



# County of Fairfax, Virginia

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February 24, 2016

## STAFF REPORT

### SPECIAL PERMIT SP 2015-SP-151

#### SPRINGFIELD DISTRICT

**APPLICANT:** Irma R. Puza  
Tato's Family Child Care

**OWNER:** Irma Puza  
Oscar Puza

**SUBDIVISION:** West Springfield Village

**STREET ADDRESS:** 6913 Rolling Road,  
Springfield, 22152

**TAX MAP REFERENCE:** 89-2 ((7)) 73

**LOT SIZE:** 10,560 square feet

**ZONING DISTRICT:** R-3C

**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-SP-151 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**

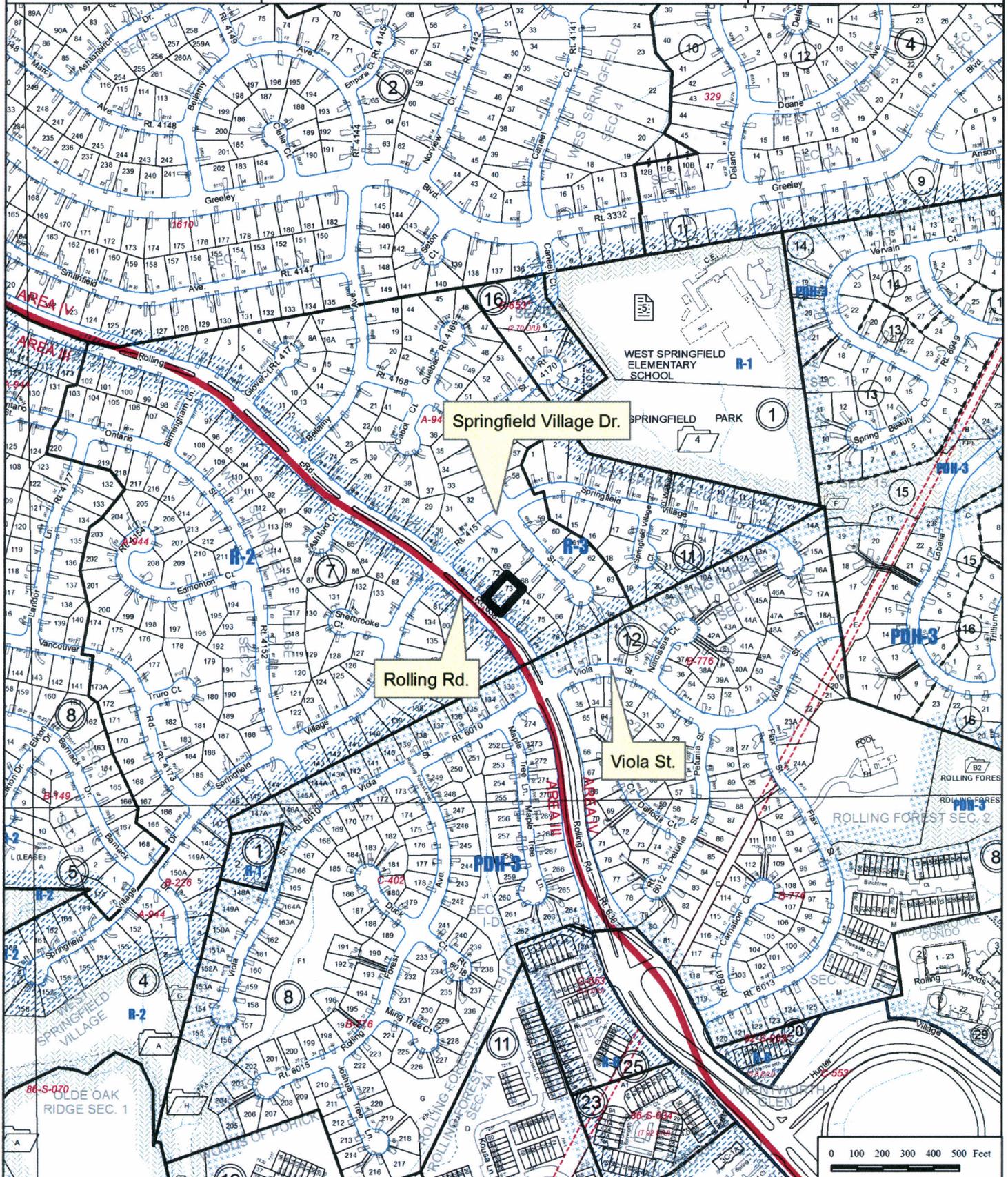


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



# Special Permit SP 2015-SP-151

IRMA R. PUZA - TATO'S FAMILY CHILD CARE





Ms. Irma Puza  
6913 Rolling Rd  
Springfield, VA 22152

RECEIVED  
Department of Planning & Zoning

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Zoning Evaluation Division  
PLAY AREA

3,108.0 SQ. F.

