



County of Fairfax, Virginia

June 22, 2016

STAFF REPORT

SPECIAL PERMIT SP 2016-SP-030

SPRINGFIELD DISTRICT

APPLICANT: Asma Abdulrazak
(Asma Daycare)

OWNERS: Asma Abdulrazak
Husam Dhumed

SUBDIVISION: Townes of Orange Hunt

STREET ADDRESS: 6877 Brian Michael Court, Springfield, 22153

TAX MAP REFERENCE: 088-2 ((10)) 117

LOT SIZE: 2,475 square feet

ZONING DISTRICT: R-8

ZONING ORDINANCE PROVISIONS: 8-305

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

STAFF RECOMMENDATION:

Staff recommends approval of SP 2016-SP-030 for the home child care facility for a maximum of ten children, 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.

Angelica P. Gonzalez

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.

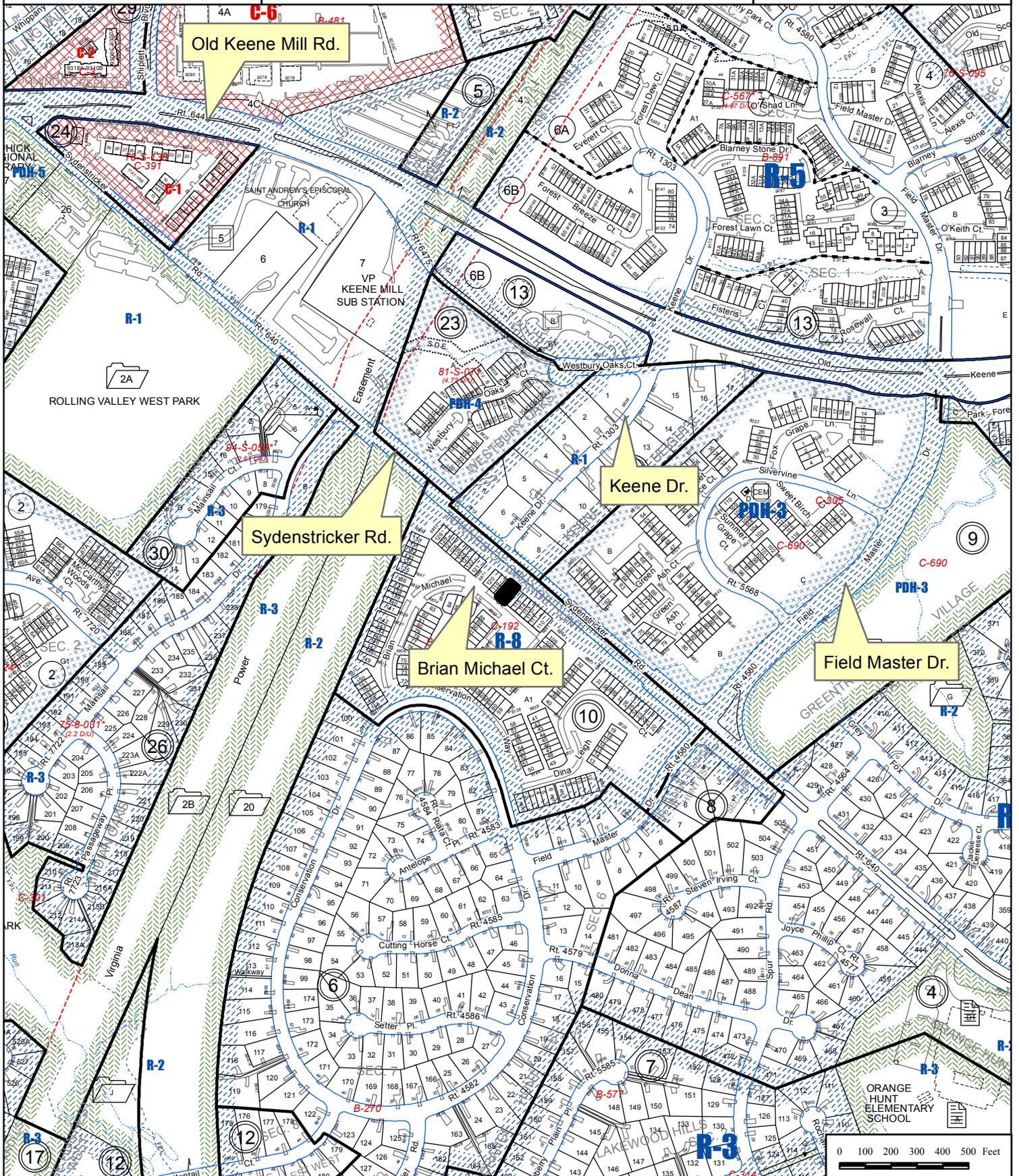
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government 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 2016-SP-030 ASMA ABDULRAZAK



