



APPLICATION ACCEPTED: March 25, 2016
BOARD OF ZONING APPEALS: June 29, 2016 @ 9:00 a.m.

County of Fairfax, Virginia

June 22, 2016

STAFF REPORT

SPECIAL PERMIT SP 2016-MV-026

MOUNT VERNON DISTRICT

APPLICANT: Mehrunnisa S. Dakwala

OWNERS: Mehrunnisa S. Dakwala
Salim Dakwala

SUBDIVISION: Worthington Woods

STREET ADDRESS: 9077 Two Bays Road, Lorton, 22079

TAX MAP REFERENCE: 108-1 ((9)) 136 A

LOT SIZE: 2,428 square feet

ZONING DISTRICT: R-12, HD

ZONING ORDINANCE PROVISIONS: 8-305, 3-1203

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

STAFF RECOMMENDATION:

Staff recommends approval of SP 2016-MV-026 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.

Erin M. Haley

A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

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

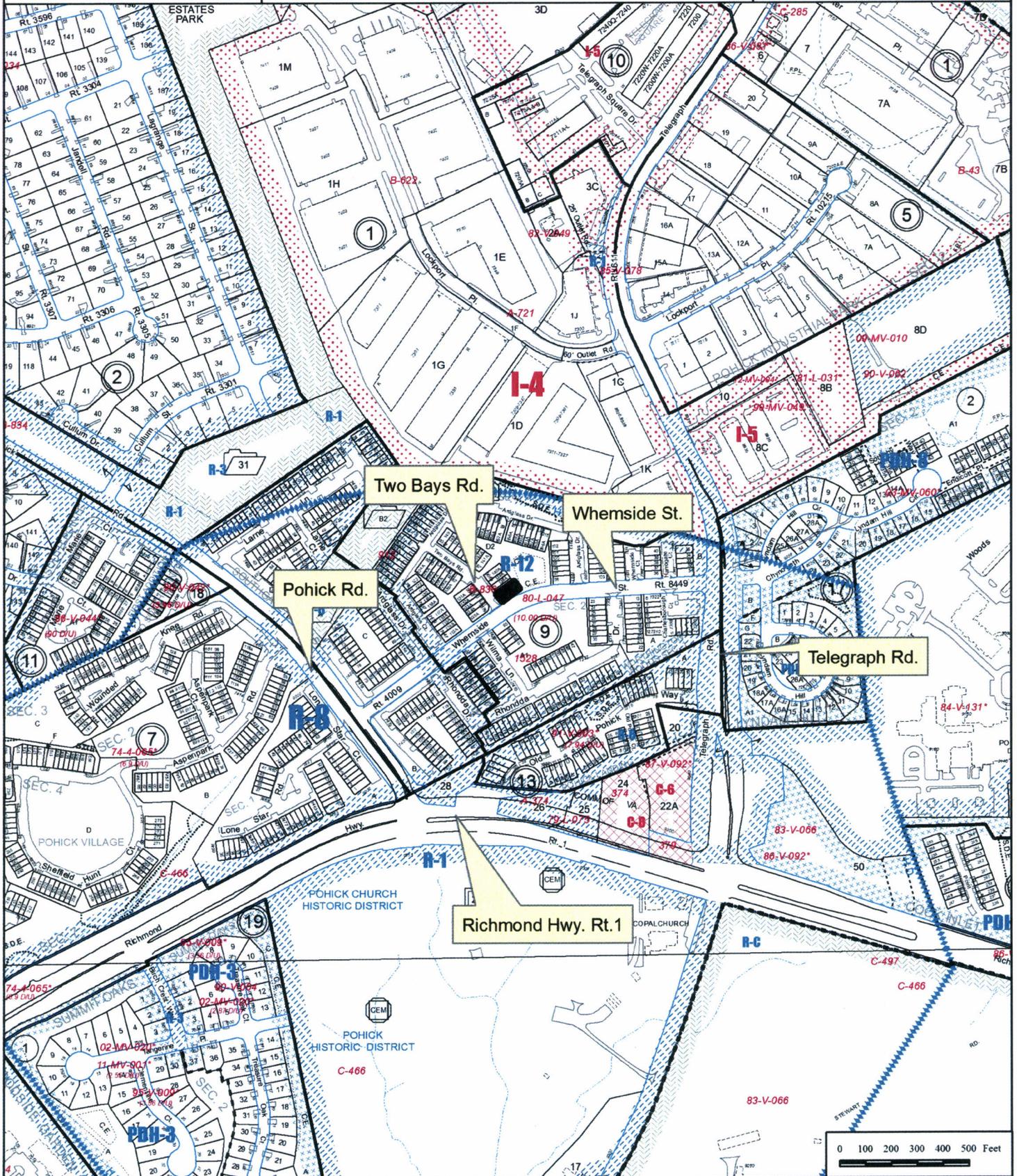
For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**



