



County of Fairfax, Virginia

March 9, 2016

STAFF REPORT

SPECIAL PERMIT SP 2015-HM-110

HUNTER MILL DISTRICT

APPLICANT: Ghidiani Sanchez, Mother Goose Day Care

OWNER: Carlos Sanchez

SUBDIVISION: Polo Fields

STREET ADDRESS: 12553 Cross Country Lane, Reston, 20191

TAX MAP REFERENCE: 16-4 ((9)) 31

LOT SIZE: 10,844 square feet

ZONING DISTRICT: R-3

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-HM-110 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.

Heath Eddy, AICP

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**

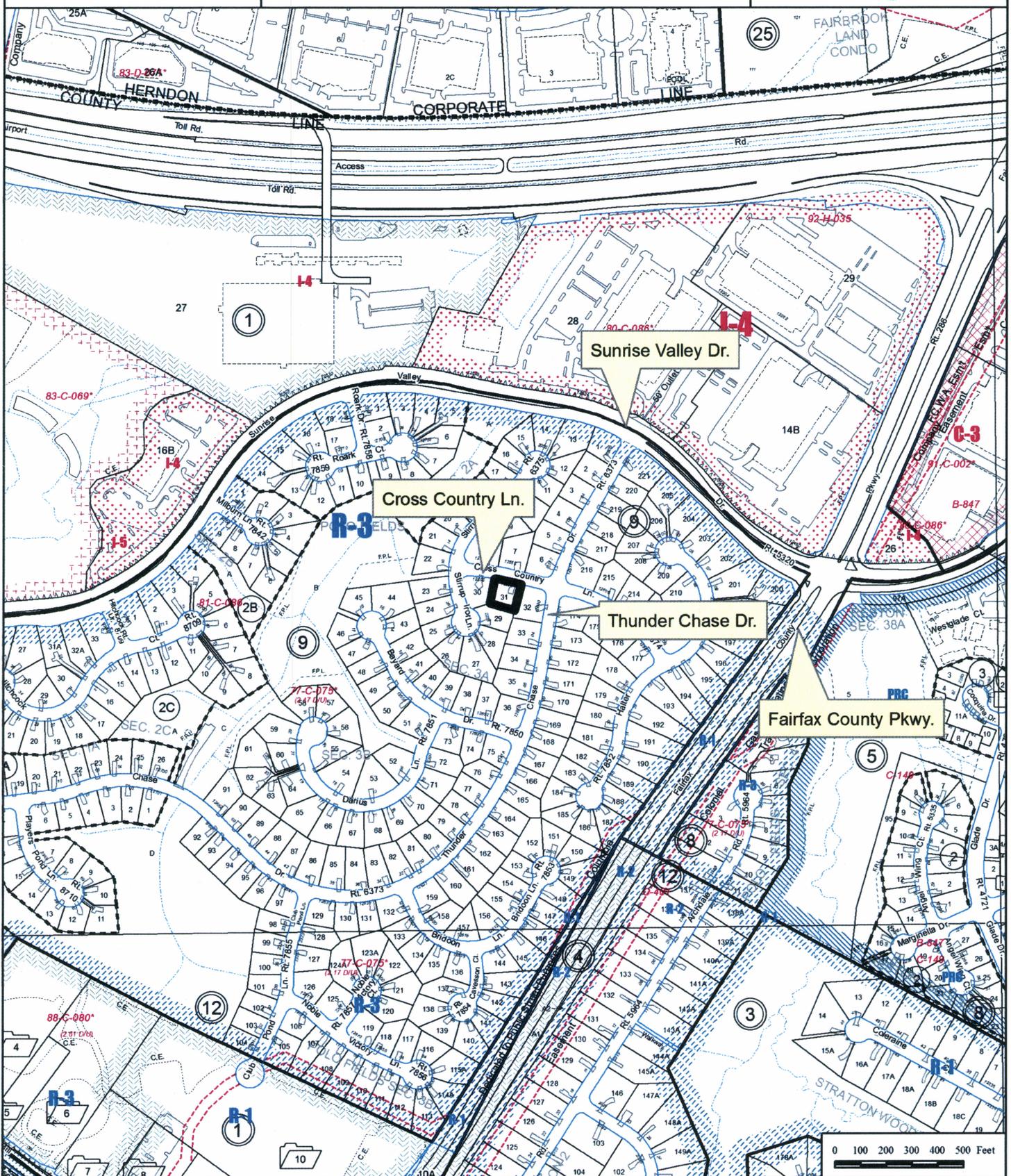


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2015-HM-110

GHIDIANI SANCHEZ, MOTHER GOOSE DAY CARE



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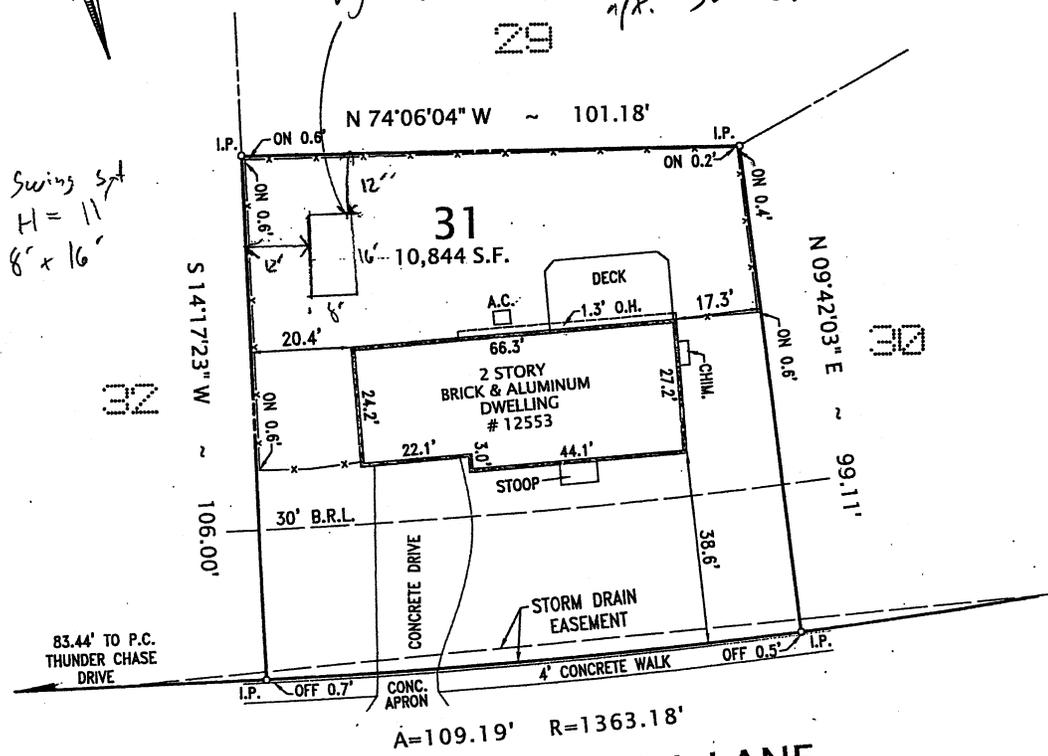
- NOTES : 1. FENCES ARE SPLIT RAIL & WIRE.
2. UTILITIES ARE UNDERGROUND.