RECEIVED
 Department of Planning & Zoning
 MAR 29 2016
 Zoning Evaluation Division



HOUSE LOCATION SURVEY
 LOT 117
 TOWNS OF ORANGE HUNT
 DEED BOOK 3699 PAGE 175
 FAIRFAX COUNTY, VIRGINIA
 DATE: AUGUST 19, 2005
 SCALE: 1" = 10'
 DRAFTED BY: SES

- NOTES**
1. "NO" PROPERTY MONUMENTS SET. REFER TO TITLE 54.1-407 OF THE CODE OF VIRGINIA
 2. THIS HOUSE LOCATION SURVEY WAS PERFORMED AT THE WRITTEN REQUEST OF YOUR LEGAL AGENT AND DOES NOT REPRESENT A BOUNDARY SURVEY
 3. THIS SURVEY IS NOT TO BE USED FOR THE CONSTRUCTION OF FENCES OR ANY OTHER IMPROVEMENTS
 4. THIS SURVEY WAS ESTABLISHED BY AN ELECTRONIC TOTAL STATION AND TAPE UNLESS OTHERWISE SHOWN THERE ARE NO ENCROACHMENTS
 5. NO TITLE REPORT WAS FURNISHED. ALL EASEMENTS OF RECORD MAY NOT BE SHOWN

- LEGEND**
- CW = CONCRETE WALK
 - SW = STONE WALK
 - WL = WOOD LANDING
 - BL = BRICK LANDING
 - WD = WOOD DECK
 - CS = CONCRETE STOOP
 - MS = METAL STOOP
 - CCS = COVERED CONCRETE STOOP
 - CP = CONCRETE PATIO
 - RE = RECESSED ENTRY
 - CHIM = CHIMNEY
 - O.H. = OVERHANG
 - BW = BAY WINDOW
 - OW = OVERHEAD WIRE
 - AW = AREA WAY
 - = MONUMENT FOUND
 - X- = FENCE



SAM WHITSON LAND SURVEYING, INC.
 11170 LEE HIGHWAY SUITE C
 FAIRFAX, VIRGINIA 22030
 PHONE: (703)352-9515 FAX: (703)352-9516

OWNER: GANDHI
 BUYER: DHUMED
 W.O. #05-4024 CLIENT #BW0508031

Asma Abdulrazak 3.27.16

SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to ten children.

A copy of the special permit plat, titled "House Location Survey on Lot 117, Towns of Orange Hunt," prepared by L.S. Whitson., as revised by the applicant Asma Abdulrazak and dated March 27, 2016, 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 site is developed with a two-story single family attached townhouse. Vehicular access to the townhouse is provided via Brian Michael Court. A concrete walkway and stoop are located in the front yard on Brian Michael Court. The rear yard is enclosed by a six foot tall wood privacy fence. Small, moveable play equipment is present in the fenced rear yard.

The property is located southeast of the intersection of Sydenstricker Road and Keene Drive. The subject property and surrounding properties are zoned R-8 and are developed with single-family attached dwellings.



Figure 1: Aerial View

BACKGROUND

Fairfax County Tax Records indicate that the dwelling was constructed in 1974 and purchased by the owners, Asma Abdulrazak and Husam Dhumed, in 2005.

The applicant has been operating the home child care in its current location for approximately five years with no complaints on file with the 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 ten children on-site at any one time. Upon approval of the special permit, the applicant will employ one full time assistant. The proposed hours of operation are from 6:00 a.m. to 6:00 p.m., Monday through Friday. The applicant has staggered drop-off and pick-up times for the children which currently occurs on Brian Michael Court in the parking spaces in front of the townhouse. There are two reserved parking spaces for the applicant's townhouse, both of which are used for pick-up and drop-off. Furthermore, there are a total of seven visitor parking spaces located in front of the house and directly across the street from Brian Michael Court. Currently, her family vehicle and that of her assistant are parked on Keene Drive, a public street.