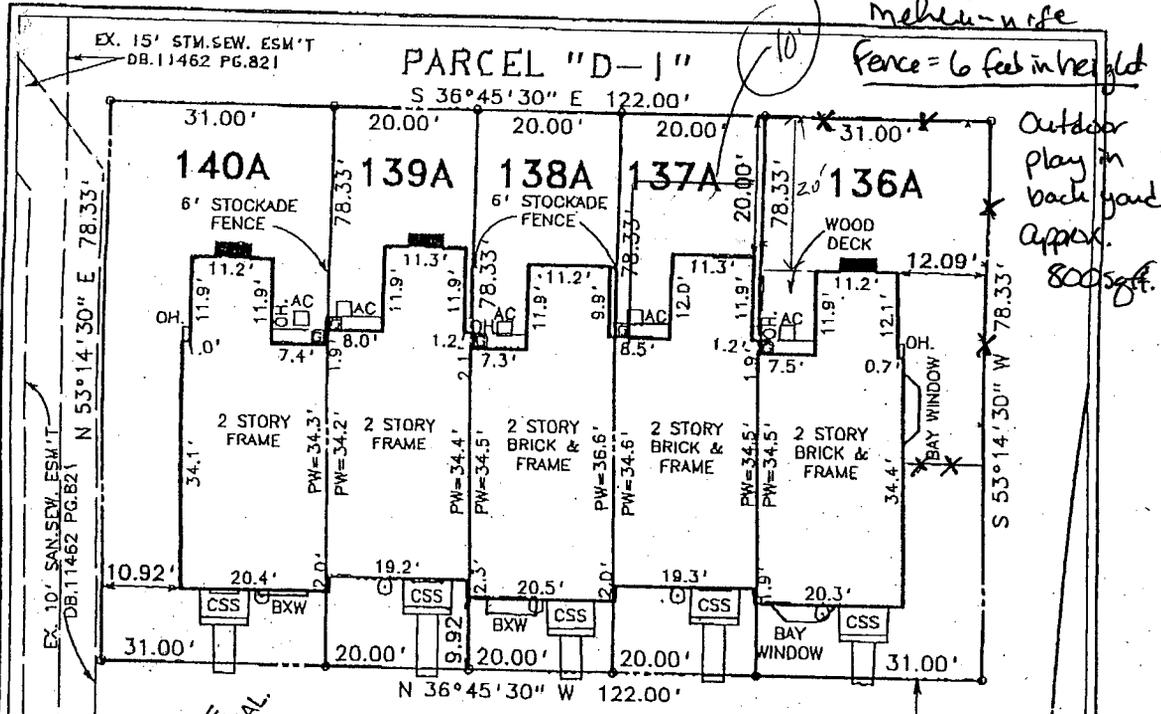
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



Special Permit SP 2016-MV-026 MEHRUNNISA S DAKWALA



3-9-16
 mchm-wrfe



Outdoor play in back yard approx. 800 sq ft.