Swing set

~~XXXXXX~~ = 4" fence
Outdoor play is fenced area
n/k. 3600 sq ft.

*Swing set
H = 11'
8' x 16'*



CROSS COUNTRY LANE
50' R/W

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Department of Planning & Zoning
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Zoning Evaluation Division

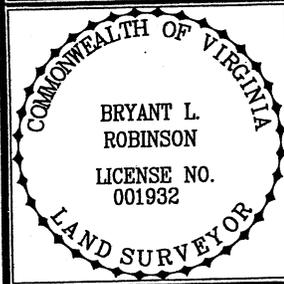
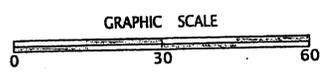
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Department of Planning & Zoning
APR 13 2015
Zoning Evaluation Division

PLAT
SHOWING HOUSE LOCATION ON
LOT 32, SECTION 3A

RECEIVED
Department of Planning & Zoning
MAR 31 2014
Zoning Evaluation Division

Y. Hudson Sanchez
April 13, 2015

POLO FIELDS
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 30' SEPTEMBER 9, 2003



CASE NAME: **PETTYJOHN - SANCHEZ**

PLAT SUBJECT TO RESTRICTIONS OF RECORD.
TITLE REPORT NOT FURNISHED.

REQUESTED BY:
FIRST TRUST TITLE & ESCROW, LLC

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

Bryant L. Robinson
BRYANT L. ROBINSON, L.S.

ALEXANDRIA SURVEYS INTERNATIONAL, LLC
6343 SOUTH KINGS HIGHWAY ALEXANDRIA, VIRGINIA 22306
TEL. NO. 703-660-6615 FAX NO. 703-768-7764

#30828006

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children. A copy of the special permit plat, titled "Plat Showing House Location on Lot 32, Section 3A, Polo Fields, Fairfax County, Virginia," prepared by Bryant L. Robinson, L.S., dated September 9, 2003, is included in the front of the staff report. Copies of the proposed development conditions, the statement of justification with select file photographs, and the affidavit are contained in Appendices 1 through 3, respectively.

CHARACTER OF THE SITE AND SURROUNDING AREA

The application property is a two-story single family detached dwelling. A concrete driveway extends to Cross Country Lane, and a concrete walkway leads to a stoop and the main entrance of the child care facility. The rear yard is enclosed by a wood rail fence 4 feet in height, and contains a play area with a swing set 11 feet in height, and a deck less than 4 feet in height.



Figure 1: House location overhead view. Source: Pictometry

The subject property and surrounding properties are zoned R-3 and developed with

single family detached dwellings.

BACKGROUND

Fairfax County Tax Records indicate that the house was constructed in 1981 and purchased by the owner in 2003.

County 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 12 children on-site (the current number for which she is licensed) at any one time between the hours of 8:00 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 and one live-in part-time assistant.

The applicant holds a current Family Day Home License from the Commonwealth of Virginia, Department of Social Services, valid through August 1, 2016. The license permits a capacity of 12 children, ages 1 month through 12 years, 11 months. A copy of the license is included as Appendix 4. The Virginia Department of Social Services has renewed the license for this applicant since 2010. A development condition has been included requiring the applicant to amend her state license to match the aforementioned hours of operation.

The home child care facility is operated on the main level and basement of the two-story dwelling. The main level contains a napping room with proper egress, and the basement contains the play area and eating area. The rear yard is utilized for outdoor play. Photographs provided by the applicant show toys and play equipment located in this area. Note that the finished basement and deck were both permitted and records indicate that both have passed final inspections. Building permit records are found in Appendix 7.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area III, Upper Potomac Planning District
Planning Sector: Greater Reston Planning Sector (up5)
Plan Map: Residential

The Comprehensive Plan does not provide a specific recommendation for this area, other than recommending that any infill development be of a compatible use, type and intensity in accordance with Land Use Objectives 8 and 14 of the Policy Plan.

Zoning District Standards

Bulk Standards (R-3)		
Standard	Required	Provided
Lot Size	10,500	10,844 sf.
Lot Width	80 feet	105 feet
Building Height	35 feet max.	Figure not provided
Front Yard	Min. 30 feet	38.6 feet
Side Yard	Min. 12 feet	20.4 feet and 17.3 feet
Rear Yard	Min. 25 feet	33 feet

The deck was permitted for construction in 1998. It passed final inspection and complies with the standards in Section 2-412.2 of the Zoning Ordinance.

On-Site Parking and Site Circulation

The existing driveway is able to accommodate three vehicles. The applicant and applicant's husband park their vehicles in the driveway and garage, therefore allowing for two parking spaces open for parents. Parents conduct drop-off and pick-up activities at staggered times, and a condition has been included to require the drop-off and pick-up of children to occur in the applicant's driveway.

Vehicular access to the site is provided from a concrete driveway from Cross Country Lane. A walkway connects to the driveway and provides direct access to the main entrance of the home child care.

Zoning Inspection Report

The Zoning Inspections Branch report is included in Appendix 5. During the site visit, county staff noted the basement used for napping lacked a second means of egress, and that the napping room lacked a functional smoke alarm. The applicant has since relocated the napping area to a room in the main level of the dwelling containing two means of egress and a functional smoke alarm. County staff also noted electrical hazards, as well as issues pertaining to the spacing of balusters on the deck and play equipment, and clearance in front of mechanical equipment. Since this inspection, all noted violations have been corrected.

Zoning Ordinance Requirements (Appendix 7)

All home child care special permit applications must comply with the following standards.