The home child care facility is operated in the basement of the dwelling, the main level, and in the second story bedroom. The basement consists of a recreation room, a laundry room, and a storage room. The main level consists of two activity rooms that is also used as a napping area and a kitchen. The upper level consists of an additional napping area located in a bedroom. Furthermore, there is a play area located in the rear yard of the house which includes moveable play equipment.

The applicant currently cares for five children and she holds a current Family Day Home License, valid through October 27, 2016, from the Commonwealth of Virginia, Department of Social Services. The license permits a capacity of five children, one month through three years, eleven months of age. A copy of the license is included as Appendix 4.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area III, Pohick Planning District
Planning Sector: Middle Run Community Planning Sector (S-4)
Plan Map: Suburban Neighborhood, 8 - 12 du/ac

Zoning District Standards

Bulk Standards (R-8) for Single Family Attached Dwellings		
Standard	Required	Provided
Lot Size	No requirements for attached single family dwelling	1,500 sf
Lot Width	18 feet	20 feet
Building Height	35 feet max.	Not provided
Front Yard ¹	Min. 5 feet w/ 15 ABP	13 feet
Side Yard ²	Min. 10 feet w/ 15 ABP	West: Attached home East: 10.3 feet
Rear Yard ³	Min. 20 feet w/ 30 ABP	30 feet
Privacy Yard	Min. 200 sf	600 square feet

1. ABP = 15 degree Angle of Bulk Plane
 2. ABP = 15 degree Angle of Bulk Plane
 3. ABP = 30 degree Angle of Bulk Plane

On-Site Parking and Site Circulation

Vehicular access to the property is provided from Keene Drive via Brian Michael Court. The parents park in front of the single-family attached townhouse, where two reserved parking spaces are available. As mentioned in the applicant’s statement of justification, the applicant parks on Keene Drive (north of Sydenstricker Road), where ample parking is available. This allows parents to utilize the reserved spaces for pick up and drop off. In addition, there is a total of seven visitor spaces surrounding the subject property. Three visitor spaces are located next to the applicant’s reserved spaces and four spaces are located across the street from Brian Michael Court. Staff finds that access and available parking for the home child care use would be adequate and would not conflict with the existing and anticipated traffic in the neighborhood. Furthermore, Fairfax County Department of Transportation does not have any transportation issues with the proposed child care facility (Appendix 5).

Zoning Inspection Branch Report (Appendix 6)

The Zoning Inspections Branch report is included in Appendix 6. During the inspection that was conducted on April 20, 2016 no zoning or property maintenance violations were found on the subject property.

Zoning Ordinance Requirements (Appendix 7)

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

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

<p>Standards 1 and 2 Comprehensive Plan/ Zoning District</p>	<p>The Comprehensive Plan recommends residential uses and the property is developed with a residential use. The R-8 District permits a home child care facility as an accessory use with special permit approval.</p>
<p>Standard 3 Adjacent Development</p>	<p>No new construction is proposed. There is an outdoor play area with play equipment in the rear yard. In staff's opinion, the proposed use will not hinder or discourage the use or development of neighboring properties or value.</p>
<p>Standard 4 Pedestrian/Vehicular Traffic</p>	<p>Arrival and departure times of the children are staggered, and in staff's opinion, the proposed use is not hazardous and with the proposed development conditions, limiting the home child care to a maximum of ten children staff believes the use will not conflict with existing and anticipated traffic in the neighborhood.</p>
<p>Standard 5 Landscaping/Screening</p>	<p>There is an existing six foot tall privacy fence in the rear yard that provides screening to the outdoor play area.</p>
<p>Standard 6 Open Space</p>	<p>There is no prescribed open space requirement for individual lots in the R-8 District.</p>
<p>Standard 7 Utilities, Drainage, Parking, and Loading</p>	<p>There are no changes to the utilities and drainage serving the property or use. The driveway is used for parking.</p>
<p>Standard 8 Signs</p>	<p>Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.</p>

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

<p>Standard 1 Lot Size and Bulk Regulations</p>	<p>The property meets the lot size and bulk regulations for the R-8 District. No new construction or exterior modifications are proposed.</p>
<p>Standard 2 Performance Standards</p>	<p>The use will comply with the performance standards set forth in Article 14 of the Zoning Ordinance.</p>
<p>Standard 3 Site Plan</p>	<p>Home child care facilities are not subject to the provisions of Article 17, Site Plans.</p>