TWO BAYS ROAD
 (PRIVATE STREET)
 (PARCEL "D-1")

RECEIVED
 Department of Planning & Zoning
 MAR 09 2016
 Zoning Evaluation Division

APPROVED
 3/24/16
 Zoning Administrator

FOOTINGS AND PIERS MUST BE PLACED ON COMPETENT MATERIAL

Approved for
 Code Services
 Date 3/24/16
 J. J. Starrs

+/- 40' TO C/L INTX.
 WHERNSIDE STREET
 ROUTE #4009 PER
 RECORD PLAT.

NOTES:

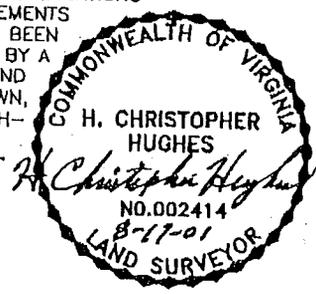
- 1) THIS PROPERTY IS LOCATED IN FLOOD ZONE "X"(AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN). THIS STATEMENT IS FOR INFORMATION ONLY AND THE SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED ZONE. IN ADDITION, IT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.
- 2) THE LAND BOUNDARIES AND EASEMENTS SHOWN HEREON, UNLESS OTHERWISE NOTED, ARE BASED ON THE PLAT RECORDED IN DB.11462 PG.821 AND DB.11716 PG.612. THEREFORE, ALL ENCUMBRANCES ARE NOT NECESSARILY SHOWN HEREON.
- 3) CORNER MONUMENTATION NOT SET AS PART OF THIS SURVEY IN ACCORDANCE WITH 54.1-407(i) OF THE CODE OF VIRGINIA.
- 4) INGRESS-EGRESS EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF UTILITIES, AND FOR COUNTY AND OTHER EMERGENCY VEHICLES OVER ALL STREETS AND COMMON DRIVEWAYS.
- 5) PARCEL "D-1" IS TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION.
- 6) ALL PRIVATE STREETS ARE PRIVATELY OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

NO TITLE REPORT FURNISHED
 PHYSICAL IMPROVEMENTS SURVEY
LOTS 136A-140A
 SECTION THREE
WORTHINGTON WOODS

MOUNT VERNON DISTRICT
 FAIRFAX COUNTY, VIRGINIA
 SCALE: 1" = 20' DATE: 08-17-01

HUNTLEY, NYCE AND ASSOCIATES, LTD.
 SURVEYING-CIVIL ENGINEERING-LAND PLANNING
 7202 POPLAR STREET, UNIT E
 ANNANDALE, VIRGINIA 22003 703-750-3490

I HEREBY CERTIFY THAT THE LOCATIONS OF ALL EXISTING IMPROVEMENTS ON THIS PROPERTY HAVE BEEN CAREFULLY ESTABLISHED BY A TOTAL STATION SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO ENCROACHMENTS.



SPECIAL PERMIT REQUEST

The applicant is seeking a special permit to allow a home child care facility for up to 12 children. A more detailed description of the proposal is provided on page two.

A copy of the special permit plat titled, "Physical Improvements Survey, Lot 136A – 140A, Section Three, Worthington Woods," prepared by H. Christopher Hughes, as revised by the applicant Mehrunnisa S. Dakwala on March 9, 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 with a full basement. The townhouse is an end unit on the corner of Two Bays Road and Whernside Street. The townhouse is oriented to Two Bays Road with two parking spaces assigned to the unit. A concrete walkway and a stoop are located at the front of the house and an elevated wood deck is at the rear of the house. The rear yard and southern side yard are enclosed by a 6 foot tall wood privacy fence. Small, moveable play equipment is present in the fenced portion of the rear yard.

The property is located east of Pohick Road and north of Richmond Highway.