DISTANCE SHED  
TO BACK FENCE  
3'4"

WOOD CLIMBER ACTIVITY 5' HEIGHT  
(6' FROM FENCE)

LOT 73  
10,560 sq. ft.

(6' HEIGHT)  
WOOD FENCE

SHED  
19' x 10' x 8'  
L W H

DISTANCE 16"  
HOUSE TO SHED

DISTANCE  
SHED TO SIDE FENCE  
13'7"

74 WOOD FENCE  
(6' HEIGHT)

2'3" DISTANCE SHED  
TO FRONT FENCE

DRIVE WAY  
10' x 64'  
W L  
(640 SQ. F.)

(2) DOORS  
TO BACKYARD

PORTABLE  
SAND BOX

(6' HEIGHT)  
WOOD FENCE

WALKWAY  
ENTRANCE  
4' x 36'

DWELLING  
#6913  
30.33'

FINAL  
APPROVAL

ZONING ADMINISTRATOR  
SEP 16 1966

106.150 to PC of  
Springfield Village Drive

10" San. Sew. Esm't.

ROLLING ROAD RTE 638  
80' R/W

HOUSE LOCATION  
LOT 73 SECTION 1

Revised  
Irma Puza  
Nov. 13, 2015

# WEST SPRINGFIELD VILLAGE

MASON MAGISTERIAL DISTRICT  
FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=30'

DATE: Final: 5-14-66

GREENMORNE, O'MARA, DEWBERRY & NEASE  
Civil Engineers - Land Surveyors  
8411 Arlington Blvd., Fairfax, Virginia 560-1100  
Certified Correct:

RECEIVED  
AUG 15 1966  
OFFICE OF THE ZONING ADMINISTRATOR

## 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 73, Section 1, West Springfield Village," as drawn by Greenhorne, O'Mara, Dewberry & Nealon on May 14, 1966, as revised by Irma R. Puza through November 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 one story, single-family detached dwelling with a basement. Vehicular access is provided from Rolling Road by a curved concrete driveway that leads to a one car carport at the front of the house. The driveway has room for approximately four vehicles. On-street parking is also available along Rolling Road. The walk out entrance to the basement is located at the rear of the house. A shed approximately 13 feet in height is located



**Figure 1: House Location**  
For illustrative purposes only

adjacent to the southeast side of the house. The rear yard is enclosed by a wood fence approximately 6.0 feet in height with a gate on the northwestern side of the house providing access from the driveway. A paver walkway extends from the driveway, through the gate, to the basement entrance. The applicant has play equipment in the rear yard for the children with a portable fence to section off the play area from the rest of the rear yard.

The subject property and properties to the north, east, and south are zoned R-3 and developed as single family detached dwellings with cluster subdivision provisions. The properties to the west are zoned R-2 cluster and developed with single family detached dwellings. The property is located north of Fairfax County Parkway and southeast of Rolling Valley Elementary School.

## **BACKGROUND**

Fairfax County Tax Records indicate that the house was constructed in 1966 and purchased by the applicant in 1994.

Records indicate that no other special permit application relating to a home child care facility have been heard by the Board of Zoning Appeals (BZA) on properties in the nearby 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 6:00 p.m., Monday through Friday. The applicant has a staggered drop-off and pick-up time for the children.

The applicant holds a current Family Day Home License from the Commonwealth of Virginia, Department of Social Services, valid through December 4, 2016. The license permits a capacity of seven children, ages 3 months through 12 years, 11 months. The state approved hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Friday. A summary of the state home child care license information is included as Appendix 4.

The home child care facility is operated in the walk-out basement of the house. There is a main child care room, a nap room, and a bathroom. The nap room has adequate emergency egress by having an egress window, which meets the Virginia Uniform Statewide Building Code specifications for an emergency escape and rescue opening. Parents drop the children off and pick them up at the basement entrance. The rear yard is used for outdoor play. Pictures provided by the applicant show toys and play equipment located in this area.

