2 gates for exiting in case of emergency. I propose to hire one assistant to help care for no more than 9 children between ages infant (3 mo.) to 5 yrs.

Sincerely,

Sangeeta Rani (signed by Sangeeta Rani)
Owner of 6642 Hydrangea Dr. Alexandria, VA 22310

Proposed Arrival and Departure Schedule for: Tender Steps

Address: 6042 Hydrangea Dr. Alexandria, VA 22310

Proposed Arrival Schedule

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

Proposed Departure Schedule

Child	4:30 - 5pm	5 - 5:30 PM	5:30 - 6pm	
1	✓			
2		✓		
3		✓		
4		✓		
5		✓		
6		✓		
7		✓		
8		✓		
9				
10			✓	
11				
12				



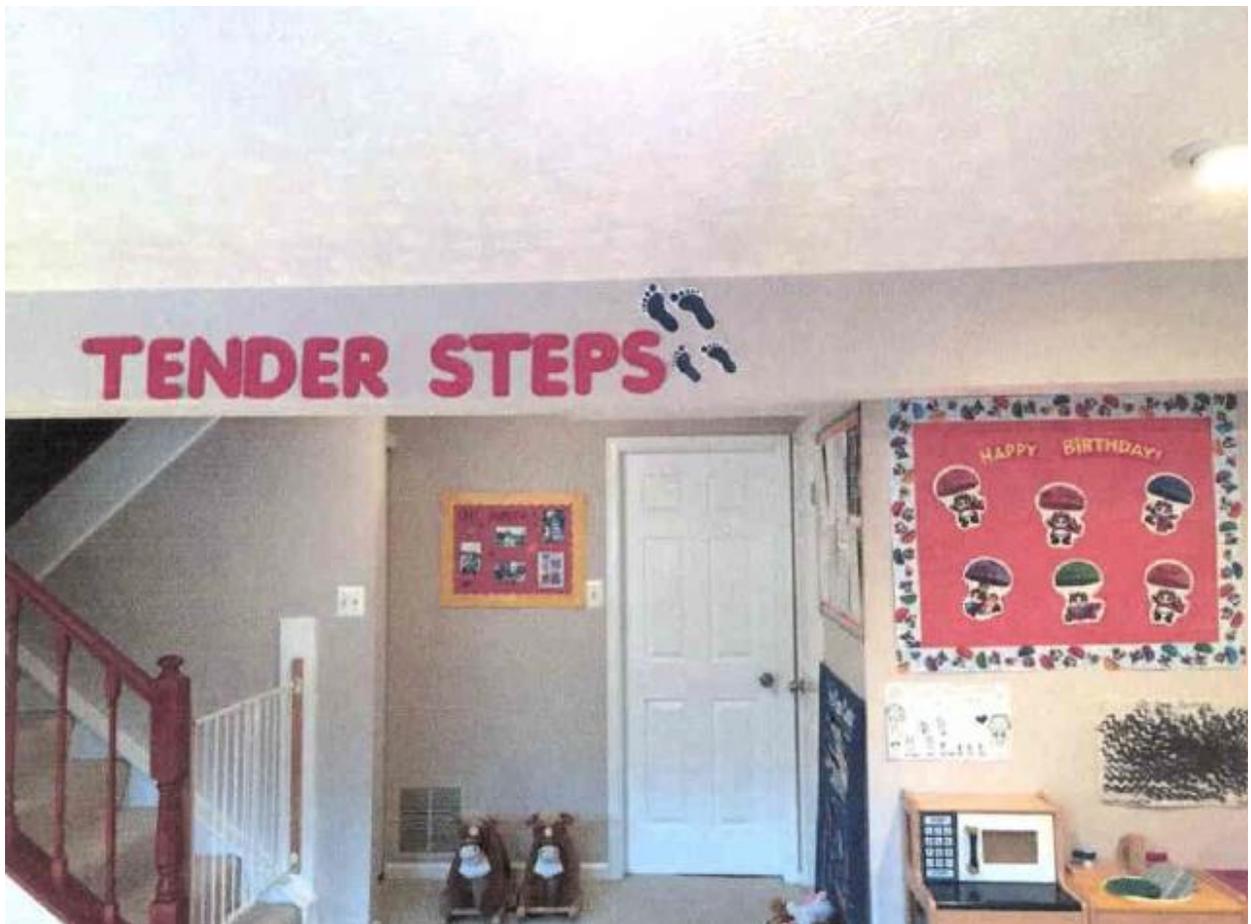
























Application No.(s): SP-2015-LE-121
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 10-31-2015 131460
(enter date affidavit is notarized)

I, AMAR JEET, 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)
SANGEETA RAHI	6042 HYDRANGEA DR ALEXANDRIA VA 22310	APPLICANT/TITLE OWNER
Tender Steps Child Care LLC		CO-APPLICANT
AMAR JEET		CO-TITLEOWNER/ AGENT

(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-2015-LE-121
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 10-31-2015
(enter date affidavit is notarized)

131460

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)

Tender Steps Child Care, LLC
6042 HYDRANGEA DR
ALEXANDRIA - VA 22310

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)

SANGEETA RANI

(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-2015-LE-121
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SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 10-31-2015
(enter date affidavit is notarized)

131460

1(c). The following constitutes a listing*** of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

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

- N/A -

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

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

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

Application No.(s): SP-2015-LE-121
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 10-31-2015 131460
(enter date affidavit is notarized)

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-2015-LE-121
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 10-31-2015
(enter date affidavit is notarized)

131460

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:

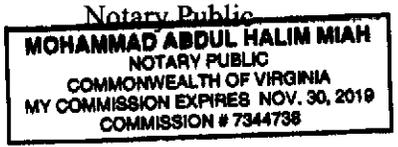
(check one) [] Applicant Amar Jeet [] Applicant's Authorized Agent

Amar Jeet
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 31st day of October 2015, in the State/Comm. of Virginia, County/City of Fairfax.

Mohammad Abdul Halim Miah

My commission expires: 11/30/2019



FAIRFAX COUNTY, VIRGINIA
OFFICE FOR CHILDREN

ANNUAL
HOME CHILD CARE PERMIT

Permit is granted to: RANI, SANGEETA
for Home Child Care at: 6042 HYDRANGEA DR
ALEXANDRIA VA 22310

From: 11/01/2015 To: 10/31/2016
Limitations: NONE

THIS PERMIT IS ISSUED IN ACCORDANCE WITH CHAPTER 30, ARTICLE 3 OF THE COUNTY OF FAIRFAX, VIRGINIA

25394

Permit Number

Gam-Hee D. Seok
Director, Office for Children



County of Fairfax, Virginia

MEMORANDUM

Date: September 23, 2015

To: Paul Yoon, Staff Coordinator
Zoning Evaluation Division

From: Amy Moxley
Senior Zoning Inspector
Zoning Inspection Branch

Subject: Home Child Care – SP 2015-LE-121

Applicant: Sangeeta Rani, Tender Steps Child Care, LLC
6042 Hydrangea Drive, Alexandria, VA 22310
Van Dorn Village, Lot 222
Tax Map# 81-4 ((34)) 222
Zoning District: R-8
Magisterial District: Lee
ZIB # 2015-0430
Date of Inspection: September 17, 2015

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

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

The main entrance/exit has a keyed lock that must be removed or replaced with a thumb lock.

- 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.
- 7. Structures comply with the Zoning Ordinance.



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.