The subject property and surrounding properties are zoned R-12. The properties to the

north and west and are developed with single-family attached dwellings. Property to the east and south are private open space.

BACKGROUND

Fairfax County Tax Records indicate that the dwelling was constructed in 2001 and purchased by the applicant in 2005.

The applicant has been operating the home child care in its current location for approximately six years with no complaints that staff is aware of. The applicant is currently in the process of obtaining a state license for a Family Day Home from the Commonwealth of Virginia. Her final inspection is scheduled for June 22, 2016.

The subject property is located within the Pohick Church Historic District Overlay area. The Architectural Review Board (ARB) reviewed the applicant's request at its June 9, 2016 meeting and recommended approval of the application. The memo with the ARB's recommendation and Historic Resource comments is included as Appendix 4.

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 at any one time. The 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 Two Bays Road in the parking spaces in front of the townhouse. There are two reserved parking spaces for the applicant's townhouse which she leaves open for pick-up and drop-off. The applicant parks her personal vehicles in the on street parking is available along Whernside Street. Currently, there is one non-resident assistant, but a proposed development condition would allow for up to two.

The home child care facility is mainly operated in the walk-out basement of the dwelling, which consists of a main child care room, a bathroom, and a play room. The applicant also uses the living room on the first floor of the house for older children. Napping occurs in the main child care room in the basement and in the living room on the first floor. Both rooms have adequate emergency egress through doors to the outside. Pictures provided by the applicant show toys and moveable play equipment in the rear yard of the house.

The applicant currently cares for up to five children and she holds a current license from the Fairfax County Office for Children. The license permits a capacity of five children, two months through 12 years of age. A copy of the license information is included as Appendix 5. The applicant is expected to have her final inspection for a state license on June 22, 2016.

ANALYSIS

Comprehensive Plan Provisions

Plan Area: Area IV, Lower Potomac Planning District
Planning Sector: Lortron-South Route 1 Community Planning Sector (LP2)
Plan Map: Residential, 8-12 du/ac

Zoning District Standards

Bulk Standards (R-12)		
Standard	Required	Provided
Lot Size	n/a	2,428 s.f.
Lot Width	18 feet	31 feet
Building Height	35 feet	35 feet
Front Yard ¹	5 feet	10 feet
Side Yard ²	10 feet	12.09 feet
Rear Yard ³	20 feet	20 feet

1. ABP = 15 degree Angle of Bulk Plane

2. ABP = 15 degree Angle of Bulk Plane

3. ABP = 25 degree Angle of Bulk Plane

On-Site Parking and Site Circulation

The applicant lives in a single-family townhouse with two reserved parking spaces. The townhouse is an end unit located at the corner of Two Bays Road and Whernside Street. Public parking is available along Whernside Road and is where the applicant parks her personal vehicles. Staff believes that sufficient parking is available for pick-up and drop-off activity for the home child care. A development condition has been proposed requiring the applicant to leave her two reserved parking spaces vacant for parents to use during the hours of the home child care.

Zoning Inspection Branch Report (Appendix 6)

The Zoning Inspections Branch report is included in Appendix 6. During a site visit, it was determined that a bookcase was located within the 36 inches of required working space around the electrical panel. Since the inspection, the applicant has moved the bookcase away from the electrical panel and provided photographs.

During the site visit, staff noted that though the applicant could also use the upstairs living room for the home child care, the main child care room in the basement was somewhat small in size (approximately 488 square feet). In staff's opinion, 10 children could more reasonably utilize the basement area rather than the 12 the applicant is requesting.