## **ANALYSIS**

### **Comprehensive Plan Provisions**

**Plan Area:** Area IV, Springfield Planning District  
**Planning Sector:** Country Club Community Planning Sector (S3)  
**Plan Map:** Residential, 2-3 du/ac

## Zoning District Standards

<b>Bulk Standards (R-3, with cluster subdivision provisions)</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Lot Size	8,500 sf.	10,560 sf.
Lot Width	Interior: No requirement	82.5 feet
Building Height	35 ft.	Not provided
Front Yard	20 ft.	41.1 feet
Side Yard	8 ft., but a total minimum of 20 ft.	Northern: 12.8 feet Southern: 8 feet
Rear Yard	25 feet	33 feet

### On-Site Parking and Site Circulation

The applicant has a driveway with room for approximately four vehicles that she keeps clear for drop-off and pick-up of children. On-street parking is also available on Rolling Road. Rolling Road has a large amount of traffic, however staff believes that the long driveway, clear sight lines, and available shoulder allows for cars to back out of the driveway in a safe manner. Also, Rolling Road is divided by a median which provides additional safety for cars entering and exiting the property.

### Zoning Inspection Report (Appendix 5)

During the site visit, staff found that the carport had been partially enclosed with lattice and was being used for outdoor storage of items. Also, an area near the southeast corner of the front of the house was being used for outdoor storage in excess of 100 square feet. The applicant has agreed to remove the lattice and outdoor storage before the date of the hearing and bring proof in the form of photographs. Also, at the time of the site visit staff observed a vehicle parked in a non-paved area of the front yard. The applicant has agreed to cease parking vehicles in that area. Development conditions have been proposed to require the applicant to remove outdoor storage within 30 days and to not park vehicles in unpaved areas. Should the applicant have removed the outdoor storage before the hearing date, staff would agree that condition could be eliminated.

### Zoning Ordinance Requirements (Appendix 6)

- 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><b>Standards 1 and 2</b> Comprehensive Plan/ Zoning District</p>	<p>The Comprehensive Plan recommends residential uses and the property is developed in accordance with the plan recommendation. The R-3 District permits a home child care facility as an accessory use by-right for up to seven children in a detached dwelling. An increase to 12 children is permitted with special permit approval.</p>
<p><b>Standard 3</b> Adjacent Development</p>	<p>No new construction is proposed. An outdoor play area with play equipment is found in the rear yard which is enclosed by a fence. Mature vegetation helps to screen the play area. 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><b>Standard 4</b> Pedestrian/Vehicular Traffic</p>	<p>Arrival and departure times of the children are staggered. On-street parking is available on Rolling Road and staff believes that there is sufficient space in the driveway to accommodate parking for pick up and drop off. A development condition has been proposed to require all pick-up and drop-off of children to occur 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.</p>
<p><b>Standard 5</b> Landscaping/Screening</p>	<p>There is a wood fence in the rear and side yards that provides screening to the outdoor play area, as well as mature vegetation.</p>
<p><b>Standard 6</b> Open Space</p>	<p>There is no prescribed open space requirement for individual lots in the R-3 District.</p>
<p><b>Standard 7</b> 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><b>Standard 8</b> 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><b>Standard 1</b> Lot Size and Bulk Regulations</p>	<p>The property meets the lot size and bulk regulations for the R-3 cluster District.</p>
<p><b>Standard 2</b> Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p><b>Standard 3</b> 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)**

<b>Standard 1</b> 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.
<b>Standard 2</b> Access and Parking	Arrival and departure times of the children are staggered and ample parking is available in the driveway and in the on-street parking along Rolling Road. In staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
<b>Standard 3</b> Landscaping/Screening	There is an existing wood fence in the rear and side yards that provides screening to the outdoor play area, as well as mature vegetation.
<b>Standard 4</b> Submission Requirements	The applicant met all submission requirements for a home child care facility.
<b>Standard 5</b> Code of Fairfax, Chapter 30 and Code of Virginia, Title 63.2, Chapter 17	The applicant holds a valid home child care license.

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

<b>Part A</b> 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.
<b>Part B</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.
<b>Part C</b> No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use.
<b>Part D</b> Non-Resident Employee	The development conditions would allow up to two non-resident employees.
<b>Part E</b> Provider is a Resident	The provider resides in the application property.
<b>Part F</b> Code of Fairfax, Chapter 30 and	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

Code of Virginia, Title 63.2, Chapter 17	procedures. The applicant has a valid state home child care license.
<b>Part G</b> 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 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 2015-SP-151 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 information
5. Zoning Inspections Branch Comments
6. Applicable Zoning Ordinance Provisions