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

<p>Standard 1 Maximum of 12 Children & Non-Resident Employee</p>	<p>The applicant is proposing a maximum of ten children at any one time, which does not exceed the maximum children at any one time.</p>
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Standard 2 Access and Parking	Arrival and departure times of the children are staggered and adequate parking is available. In staff's opinion, the proposed use would not be hazardous and would not conflict with existing and anticipated traffic in the neighborhood.
Standard 3 Landscaping/Screening	There is an existing six foot tall privacy fence in the rear yard 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 Virginia, Title 63.2, Chapter 17	The applicant has a valid home child care license through October 27, 2016 for 5 children from 6:00 a.m. to 6:00 p.m., Monday through Friday.

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 five in a single family attached dwelling. The applicant requests special permit approval to permit a maximum of ten children at any one time.
Part B Licensed Provider/Primary Residence	The applicant is a state licensed home child care provider and the subject property is the provider's primary residence.
Part C No Exterior Evidence Except Play Equipment	There is no exterior evidence of the proposed use except for play equipment and toys.
Part D Non-Resident Employee	The applicant is proposing one non-resident employee.
Part E Provider is a Resident	The provider is a resident.
Part F Code of Virginia, Title 63.2, Chapter 17	Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid state home child care license.
Part G Increase in Children or Non-Resident Employee	The maximum number of children permitted by-right at any one time is five in a single family attached dwelling and can be increased to up to 12 children with special permit approval. The applicant requests special permit approval to permit a maximum of ten children at any one time and one non-resident employee.

CONCLUSION / RECOMMENDATION

Staff believes that with adoption of the proposed development conditions the subject application is in conformance with the applicable Zoning Ordinance provisions.

Staff recommends approval of SP 2016-SP-030 for the home child care facility for a maximum of ten children with the adoption of the proposed development conditions contained in Appendix 1.

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

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

APPENDICES

1. Proposed Development Conditions
2. Applicant's Statement of Justification and Select File Photographs
3. Applicant's Affidavit
4. State Family Day Home License
5. FCDOT Memo
6. ZIB Memo
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2016-SP-030****June 29, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2016-SP-030 located at Tax Map 88-2 ((10)) 117 to permit a home child care facility pursuant to Section 8-305 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, Asma Abdulrazak, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6877 Brian Michael Court, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled, "House Location Survey, Lot 117, Towns of Orange Hunt," prepared by L.S. Whitson, as revised by the applicant Asma Abdulrazak on March 27, 2016, 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 of the home child care facility.
4. All pick-up and drop-off activities shall occur in the applicant's two reserved parking spaces.
5. The hours of operation of the home child care facility shall be limited to 6:00 a.m. to 6:00 p.m., Monday through Friday.
6. The dwelling that contains the child care facility shall be the primary residence of the applicant.
7. Excluding the applicant's own children, the maximum number of children on site at any one time shall not exceed ten (10).
8. 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.
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 children's sleeping or rest areas 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 shall be of the dimension and side 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.

Home Child Care Facility Statement of Justification (Update-Adding new daycare area for nap-time)

Asma Abdulrazak
6877 Brian Michael CT.
Springfield, VA. 22153
703-870-5773
dhumed7@gmail.com

March 28, 2016

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

Re: Special Permit Application
Applicant: Asma Abdulrazak
Zoning Ordinance: Section 8-305 for home Child Care Facility

Tax Map #: 0882-10-0117
Zoning District: R-8 Cluster
Lot Size: 2,475 square feet

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a home child care facility in my home. I own and live in a townhome end unit dwelling at 6877 Brian Michael Court in Springfield, Virginia with my husband and 20-year-old son. The property is zoned R-8 and I understand I need to seek approval of a special permit in order to operate a childcare facility within my home. I am currently licensed by the County of Fairfax to have five children in my child care facility in my home. I have had a Fairfax County Family Child Care permit for the last five years. I am applying for a special permit because I have families on the waitlist that want to enroll their children on a part time schedule starting in September 2016. In addition, two of the five current families are pregnant and would like to enroll their newborns in my home daycare so they can be with their siblings. Moreover, it is my understanding that starting in July, Fairfax County will decrease the limit on how many children a provider can care for to 4. I have great recommendation letters from all the parents. Before starting my own home daycare, I worked at a Kindercare Learning Center for four years where I was responsible for the care and supervision of 16 toddlers with only one other assistant. I have almost 10 years of hands on experience in child care. Getting approved for the special permit will allow me to retain my current customers.