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)

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-12 District permits a home child care facility as an accessory use with special permit approval.
Standard 3 Adjacent Development	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 use or development of neighboring properties or value.
Standard 4 Pedestrian/Vehicular Traffic	Arrival and departure times of the children are staggered, and the applicant has two designated parking spaces as well as nearby on-street parking that parents could use for pick-up and drop-off of children. In staff's opinion, the proposed use is not hazardous with the proposed development conditions. Though the applicant is requesting 12 children, staff believes that by limiting the home child care to a maximum of 10 children the use will not conflict with existing and anticipated traffic in the neighborhood.
Standard 5 Landscaping/Screening	There is an existing six foot tall privacy fence in the rear yard that provides screening to the outdoor play area.
Standard 6 Open Space	There is no prescribed open space requirement in the R-12 District.
Standard 7 Utilities, Drainage, Parking, and Loading	There are no changes to the utilities and drainage serving the property or use. The driveway is used for parking
Standard 8 Signs	Sect. 10-103 of the Zoning Ordinance prohibits signs for home child care facilities.

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-12 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 and a development condition would allow for up to two non-resident assistants. Staff is recommending a maximum of 10 children due to the space limitations of the townhouse basement.
Standard 2 Access and Parking	Arrival and departure times of the children are staggered; and the applicant has agreed to leave her two designated parking spaces open for parents to conduct pick-up and drop-off of children. The applicant and her assistants will park their vehicles in the nearby on-street parking.
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 the Fairfax County Office for Children and is in the final stage of receiving her state license from the Commonwealth of Virginia Department of Social Services.

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 12 children at any one time. Due to the limited space in the main child care area of the basement, staff is recommending a maximum of 10 children.
Part B Licensed Provider/Primary Residence	The applicant is a county 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	A development condition would allow for up to two non-resident employees.
Part E Provider is a Resident	The provider is a resident.

<p style="text-align: center;">Part F Code of Virginia, Title 63.2, Chapter 17</p>	<p>Chapter 30 of the Code of the County of Fairfax addresses home child care facilities and Title 63.2, Chapter 17 of the Code of Virginia addresses licensure and registration procedures. The applicant has a valid Fairfax County home child care license.</p>
<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 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 12 children at any one time and two non-resident employees. Due to the limited space in the basement of the townhouse, staff is recommending limiting the maximum number of children to 10.</p>

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-MV-026 for the home child care facility for a maximum of 10 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. Historic Resource memo
5. Fairfax County License information
6. Zoning Inspections Branch Comments
7. Applicable Zoning Ordinance Provisions

PROPOSED DEVELOPMENT CONDITIONS**SP 2016-MV-026****June 22, 2016**

If it is the intent of the Board of Zoning Appeals to approve SP 2016-MV-026 located at Tax Map 108-1 ((9)) 136A to permit a home child care facility pursuant to Sections 8-305 and 3-1203 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, Mehrunnisa S. Dakwala, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 9077 Two Bays Road, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the titled, "Physical Improvements Survey, Lot 136A – 140A, Section Three, Worthington Woods," prepared by H. Christopher Hughes, as revised by the applicant Mehrunnisa S. Dakwala on March 9, 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. The applicant shall keep the two reserved parking spaces clear during all times associated with pick-up and drop-off.
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 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., Monday through Friday.
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.

STATEMENT OF JUSTIFICATION
FOR A HOME CHILD CARE FACILITY

Name: Mehrunnisa .S. Dakwala
 Address: 9077 Two Bays Rd
Loxton VA 22079
 Phone #: 703-550-0404
 E-mail: msdakwala@gmail.com

RECEIVED
 Department of Planning & Zoning
 MAR 09 2016
 Zoning Evaluation Division

Date 3-8-16

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

Re: Special Permit Application

Applicant: Mehrunnisa .S. Dakwala
 Zoning Ordinance Section 8-305 for Home Child Care Facility
 Section 8-004 of General Standards

Tax Map #: 1081090136A
 Zoning District: R12
 Lot Size: 2.428

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 attached / detached (circle one) dwelling at 9077 Two Bays Rd Loxton VA 22079 (your address).

The property is zoned _____ and I understand 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 5 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 6 am to 6 pm, Monday-Friday

Number of Children. I care for up to 5 children at any one time. This number does not include my own 2 child/children.