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

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

Standards 1 and 2 Comprehensive Plan/ Zoning District	The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-3 District permits a home child care facility as an accessory use with special permit approval.
Standard 3 Adjacent Development	No new construction is proposed. An outdoor play area with play equipment is found in the rear yard. In staff's opinion, the proposed use will not hinder or discourage the use or development of neighboring properties or negatively affect value.
Standard 4 Pedestrian/Vehicular Traffic	A direct driveway and walkway connects the dwelling to Cross Country Lane, ensuring pedestrian access to the home child care facility is unhindered. Arrival and departure times of the children are staggered, and in staff's opinion, the proposed use is not hazardous and does not conflict with existing and anticipated traffic in the neighborhood.
Standard 5 Landscaping/Screening	There is existing fencing and some vegetation in the rear and side yards that provides screening to the outdoor play area.
Standard 6 Open Space	There is no prescribed open space requirement for individual lots in the R-3 District.
Standard 7 Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property. As previously discussed, the driveway would be used for parking for the home child care facility.
Standard 8 Signs	Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities. No signage is proposed.

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

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

Additional Standards for Home Child Care Facilities (Sect. 8-305)

Standard 1 Maximum of 12 Children & Non-Resident Employee	The applicant is proposing a maximum of 12 children at any one time. The development conditions allow up to 1 non-resident employee.
Standard 2 Access and Parking	Arrival and departure times of the children are staggered and two drop-off parking spaces are 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 fencing and some 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 August 1, 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 7 in a single family dwelling. The applicant requests special permit approval to permit a maximum of 12 children at any one time.
Part B Licensed Provider/Primary Residence	The applicant is a state licensed home child care provider and the subject property is the provider's primary residence.
Part C No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use.
Part D Non-Resident Employee	The applicant is proposing 1 non-resident employee.
Part E Provider is a Resident	The subject property is the provider's primary residence.
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 7 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 1 non-resident employee.</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-HM-110 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, Original Floorplan, and Select File Photographs
3. Applicant's Affidavit
4. State Family Day Home License
5. Zoning Inspections Branch Comments
6. Photos of ZIB Violation Corrections
7. Building Permit Records
8. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2015-HM-110****March 9, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2015-HM-110 located at Tax Map 16-4 ((9)) 31 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, Ghidiani Sanchez d/b/a as Mother Goose Day Care, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 12553 Cross Country Lane, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "Plat Showing House Location on Lot 32, Section 3A, Polo Fields, Fairfax County, Virginia," prepared by Bryant L. Robinson, L.S., dated September 9, 2003, 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 the hours of operation.
4. The hours of operation of the home child care facility shall be limited to 8:00 a.m. to 6:00 p.m., Monday through Friday.
5. The applicant shall amend her state-issued family day home license to make the approved hours of operation consistent with the hours of operation in Development Condition 4.
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 one nonresident employee, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 8:00 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 applicant's driveway.
10. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping or rest area shall be located in a room with an operable exterior window, door or similar device that provides for a means of escape and access for rescue in the event of an emergency. Such emergency

escape and rescue openings shall be of the dimension and size specified by the Virginia Uniform Statewide Building Code.

11. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number and ages of children being cared for at the home child care facility.
12. The child care facility shall be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards".

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

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

Statement of Justification, Proposed Floorplan, and Photographs

Ghidiani Sanchez/Owner
 Mother Goose Home Daycare
 12553 Cross Country Ln.
 Reston, VA 20191
 540-4225100 Cell
 Mothergoose92@live.com

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

RECEIVED
 Department of Planning & Zoning
 MAR 31 2014
 Zoning Evaluation Division

To Whom It May Concern:

Please accept the following as my statement of justification for Special Permit for a Home Child Care facility. I own and live in a single-family detached dwelling at 12553 Cross Country Ln. in Reston, VA. The property is zoned R-3 and I understand that I need to seek approval of a special permit in order to operate a child care facility within my home. I am currently licensed by the State of Virginia to have up to 12 children in my child care facility in my home. Below is information about my child care facility's operations:

Hours: The child care is open from 8:00 AM to 6:00 PM, Monday through Friday.

Number of Children: I care for up to 12 children at any one time.

Employees: I have one assistant who works full-time. One live in back up assistant who helps when is needed.

Arrival Schedule: Two children arrive between 8:00 and 8:15 AM. One of the families lives nearby. One between 8:30 and 8:45 AM. Four between 9:00 and 9:30 AM these are two families with siblings. One between 9:30 and 10:00AM. One between 10:00 and 10:30 AM.

Departure Schedule: Four of the children are picked up at 4:00 (these are the family with siblings) Two are picked up at 4:30 PM including the child that lives nearby. Two are picked up at 5:30 PM. One stays until 6:00 PM.

Area Served: Currently, most of the parents of the children work in the vicinity of my neighborhood. Many of the children live in neighborhoods with in 5 miles. These parents drive their children to my house. As I noted, one of the children live in the immediate area. His parents walk him to day care.

Operations: As I stated, my house is a single-family detached dwelling. It has a basement of approximately 950 sq.ft. where we have designated for the use of daycare. We have separate areas located at the same level where the children eat meals and snacks, play and nap. Attached is a floor plan that indicates the areas where the day care is located. Th.

Hazardous Ordinance Compliance: The house and yard are free from hazardous or toxic substances. No hazardous materials will be generated, utilized, stored, treated, and/or disposed if onsite.

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

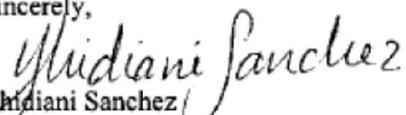
Outdoor Play Area: I use my fully fenced backyard for outdoor play for the children. The area is approximately 3660 sq.ft.

Parking: I use my garage to park my car. My driveway provides enough parking for two cars. In addition ample parking is available along the streets in front of my house. I believe that this parking will be adequate for the parents dropping off and picking up their children as well as for my helper.