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

Number of Children. I currently care for 5 children. I propose to care for a maximum of 10 children at any one time.

Employees. Upon approval of the special permit, I will employ my daughter in law to be a full time assistant. She will be graduating from George Mason University this May with a psychology degree and a concentration in developmental psychology.

Arrival Schedule. Two of the children arrive between 6:00 AM and 6:30 AM. One of the children arrives between 7:00 AM. and 7:10 AM. The fourth child arrives around 7:30 AM, and the last child arrives between 9:00 AM. and 9:15 AM. Three of the five children walk with their parent less than a block to my house. Upon approval of my application and starting in September, two of the part-time children on the waitlist will arrive between 8:00 AM and 8:30 AM. Another child will arrive at 11:30 AM. and one more will come after school at 3:30 PM.

Departure Schedule. One of the children gets picked up around 3:40 PM. Another child gets picked up at 4:00 PM. Two of the children leave at 5:00 PM, and the last child stays until 6:00 PM. Upon approval of my application and starting in September, one of the children will get picked up at 3:00 PM. Two of the children will leave at 4:20 PM and the last two children will stay until 5:30 PM. (Please see the attached Appendix 1 with my proposed Arrival and Departure Schedule for all proposed 10 children).

Parking. I have two assigned parking spaces in front of my house, both of which are used for parent parking. I park my car on the street, where there is ample parking. In addition, there are seven visitor parking spaces surrounding my two assigned parking spaces.

Areas Served. Currently, most of the children live in the general vicinity of my house in Springfield, Virginia. 3 out of the 5 families walk their children to the daycare since they live within a 100-yard radius of my house. The other 2 families live in Lorton and Burke. These parents drive their children to the daycare.

Operations. As I stated, my house is a townhome end unit dwelling. It has two floors and a basement. The house has 2,475 square feet. The main level, basement, and backyard where I conduct the day care consists of approximately 1300 square feet. I use the kitchen and dining area (located on the main level) for meals and snacks. Children spend most of their time in the living room, dedicated daycare room, and the basement. (Please see attached floor layout and interior/exterior photos of each room used for the daycare).

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

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

Outdoor Play Area. I use my backyard for outdoor play for the children. The area is surrounded by a 6-foot-tall fence and is approximately 308 square feet. It contains two play homes, rocking horses, and many toys that I bring out from inside the house.