Employees. I have 1 assistant(s) who work part-time and _____ assistant(s) who work full-time.

Arrival Schedule. 5 of the children arrive between 6:00AM and 9:00 AM.

Departure Schedule. 5 of the children are picked up at 4:00 PM. 6 PM

Area Served. Lorton VA Fairfax County
(what neighborhood/general area do the children live in?)

Operations. As I stated, my house is a single-family attached / detached (circle one) dwelling. It has (explain the general layout of the house):

3 Bed Rooms and 3 1/2 Bath Living Room
Kitchen and den Fully Finish Basement
and backyard and deck

The house has 2,428 square feet. The following rooms are where I conduct the day care:

Living Room, Basement, Kitchen, and backyard
These rooms are 1,200 square feet total.

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 back yard for outdoor play for the children. The area is approximately 800 square feet. The outdoor play area consists of:

grass
sitting playing with ball riding
small bikes and scooters
cutler to play for kids and enjoying weather

Parking. I use my 136 A to park my family car(s). My parents park at 136 A
to drop off the kids and pickup

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

In conclusion, I am proposing I have a town house and
it's the end unit and the kids are
most of the time inside the house
in the Basement they go out to play
in the afternoon from 12:15 to 12:45 and
after the nap from 2:30 to 4:30. At this
time all my neighbors are at work. so it
Sincerely, will not impact any one

Mehunnisa Dakuwala
Owner of 9077 Two Bay Rd Lorton VA 22079

Proposed Arrival and Departure Schedule for:

Mehrunnisa Dawla

Address:

9077 Two Bay Rd Lorton, VA

Proposed Arrival Schedule

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

Proposed Departure Schedule

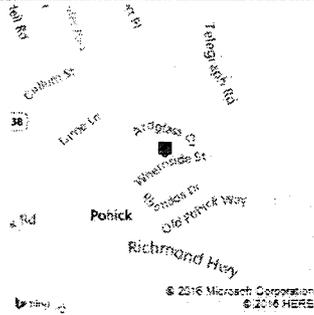
Child	2:45 – 4:15 PM	4:15 – 4:30 PM	4:30 – 5:00 PM	5:00 – 5:30 PM
1	x			
2	x			
3	x			
4	x			
5		x		
6		x		
7		x		
8			x	
9			x	
10			x	
11				x
12				x

Residential Full - Agent

Metropolitan Regional Information Systems, Inc.

FX5208240 - FAIRFAX
9077 TWO BAYS RD, LORTON, VA 22079

Full Listing
Residential



RECEIVED
Department of Planning & Zoning
MAR 09 2016
Zoning Evaluation Division

Status: Sold	Style: Contemporary	List Price: \$425,000
Close Date: 31-May-2005	Seller Subsidy: \$0	Close Price: \$450,000
Ownership: Fee Simple	Auction:	Transaction Type: Standard
Sale or Rental: Sale	Type: Townhouse	Inc City/Town:
Listing Type: Excl. Right	TH Type: End	Zip: 22079 - 1594
Adv Sub: Worthington Woods	#Levels: 3	Election District:
Legal Sub: Worthington Woods	#Fireplaces: 1	ADC Map: 28F9
Condo/Coop Proj Name:	Model: Porter Extended	TBM Map:
		Area:
Tax ID: 109-1-9--1366	Total Taxes: \$3,178	Level Location:
HOA Fee: \$52.00 / Monthly	Tax Year: 2004	Age: 15
C/C Fee: /	Lot AC/SF: .06 / 2,614	Year Built: 2001
Elementary: Gunston	Middle: Hayfield Secondary School	High: Hayfield

*School information is provided by independent third party sources and should not be relied upon without verification.