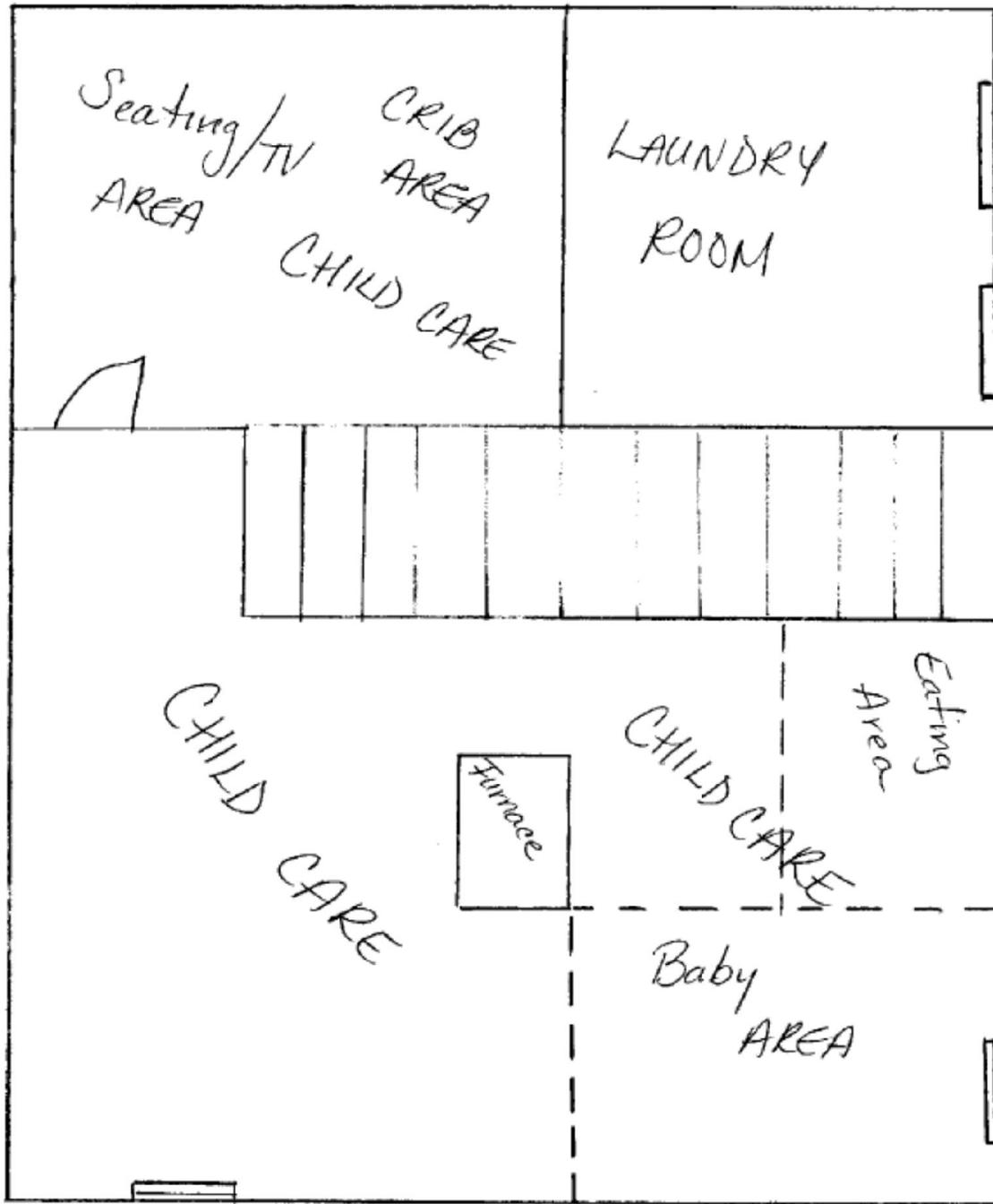
th. total sq footage of house is approx 3,000 sq ft.

In conclusion, I am proposing no changes to the appearance of my home. Adequate parking is available for my parents and employee. For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

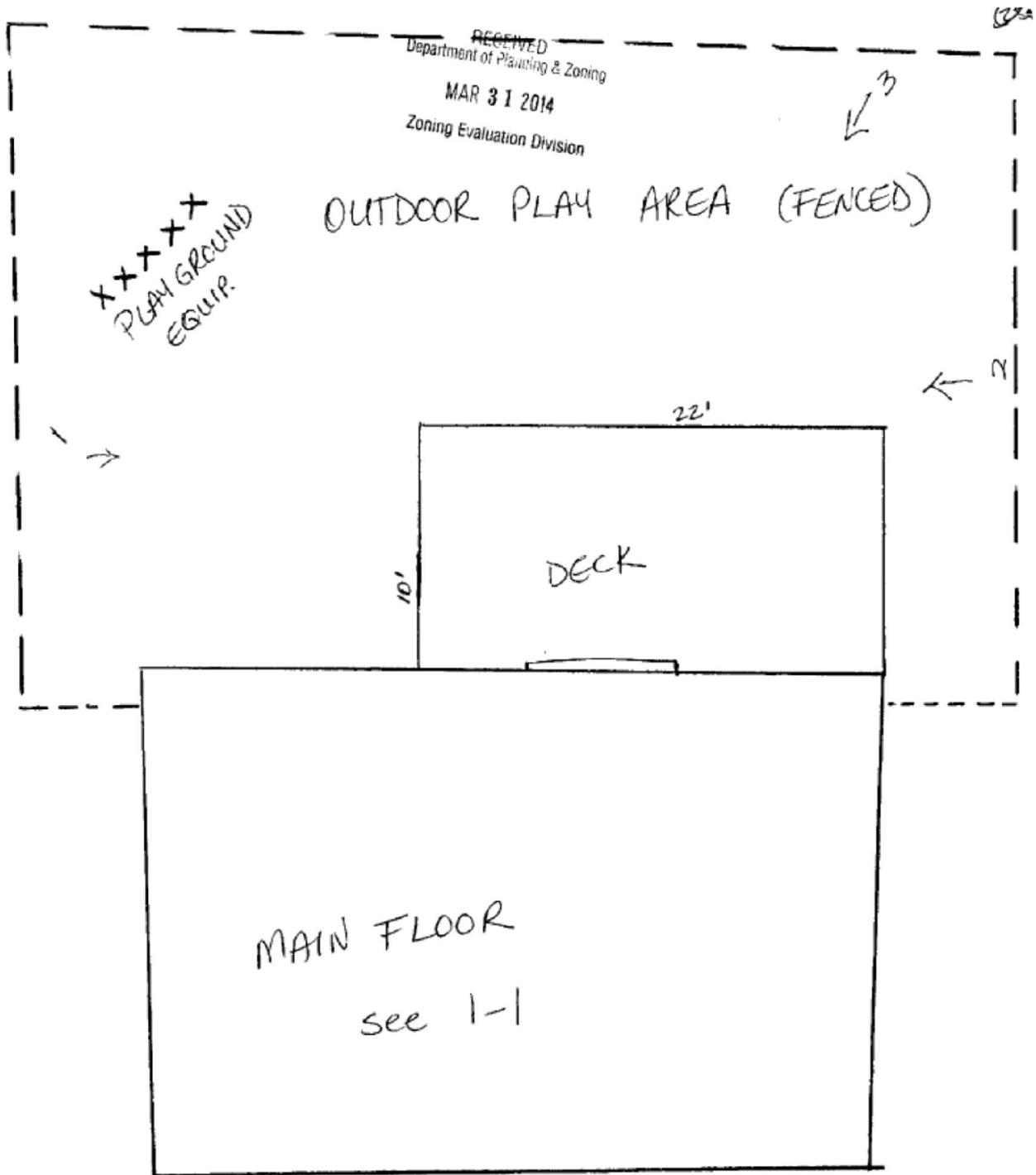
Sincerely,


Glidiani Sanchez
Owner of Mother Goose Home Daycare

Proposed Floor Plan



Proposed Floor Plan, Basement. Note that Applicant has moved the "Crib Area" to the First Floor of the residence.