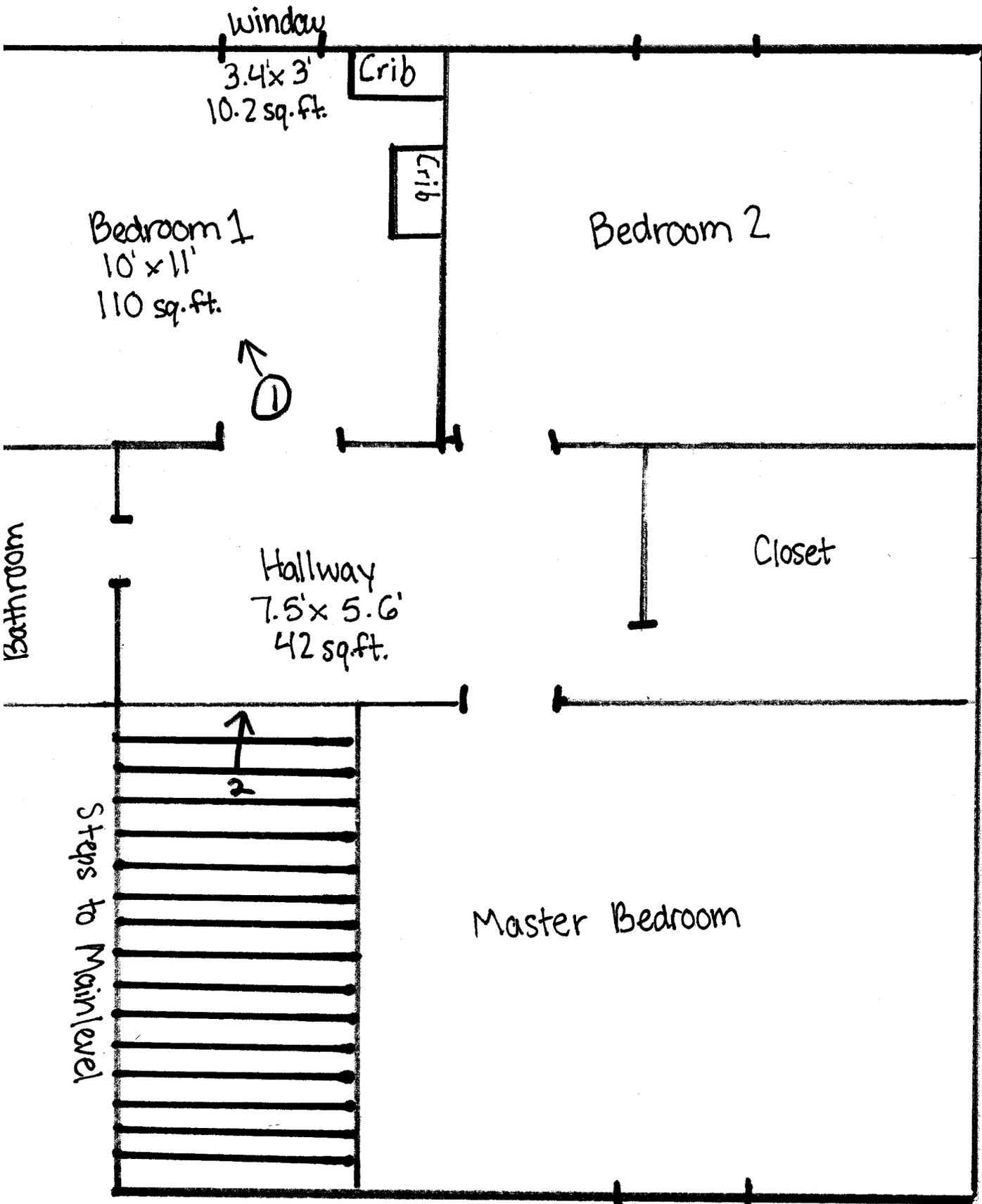
Update-Adding new daycare area for naptime. Inspectors from the Fairfax County Department of Planning and Zoning visited my house and conducted an inspection on Wednesday, April 20th, 2016. They determined that due to my basement's small window, it cannot be used for naptime. Therefore, I am adding an existing upper-level bedroom to the existing daycare area. This bedroom, which is directly in front of the stairs, will be used strictly for naptime. The room is 110 square feet and has one window and one door. I will be adding two cribs to it. Please see the attached upper level plat for reference.

In conclusion, I am proposing no changes to the outside appearance of my brick home. I propose no addition and no signs regarding the daycare. Ample parking is available for the parents, employees, and my family. Adequate utility, drainage, and all necessary facilities are provided to serve the daycare facility. For these reasons, I believe that my proposed home day care facility will not impact my neighbors in any negative way.

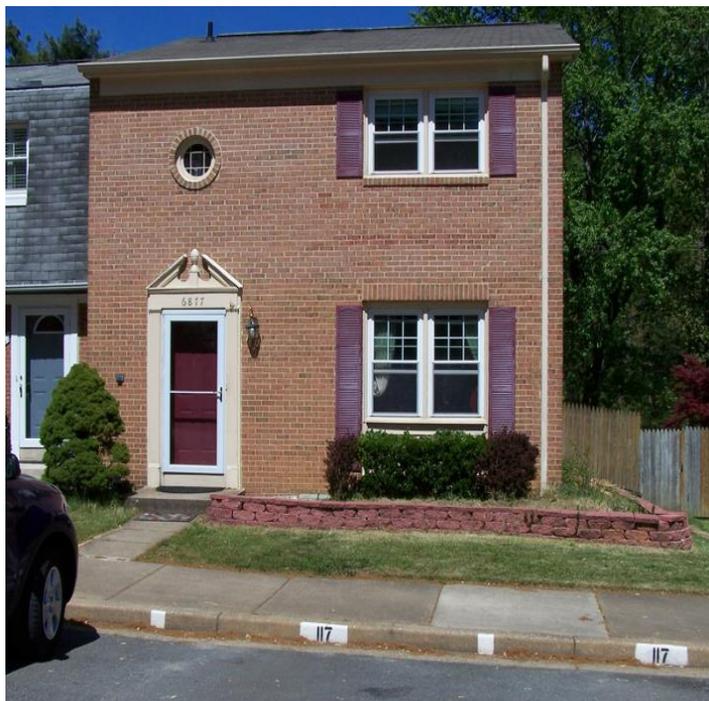
Sincerely,

Asma A. Abdulrazak

Owner of 6877 Brian Michael Court. Springfield, VA 22153.