**PROPOSED DEVELOPMENT CONDITIONS****SP 2015-SP-151****February 24, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-SP-151 located at Tax Map 89-2 ((7)) 73 to permit a home child care facility pursuant to Section 8-305 and 3-305 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Irma R. Puza, d/b/a Tato's Family Child Care, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6913 Rolling Road, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat titled, "House Location Survey, Lot 73, Section 1, West Springfield Village," as drawn by Greenhorne, O'Mara, Dewberry & Nealon on May 14, 1966, as revised by Irma R. Puza through November 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 and be made available to all departments of the County of Fairfax during hours of operation.
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. 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 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. All pick-up and drop-off of children shall take place within the driveway.
9. There shall be no signage associated with 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 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.
13. The accessory storage structure on-site shall remain locked during all hours of operation of the home child care facility.
14. No vehicles shall be parked on non-paved areas of the front yard at any time.
15. All outdoor storage of items in excess of 100 square feet shall be removed or otherwise brought into compliance with the Zoning Ordinance within 30 days.

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  
NOV 13 2015  
Zoning Evaluation Division

Tato's Family Child Care  
Irma R. Puza  
6913 Rolling Rd.  
Springfield, VA 22152  
703-505-2806  
daycareprovider65@gmail.com

Thursday, November 12, 2015

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

Re: Special Permit Application

Applicant: Irma R. Puza

Zoning Ordinance Section 8-305 for Home Child Care Facility.

Tax Map #: 0892-07-0073

Zoning District: R 3 C

Lot Size: 10,560 square feet.

To whom it may concern,

Please accept the following as my statement of justification for special permit for a home child care facility in my home. I own and live in a single-family dwelling at 6913 Rolling Road, Springfield, VA 22152, with my husband.

The property is zoned R 3 C and I understand I need to seek approval of special permit in order to operate a child care facility within my home. I am currently

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Zoning Evaluation Division

licensed by the State of Virginia to have 7 children in my child care facility in my home. But I'm seeking approval for 12 children. Below is information about my child care facility operations:

Hours. The child care is open from 7:00 am to 6:00 pm, Monday through Friday.

Number of Children. I care for up to 7 children at any one time.

Employees. I have one assistant who works full-time.

Arrival Schedule. Two of my children arrive between 7:00 am. Three children arrive between 8:00 am and 9:00 am. Two of the children arrive between 9:30 am and 10:00 am.

Departure Schedule. Three children are picked up between 4:30 pm and 5:00pm. Three children are picked up between 5:15 pm and 5:30 pm. One child stay until 5:45 pm and 6:00 pm. (See Attachment 1)

Area Served. Currently, most of the children live in the general vicinity of my neighborhoods. Two of my children live in neighborhoods off Fairfax County Parkway. These parents drive their children to my house.

Operations. As I state, my house is a single-family dwelling. It has a walk-out basement, which is where the children spend most of their time. Attached is a floor plan that indicates the areas where the child care is located. The house has 2,294 square feet. The basement where I conduct the child care consist of approximately 1,338 square feet in total. (attch. #2)

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

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any waiver, exception or variance is sought, such request has been noted with the justification for such modification. Zoning Division

Outdoor Play Area. I use my backyard for outdoor play for the children. The area is approximately 3,108 square feet. There is two slide, activity gym box, sand box and a fence around this area. I have drawn the slide, activity box, sand box and fence on my most recent house location plat which is included.

Parking. I use my porch to park my family car. My driveway provides enough parking for two cars because the driveway is more than 64 feet long and holds two cars side by side. In addition, ample parking is available along the street in front of my house for the parents and employee.

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

In conclusion, I am proposing no changes to the outside appearance of my brick and vinyl sided home. I propose no addition and no signs regarding the child care. Adequate parking is available for my parents, employee and my family. For these reasons, I believe that my proposed home child care facility will not impact my neighbors in any negative way.

Sincerely



Irma R. Puza

Owner of Tato's Family Child Care.