Outside area of residence. Nap room is in the front of the residence, first floor, and outdoor play area is in rear yard.



County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
 Suite 549, 12000 Government Center Parkway
 Fairfax, Virginia 22035-0064
 Phone: (703) 324-2421; Fax: (703) 324-2665
 www.fairfaxcounty.gov

DATE: November 25, 2015

TO: Paul Yoon, Planning Technician
 Applications Acceptance Section
 Zoning Evaluation Division
 Department of Planning and Zoning

FROM: Sepideh Aflaki-Khosrowshahi, Paralegal
 Office of the County Attorney

SUBJECT: BZA Affidavit
 Temporary Application No. SP 2014-0230

REF.: 125045

RECEIVED
 Department of Planning & Zoning

NOV 30 2015

Zoning Evaluation Division

Attached is a copy of an application and an original affidavit that has been approved by the Office of the County Attorney for the following case:

Name of Applicant

Affidavit Date of Oath

Ghidiani Sanchez d/b/a Mother Goose Home Day Care

11/25/15

Attachment

OWNER CONSENT/AGENT AUTHORIZATION STATEMENT

To Whom It May Concern:

I/We, the undersigned applicant and/or title owner(s) of the property identified below, do hereby authorize Ghidiani Sanchez + Monice Goose Home Dnycare, to act as agent(s) in the furtherance of an application for a special permit on property located at: 12553 Cross Country Ln
Reston, VA 20191.

Thank you in advance for your cooperation.

APPLICANT/TITLE OWNER

Date: 11/25/2015

By: [Signature]
[Name] Carlos Sanchez

COMMONWEALTH/STATE OF: Virginia

CITY/COUNTY OF: Fairfax, TO WIT:

The foregoing instrument was acknowledged before me this 25th day of November, 2015, in the County of Fairfax, Virginia.

[State]

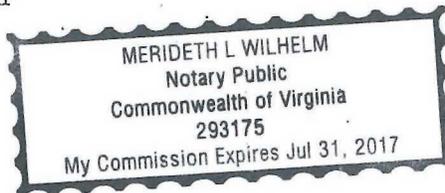
[Signature]

Notary Public (Signature)

Notary Registration No. 293175

My Commission Expires: July 31, 2017

AFFIX NOTARY SEAL/STAMP



ALL TITLE OWNERS MUST SIGN IN PRESENCE OF NOTARY. IF THERE IS MORE THAN ONE OWNER, SIGNATURES MAY CONTINUE ON NEXT PAGE.



COUNTY OF FAIRFAX
 Department of Planning and Zoning
 Zoning Evaluation Division
 12055 Government Center Parkway, Suite 801
 Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: SP 2015-HM-110

(Staff will assign)
 RECEIVED
 Department of Planning & Zoning

MAR 31 2014

Zoning Evaluation Division

APPLICATION FOR A SPECIAL PERMIT

(PLEASE TYPE or PRINT IN BLACK INK)

APPLICANT	NAME	Ghidiani Sanchez <i>Mother Goose Day Care</i>	
	MAILING ADDRESS	12553 Cross Country Ln.	
	PHONE HOME ()	WORK ()	
	PHONE MOBILE ()	EMAIL	
PROPERTY INFORMATION	PROPERTY ADDRESS	12553 Cross Country Ln. Reston VA 20191	
	TAX MAP NO.	SIZE (ACRES/SQ FT)	
	ZONING DISTRICT	MAGISTERIAL DISTRICT	
	PROPOSED ZONING IF CONCURRENT WITH REZONING APPLICATION:		
	SPECIAL PERMIT REQUEST INFORMATION	ZONING ORDINANCE SECTION	SPECIAL PERMIT 8-001, 8-305
AGENT/CONTACT INFORMATION	NAME		
	MAILING ADDRESS		
	PHONE HOME ()	WORK ()	
	PHONE MOBILE ()	EMAIL	
MAILING	Send all correspondence to (check one): <input type="checkbox"/> Applicant -or- <input type="checkbox"/> Agent/Contact		
<p>The name(s) and addresses of owner(s) of record shall be provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representatives on official business to enter the subject property as necessary to process the application.</p>			
<p>Ghidiani Sanchez</p> <p>TYPE/PRINT NAME OF APPLICANT/AGENT</p>		<p>Ghidiani Sanchez</p> <p>SIGNATURE OF APPLICANT/AGENT</p>	

DO NOT WRITE IN THIS SPACE

Date Application accepted: _____ Application Fee Paid: \$ 435.00

SP 2014-0230

Application No.(s): SP 2015-HM-110
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: Nov. 25, 2015^{ys.}
(enter date affidavit is notarized)

125045

I, Ghidiani Sanchez, 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)
Ghidiani Sanchez	12553 Cross County Ln - Reston VA 20191	Applicant
d/b/a Mother Goose Home Daycare		co applicant
Carlos J. Sanchez	"	title owner

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

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

Application No.(s): SP 2015-HM-110
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: Nov. 25, 2015
(enter date affidavit is notarized)

125045

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

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

CORPORATION INFORMATION

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

Application No.(s): SP 2015-HM-110
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: Nov. 25, 2015
(enter date affidavit is notarized)

12045

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**)

(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-HM-110
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: Nov. 25, 2015
(enter date affidavit is notarized)

125045

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-HM-110
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: Nov. 25, 2015
(enter date affidavit is notarized)

125045

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.

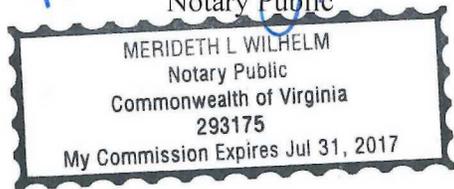
WITNESS the following signature:

(check one) Applicant Applicant's Authorized Agent
Mickone Sanchez
Gluchian Sanchez
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 25th day of November 2015, in the State/Comm. of Virginia, County/City of Fairfax.