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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3.25.2016
(enter date affidavit is notarized)

134375

I, Asma Abdulrazak, 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)
Asma A. Abdulrazak	6877 Brian Michael Court. Springfield, VA. 22153	Applicant/Title Owner
Husam H. Dhumed	6877 Brian Michael Court. Springfield, VA. 22153	Husband/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: 3.25.2016
(enter date affidavit is notarized)

134375

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

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

CORPORATION INFORMATION

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

N/A

DESCRIPTION OF CORPORATION: (check one statement)

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

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

N/A

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

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3.25.2016
(enter date affidavit is notarized)

134375

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)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3.25.2016
(enter date affidavit is notarized)

134375

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

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

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

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

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

NONE

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

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

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: 3.25.2016
(enter date affidavit is notarized)

104375

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 [Signature] Applicant's Authorized Agent

Asma A. Abdulrazak

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

Subscribed and sworn to before me this 25 day of March 2016, in the State/Comm. of Virginia, County/City of Fairfax/Kurke.

[Signature]
Notary Public

My commission expires: 03/31/2019

STEPHEN LITTLE JR
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES MAR. 31, 2019
COMMISSION # 7640533

Commonwealth of Virginia

DEPARTMENT OF



SOCIAL SERVICES

CONDITIONAL LICENSE FAMILY DAY HOME

Issued to:

Asma Abdulrazak, d.b.a. Asma Daycare

Address:

6877 Brian Michael Court, Springfield, Virginia 22153

This **CONDITIONAL** 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:

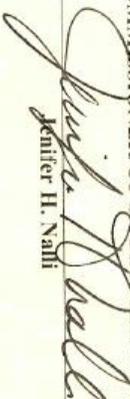
CAPACITY	
Gender	Age
Both	6 weeks through 3 years

- This conditional license is issued to allow for the licensee to demonstrate compliance with sections of the standards, which could not be determined.
 - This conditional license is issued because the licensee is temporarily unable to comply with the following section(s) of standards: 22 VAC 40-111-60.B, and 320.A.
- This license is not transferable and will be in effect April 28, 2016 through October 27, 2016 unless revoked for violations 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
3701 Pender Drive, Suite 125
Fairfax, VA 22030
Telephone: (703) 934-1505

MARGARET ROSS SCHULTZE
COMMISSIONER OF SOCIAL SERVICES

By: 
Jennifer H. Nalli
Title: LICENSING ADMINISTRATOR

FDH-1109066-L154
LICENSE NUMBER

CORRECTED

Date

May 16, 2016



County of Fairfax, Virginia

MEMORANDUM

DATE: May 2, 2016

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Michael A. Davis, Acting Chief 
Site Analysis Section
Department of Transportation

FILE: 3-6 (SP 2016-SP-030)

SUBJECT: Transportation Impact

REFERENCE: SP 2016-SP-030; Asma Abdulrazak
Land Identification: 88-2 ((10)) 117

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on the plat made available to this office dated August 19, 2005, and revised through March 27, 2016. The application is to permit a home child care center for up to ten (10) children with one full-time assistant. Hours of operation are Monday through Friday from 6:00 a.m. to 6:00 p.m. She is currently licensed for only 5 children.

The applicant has two assigned parking spaces for her townhouse and she parks in the street. There are visitor parking spaces nearby. This department does have any transportation issues with this application.

MAD/LAH/lah

cc: Angelica Gonzalez, DPZ



County of Fairfax, Virginia

MEMORANDUM

Date: April 29, 2016

To: Angelica Gonzalez, Staff Coordinator
Zoning Evaluation Division

From: *Mavis* Mavis Stanfield
Deputy Zoning Administrator/Chief Zoning Inspector
Zoning Inspection Branch

Subject: Home Child Care – SP 2016-SP-030

Applicant: Asma Abdulrazac
6877 Brian Michael Court, Springfield, Virginia 22153
Towns of Orange Hunt, Lot 117
Tax Map Ref: 88-2 ((10)) 117
Zoning District: R-8
Magisterial District: Springfield
ZIB # 2016-0080
Date of Inspection: April 20, 2016

No zoning or property maintenance violations were observed during the inspection of the subject property that were not subsequently addressed by the applicant.

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 of 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 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.