RECEIVED  
Department of Planning & Zoning

NOV 13 2015

Zoning Evaluation Division

1

## Arrival Schedule and Departure Schedule

### Arrival Schedule

CHILD	7:00-7:45 AM	8:00-9:00 AM	9:30-10:00 AM
1	X		
2	X		
3		X	
4		X	
5		X	
6			X
7			X

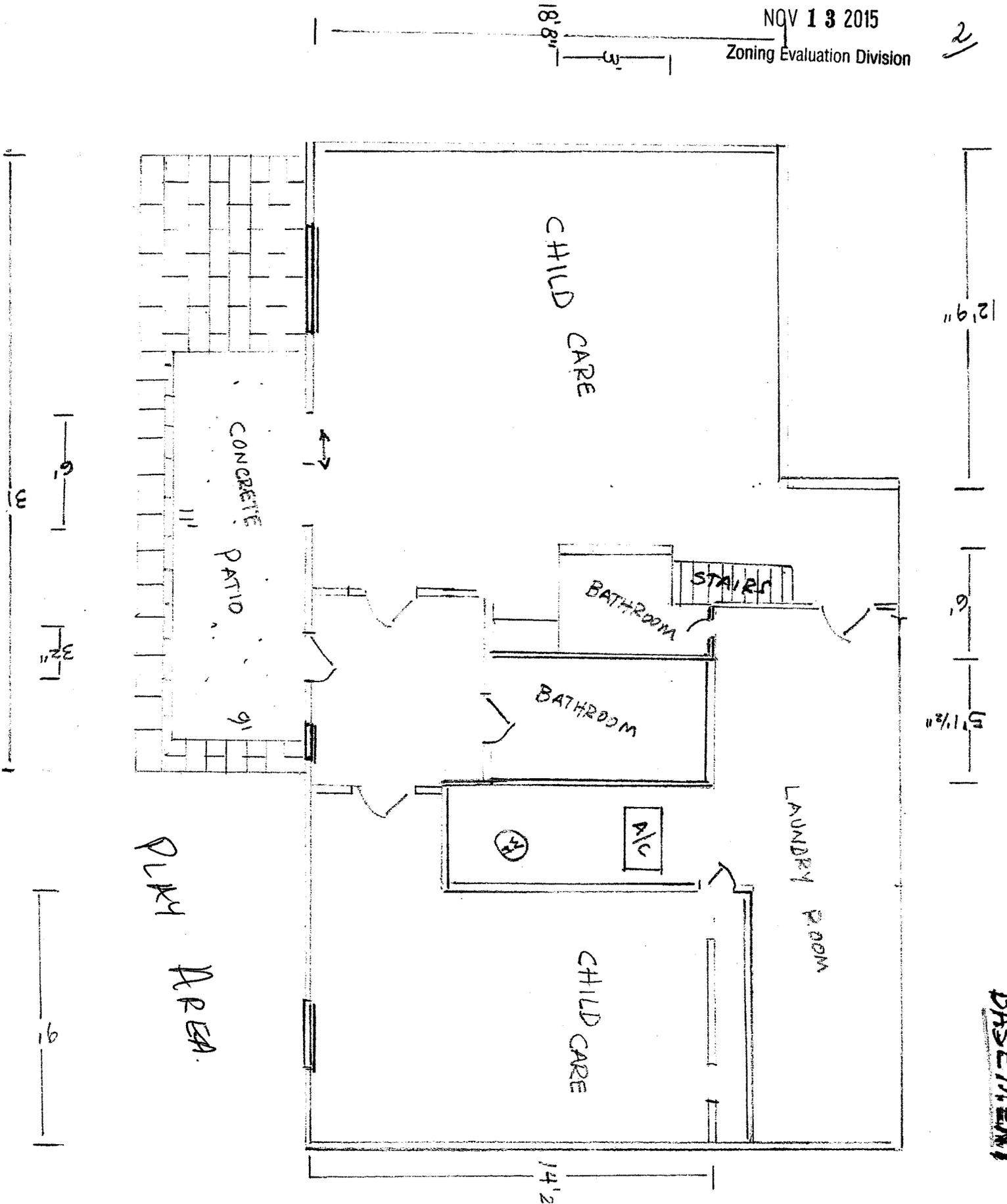