Merideth L. Wilhelm
Notary Public

My commission expires: July 31, 2017



State Family Day Home License

Commonwealth of Virginia

DEPARTMENT OF SOCIAL SERVICES
FAMILY DAY HOME LICENSE

Issued to: Ghidiani Sanchez, d.b.a. Mother Goose Home Daycare
 Address: 12553 Cross Country Lane, Reston, Virginia 20191

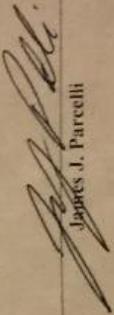
This license is issued in accordance with provisions of Chapters 1, 17 and 18, Title 63.2, Code of Virginia and other relevant laws, the regulations of the State Board of Social Services and the specific limitations prescribed by the Commissioner of Social Services as follows:

<u>CAPACITY</u>	12	
<u>GENDER</u>	Both	<u>AGE</u>
	Birth through 12 years	

This license is not transferable and will be in effect August 2, 2015 through August 1, 2016 unless revoked for violations of the provisions of law or failure to comply with the limitations stated above.

ISSUING OFFICE: MARGARET ROSS SCHULTZE
 Commissioner of Social Services

Virginia Department of Social Services
 Division of Licensing - Fairfax Licensing Office
 3701 Pender Drive, Suite 125
 Fairfax, VA 22030
 Telephone: (703) 934-1505

By: 
 James J. Parcelli
 Title: LICENSING ADMINISTRATOR
 Date: August 3, 2015

FDH 1107659-L108
 LICENSE NUMBER



County of Fairfax, Virginia

MEMORANDUM

Date: August 26, 2015

To: Paul Yoon, Staff Coordinator
Zoning Evaluation Division

From: Bruce Miller, Zoning/Property Maintenance Inspector *BM*
Zoning Inspections Branch

Subject: Home Child Care Facility (HCCF)
Special Permit Application # SP 2015-HM-110

Applicant: Ghidiani Sanchez, Mother Goose Day Care
12553 Cross Country Lane, Reston, Virginia 20191
Legal Description: Polo Fields, Sec. 3A, Lot 31
Tax Map Ref: 16-4 ((9)) 31
Zoning District: R-3
Lot Size: 10,844 square feet
ZIB# 2015-0408

On August 21, 2015, an inspection was conducted by Zoning/Property Maintenance Inspector Bruce Miller of the property located at 12553 Cross Country Lane, Reston, Virginia 20191. The Inspector was accompanied by Staff Coordinator Paul Yoon and the applicant.

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

1. 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.

Comment: The basement that is used for napping lacks a second means of egress that leads directly to the outside of the house. The applicant was advised to move the napping room to an upstairs room which has adequate egress.

2. An operable smoke alarm shall be provided outside (or inside) of each sleeping area, with at least one such device on each floor.

Comment: A functional smoke alarm must be installed in the napping room.

3. 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.

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/



- 4. 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; and should not require a key or special knowledge to open.
- 5. Electrical hazards identified shall be abated in accordance with the Virginia Uniform Statewide Building Code.

Comment: An abandoned electrical wire must terminate in a covered junction box or must be removed.

Comment: Junction boxes containing electrical wiring must have covers.

Comment: The electrical receptacle with the wall tap should be checked to insure that the fixture is not overloaded or the applicant can reduce the load by removing the wall tap and using the receptacle as designed and intended.

- 6. 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.
- 7. 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.
- 8. Other Building Code issues:

Comment: The fire extinguisher is empty and must be recharged or replaced.

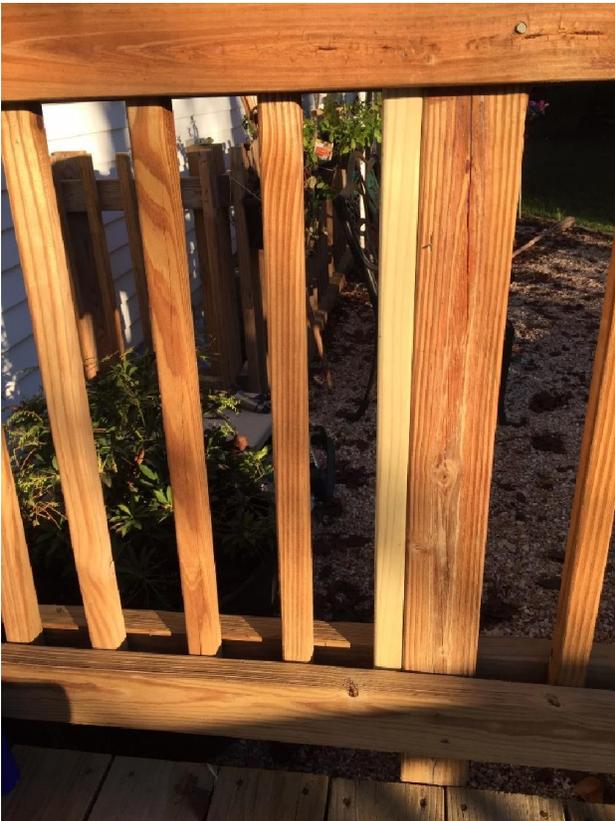
Comment: Some baluster pickets on the deck and on the play equipment are spaced 4-1/4 inches or farther apart and will allow the passage of a 4 inch diameter sphere and that space must be reduced.

Comment: A clear space in front of the service area of the mechanical equipment must be maintained. Storage must be removed or relocated a minimum of 36 inches from the working area of the equipment.

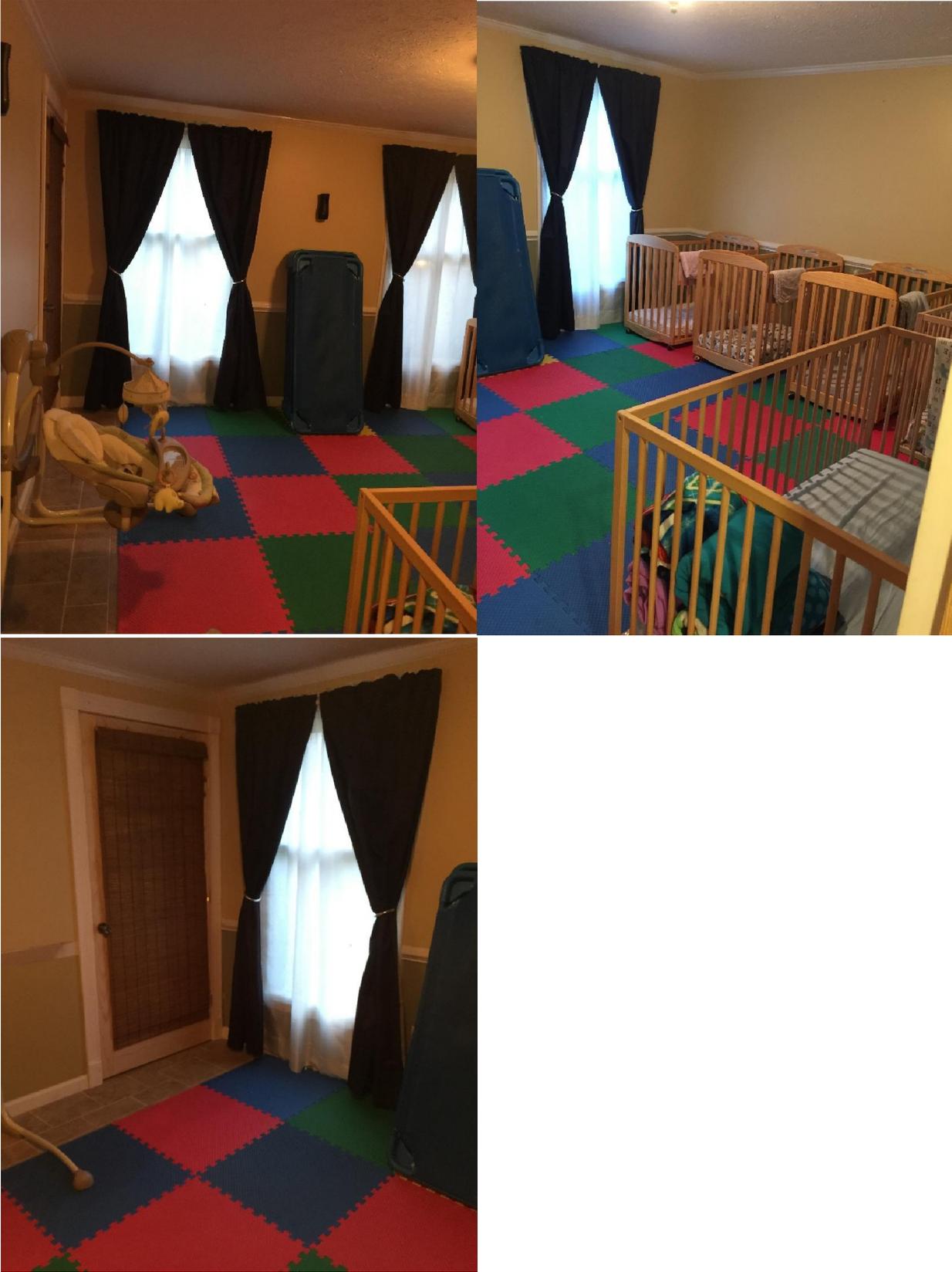
Comment: A hole in the ceiling in the napping room must be patched.

- 9. Structures comply with the Zoning Ordinance.

The following photographs were taken by Inspector Miller at the time of the inspection:



Images 1-3: Corrections to deck baluster width violations.



Images 4-6: The nursery/nap area moved to 1st Floor room with two means of egress.



Images 7 and 8: Showing the two egress options for the nap area, one to the kitchen, the second to the front parlor.



Image 9: Showing the new fire extinguisher fully charged and the thumb lock in place.



Image 10: Showing patching of hole in ceiling.



Image 11 and 12: Wiring enclosed in junction boxes with cover.



Image 13: Wiring rerouted to address terminus.

BUILDING PERMIT APPLICATION

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 FAIRFAX COUNTY, VIRGINIA
 PERMIT APPLICATION CENTER
 12055 Government Center Parkway, 2nd Floor
 Fairfax, Virginia 22035-5504
 (703) 222-0801

PERMIT # 98224120140

FOR INSPECTIONS CALL: (703) 222-0455

FILL IN ALL APPROPRIATE INFORMATION IN THIS COLUMN
 (PLEASE PRINT OR TYPE)

JOB LOCATION:

ADDRESS 12553 CROSS COUNTRY CN
 LOT # 31 BUILDING _____
 FLOOR _____ SUITE _____
 SUBDIVISION Old fields SUBA
 TENANT'S NAME DAVEEC PETTY JOHN

OWNER INFORMATION: OWNER TENANT

NAME MR. DANIEL PETTY JOHN
 ADDRESS 12553 CROSS COUNTRY CN
 CITY RESTON STATE VA ZIP 20191
 TELEPHONE (703) 902-2153

CONTRACTOR INFORMATION:

CHECK IF SAME AS OWNER
 COMPANY NAME TABER'S HOME IMPROVEMENT
 ADDRESS 13609 FLORES ST
 CITY HERNDON STATE VA ZIP 20121
 TELEPHONE (703) 793-1135
 LOCAL CONTRACTOR LICENSE # 23-1902
 STATE CONTRACTORS LICENSE # 2705026762A
 COUNTY BUSINESS ACCOUNT # _____
 APPLICANT CHARLES TABER

DESCRIPTION OF WORK

14X25 SW NECK

USEING CURB DETAIL

HOUSE TYPE S-F
 ESTIMATED COST OF CONSTRUCTION 3200.00
 BLDG AREA (SQ FT OF FOOTPRINT) 350
 USE GROUP OF BUILDING _____
 TYPE OF CONSTRUCTION _____

SEWER SERVICE: PUBLIC SEPTIC OTHER
 WATER SERVICE: PUBLIC WELL OTHER

OTHER PLEASE SPECIFY _____

DESIGNATED MECHANICS' LIEN AGENT:
 (Residential Construction Only)

NAME: N/A
 ADDRESS: _____

NONE DESIGNATED: PHONE: _____

CHARACTERISTICS FOR NEW SFD, TH, APT & CONDOS:

# KITCHENS _____	EXTER. WALLS _____
# BATHS _____	INTER. WALLS _____
# HALF BATHS _____	ROOF MATERIAL _____
# BEDROOMS _____	FLOOR MATERIAL _____
# OF ROOMS _____	FIN. BASEMENT _____ %
# STORIES _____	HEATING FUEL _____
BUILDING HEIGHT _____	HEATING SYSTEM _____
BUILDING AREA _____	# FIREPLACES _____
BASEMENT _____	

Any and all information and/or stamps on the reverse side of this form are a part of this application and must be complied with. I hereby certify that I have authority of the owner to make this application, that the information is complete and correct, and that the construction and/or use will conform to the building code, the zoning ordinance and other applicable laws and regulations which relate to the property.