### Departure Schedule

CHILD	4:30-5:00 PM	5:15-5:30 PM	5:45-6:00 PM
1	X		
2	X		
3	X		
4		X	
5		X	
6		X	
7			X

NOV 13 2015

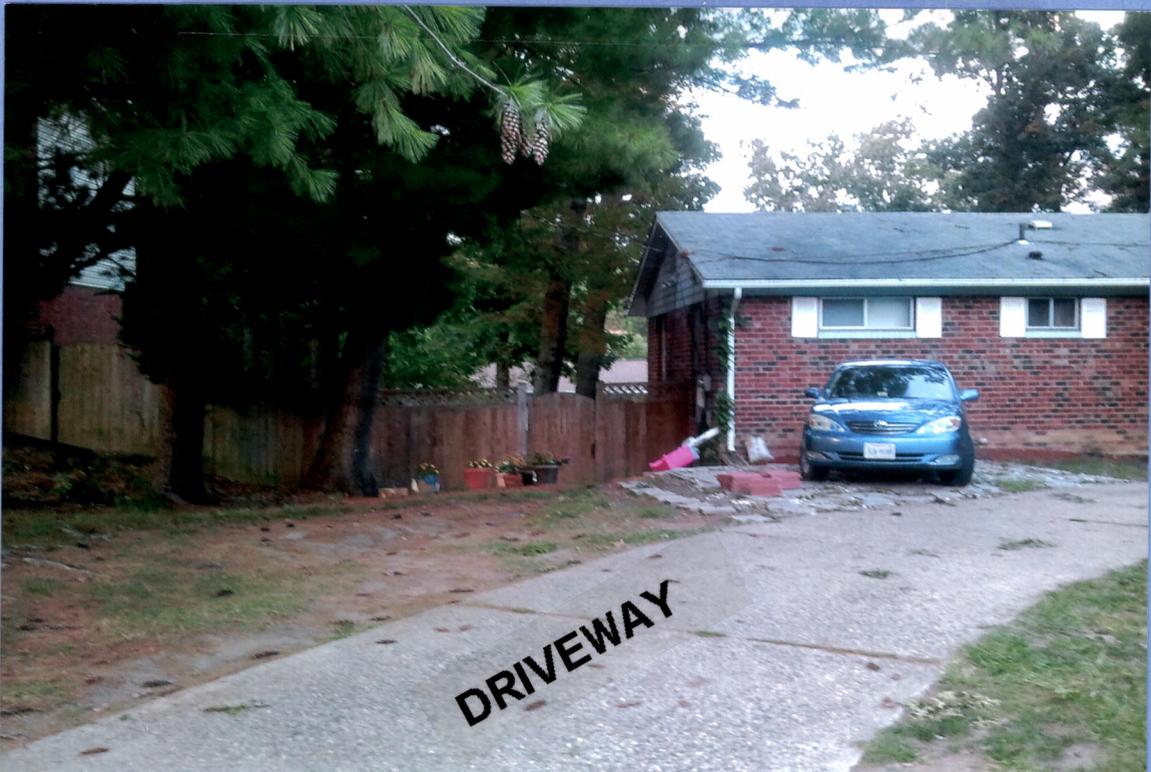
Zoning Evaluation Division

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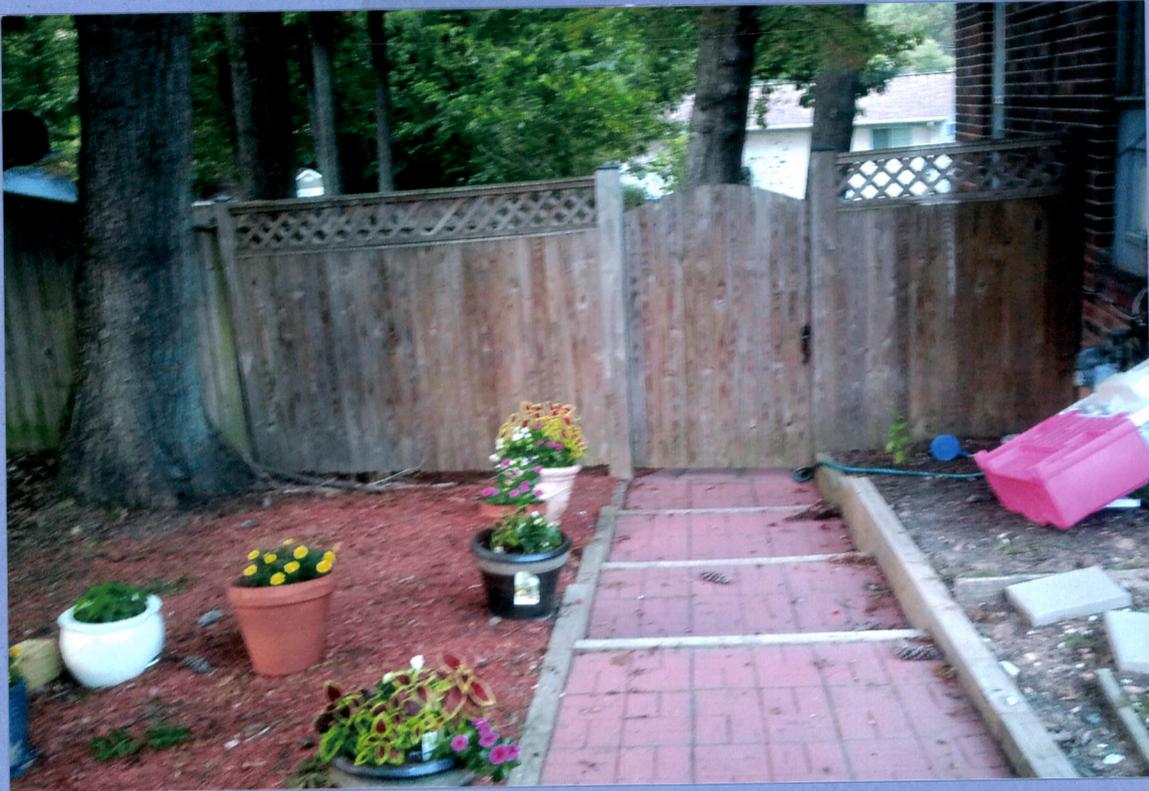


**FRONT DOOR**



**DRIVEWAY**

**DAY CARE ENTRANCE**

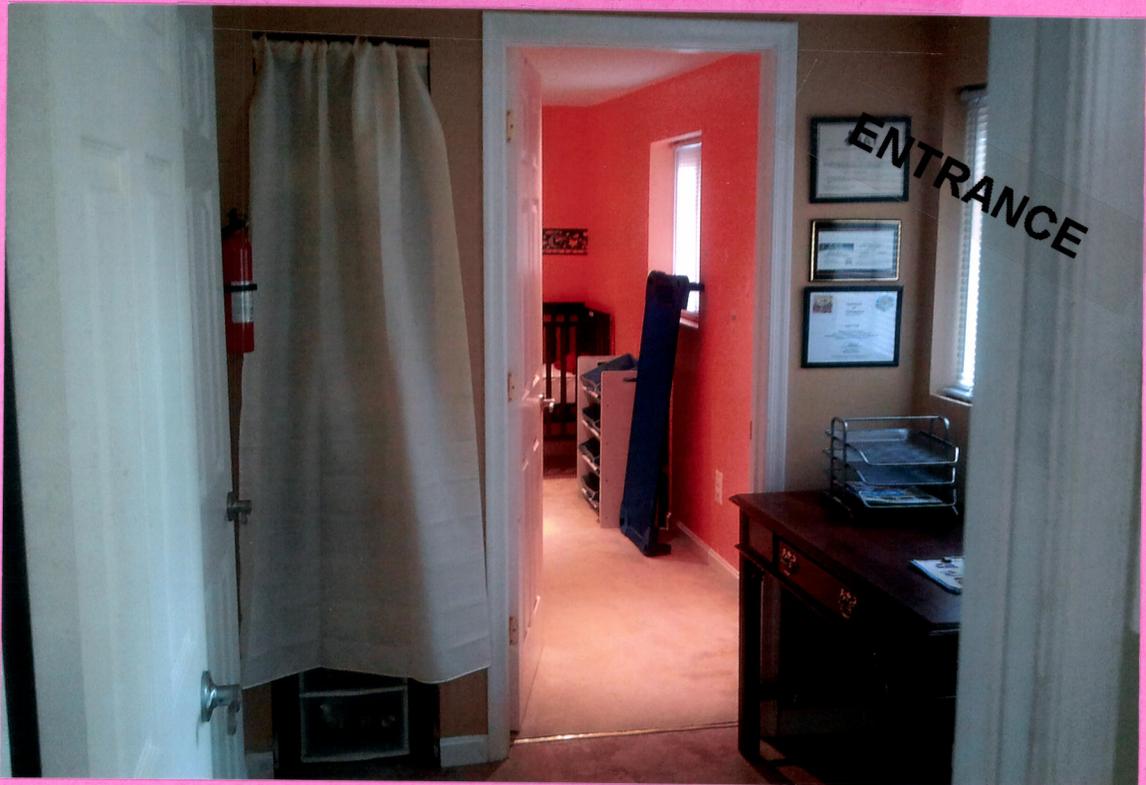


**INSIDE OF DAY CARE**

**VIEW FROM UPSTAIRS**



# QUIET ROOM

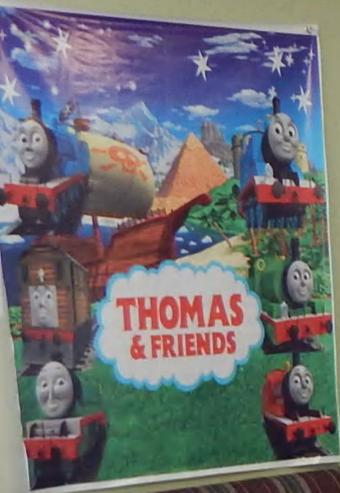




02.01.2016 11:21



02.01.2016 11:11



02.01.2016 11:19



Application No.(s): SP 2015-SP-151  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: Nov. 13, 2015  
(enter date affidavit is notarized)