Signature of Owner or Agent

Date

Notary Signature

Date

(Notarization required if owner not present at time of application)

Printed Name and Title

DO NOT WRITE IN THIS SPACE - COUNTY USE ONLY

PLAN # _____
 TAX MAP # 2165-07-001

ROUTING	DATE	APPROVED BY:
ZONING		
SITE PERMITS		
SANITATION		
HEALTH DEPT.		
FIRE MARSHAL		
BUILDING REVIEW		
LICENSING		
ASBESTOS		

FEE \$ _____
 FILING FEE \$ _____
 AMOUNT DUE \$ 5100

BUILDING PLAN REVIEW
 REVIEWER _____ # OF HOURS _____
 REVISION FEES \$ _____
 FIRE MARSHAL FEES \$ _____
 FIXTURE UNITS _____ PLAN LOC: J R

APPROVED FOR ISSUANCE OF BUILDING PERMIT
 BY [Signature] DATE 8/17/98

ZONING REVIEW: ZONING CLASS R-3
 USE _____

ZONING CASE # 5081

GROSS FLOOR AREA OF TENANT SPACE _____

YARDS: GARAGE: 1 2 3
 FRONT [initials] OPTIONS: YES NO
 FRONT _____ REMARKS: open back
 L SIDE [initials] 21"
 R SIDE [initials]
 REAR 21" plant attached

GRADING AND DRAINAGE REVIEW

SOILS: # _____ A B C

HISTORICAL DISTRICT _____

AREA TO BE DISTURBED (TOTAL SQ FT) _____

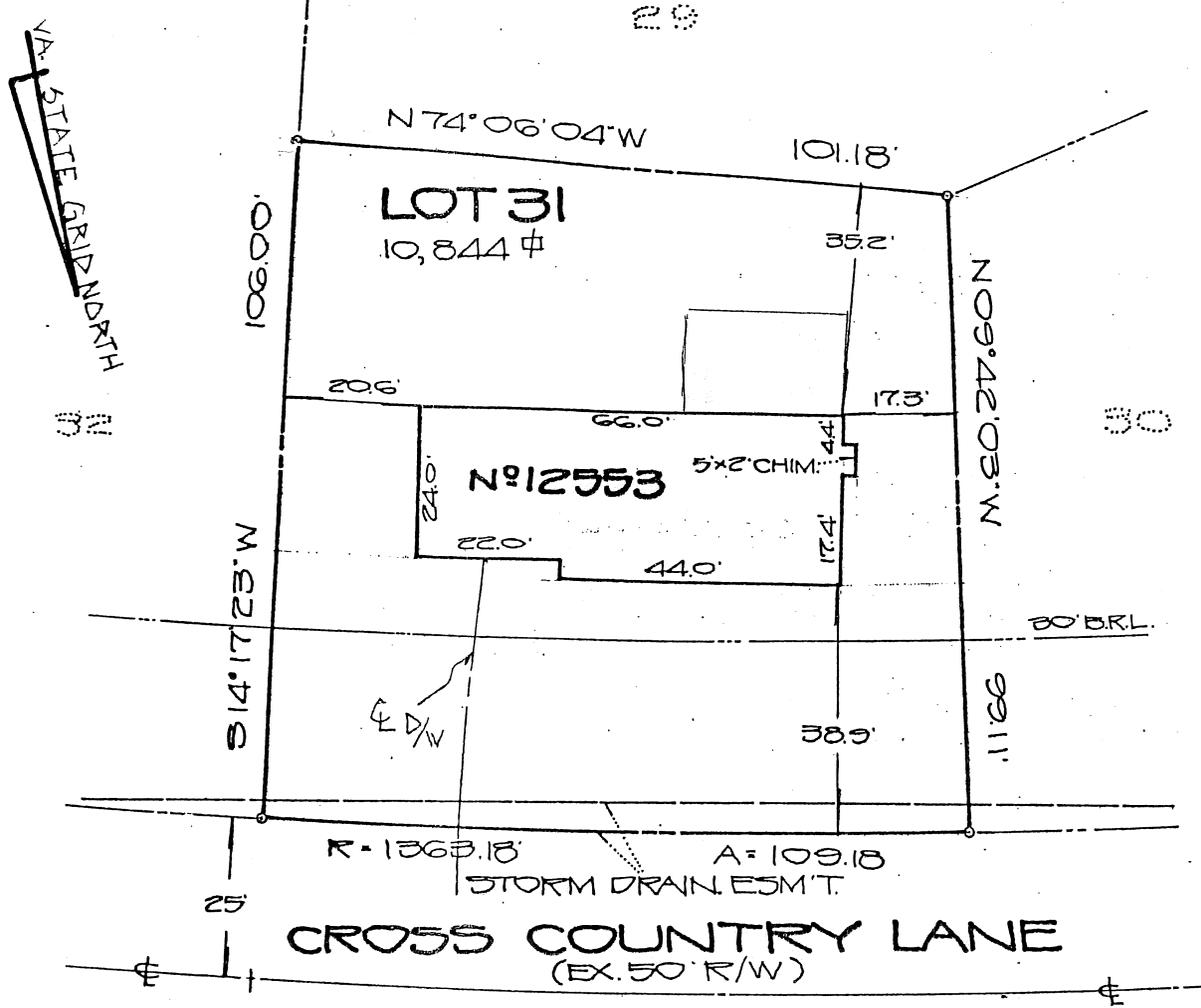
ADD'L IMPERVIOUS AREA (ADDED SQ FT) _____

PROFFERS _____

PLAN # _____ APPR. DATE _____

STAMPS:
OVER
 (See reverse side of application)

REMARKS:



APPROVED

8-12-98

Administrator
FINAL APPROVAL

SEP 11, 1981

[Signature]
Zoning Administrator
[Signature]

DEM
Division of
Inspection Services
Approved for

By *[Signature]*
Date 8-12-98

COMMONWEALTH OF VIRGINIA
PHILLIP A. BLEVINS
CERTIFICATE No. 1364
CERTIFIED LAND SURVEYOR

POUTINGS AND MEASUREMENTS AS PLANNED
ON COMPETENT MATERIAL

HOUSE LOCATION SURVEY
POLO FIELDS
LOT-31 SECTION-3A
RESTON
CENTREVILLE DISTRICT
FAIRFAX COUNTY, VIRGINIA

RECEIVED
SEP 9 1981
ZONING ENFORCEMENT

SCALE: 1" = 30'	
DATE: 4/30/81	
DRAWN BY: SVA	
WALL CHECK: 4/29/81	FINAL LOC.: 7/9/81
HOUSE LOC.:	RECERTIFICATION:

URBAN ENGINEERING & ASSOCIATES, INC.
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS • SURVEYORS
8001 FORBES PLACE
SPRINGFIELD, VIRGINIA 22151
(703) 321-9684

Zoning Ordinance Provisions

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.