132688

I, IRMA R. PUZA TATO'S FAMILY CHILD CARE, 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 <b>BOLD</b> above)
IRMA R. PUZA	6913 ROLLING RD. SPRINGFIELD, VA	APPLICANT - OWNER
D/B/A Tato's Family Childcare OSCAR PUZA	22152 " "	co applicant. Co-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): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: Nov. 13, 2015  
(enter date affidavit is notarized)

132688

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)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: Nov. 15, 2015  
(enter date affidavit is notarized)

132688

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

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: Nov. 13, 2015  
(enter date affidavit is notarized)

132688

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:

N/A

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: Nov. 13, 2015  
(enter date affidavit is notarized)

132628

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

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

NONE

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

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

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

WITNESS the following signature:

(check one)

[X] Applicant 

Applicant's Authorized Agent

IRMA R PUZA, OWNER

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

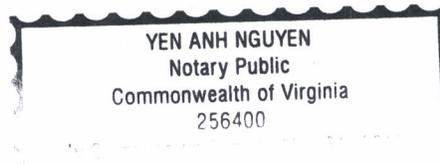
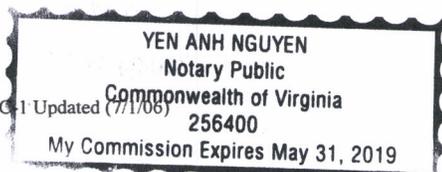
Subscribed and sworn to before me this 13<sup>th</sup> day of NOVEMBER 2015, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.



Notary Public

My commission expires: May 31, 2019





VIRGINIA DEPARTMENT OF  
SOCIAL SERVICES**Irma Puza**

6913 Rolling Road  
SPRINGFIELD, VA 22152  
(703) 505-2806

Facility Type: [Family Day Home](#)  
License Type: [One Year](#)  
[Expiration Date](#): Dec. 4, 2016  
Business Hours: 7am - 6pm  
Monday - Friday  
Capacity: 7  
Ages: 3 months - 12 years 11 months  
Inspector: Mayasah Thomas  
(703) 309-9307

Commonwealth of Virginia

DEPARTMENT OF  SOCIAL SERVICES

FAMILY DAY HOME LICENSE

Issued to: Arma Papp

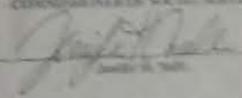
Address: 6811 Rolling Road, Springfield, Virginia 22152

This license is issued in accordance with provisions of Chapters 1, 17 and 18, Title 63.2, Code of Virginia and other relevant laws, the regulations of the State Board of Social Services and the specific limitations prescribed by the Commissioner of Social Services as follows:

CAPACITY	
7	
GENDER	AGE
Both	3 months through 12 years

This license is not transferable and will be in effect December 5, 2012 through December 4, 2013 unless renewal for violation of the provisions of law or failure to comply with the limitations stated above.

ISSUING OFFICE:  
Virginia Department of Social Services  
Division of Licensing - Fairfax Licensing Office  
5701 Penther Drive, Suite 125  
Fairfax, VA 22030  
Telephone: (703) 934-1505

MARGARET ROSS SCHULTZ  
COMMISSIONER OF SOCIAL SERVICES  
By:   
JANIS R. 7003  
Title: LICENSING ADMINISTRATOR  
Date: December 5, 2012

FDM 1108627 - 1.119  
LICENSE NUMBER



# County of Fairfax, Virginia

## MEMORANDUM

Date: February 18, 2016

To: Erin Haley, Staff Coordinator  
Zoning Evaluation Division

From: Amy Moxley  
Senior Zoning Inspector  
Zoning Inspection Branch

Subject: Home Child Care – SP 2015-SP-151

Applicant: Irma Puza, Tato's Family Child Care  
6913 Rolling Rd, Springfield, Virginia 22152  
West Springfield Village, Section 1, Lot 73  
Tax Map# 89-2 ((07)) 73  
Zoning District: R-3, Cluster  
Magisterial District: Springfield  
ZIB # 2016-0014  
Date of Inspection: February 1, 2016

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

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

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



- 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.

A carport has been enclosed with lattice. Additionally, the carport is being utilized for outdoor storage of items.

- 8. Other

There is outdoor storage of items, in excess of 100 square feet, on the south side of the home- outside of the carport and around the shed.

At the time of the inspection, a vehicle was parked in the front yard, on a non-surfaced 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.

**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.