INTERIOR	Total	Main	Upper 1	Upper 2	Lower 1	Lower 2
Bedrooms:	3	0	3	0	0	0
Full Baths:	3	0	2	0	1	0
Half Baths:	1	1	0	0	0	0

Room	Dimensions	Level	Flooring	Fireplace
Living Room	11 x 11	Main	Carpet	
Den/Stdy/Lib				
Dining Room	11 x 9	Main	Carpet	
Lndry-Sep Rm				
Bedroom-Master	11 x 25	Upper 1	Carpet	
MBR w/Sit Rm				
Sitting Room	11 x 11	Main	Carpet	
Recreation Room				
Bedroom-Second	11 x 10	Upper 1	Carpet	
Utility Room				
Bedroom-Third	9 x 9	Upper 1	Carpet	
Kitchen	19 x 14	Main	Vinyl	
Recreation Rm	19 x 13	Lower 1	Carpet	
Den	12 x 10	Lower 1	Carpet	
Other Room 1	11 x 11	Lower 1	Carpet	Gas
Other Room 2	11 x 9	Lower 1	Vinyl	

FEATURES
Main Entrance: Foyer, Living Room
Interior Style: Floor Plan-Open
Dining/Kitchen: Breakfast Room, Kit-Country, Kit-Table Space
Appliances: Central Vacuum, Dishwasher, Disposal, Dryer, Exhaust Fan, Icomaker, Microwave, Refrigerator, Washer, Stove
Amenities: Drapery Rods, Fireplace Glass Doors, Fireplace Screen, Master Bathroom - Separate Shower, Master Bathroom - Separate Tub, Master Bedroom - Full Bathroom, Shades / Blinds, Tub - Soaking, Closet(s) - Walk-in, Whirlpool Jets, Wall to Wall Carpeting
Security:
Windows/Doors:
Walls/Ceilings: 9'+ Ceilings, Other, Vaulted Ceilings, Dry Wall

Basement: Yes **Foundation:**
Basement Type: Full, Fully Finished, Improved, Walkout Level
Basement Entrance: Connect Stair, Rear Entrance
Handicap:
Unit Description:
R-Factor Basement: R-Factor Ceilings: R-Factor Walls:
House Dimensions: SQFT-Tot Fin: 2,484
Above Grade Unfinished: Above Grade Finished: 1,672
Below Grade Finished: 812 Below Grade Unfinished: Tax Living Area: 1,672

REMARKS
General/Agent:
FABULOUS BRICK FRONT END UNIT TOWNHOME "PORTER" MODEL!!! THREE GORGEOUS NEUTRAL FINISHED LEVELS W/ 3LVL BUMPOUT EXTENSION!! MANY UPGRADES INCL SKYLIGHTS, BAY WINDOWS, 42" KITCHEN CABINETS, CENTRAL VAC! LARGE MASTER BDRM SUITE W/LUXURY BATH SEP SHOWER & WHIRLPOOL TUB!!! LL FULL BATH & DEN/STUDY RM, FULL REC RM W/GAS FRPL,& SEP LAUNDRY RM!!! DECK & REAR YARD FENCED!!!SELLER NEEDS HOC CONTINGENCY

Internet/Public:
FABULOUS BRICK FRONT END UNIT TOWNHOME "PORTER" MODEL!!! THREE GORGEOUS NEUTRAL FINISHED LEVELS W/ 3LVL BUMPOUT EXTENSION!! MANY UPGRADES INCL SKYLIGHTS, BAY WINDOWS, 42" KITCHEN CABINETS, CENTRAL VAC! LARGE MASTER BDRM SUITE W/LUXURY BATH SEP SHOWER & WHIRLPOOL TUB!!! LL FULL BATH & DEN/STUDY RM, FULL REC RM W/GAS FRPL,& SEP LAUNDRY RM!!! DECK & REAR YARD FENCED!!!

Directions:
195 SOUTH- EXIT 166A- 7100 SOUTH- RIGHT TELEGRAPH ROAD- RIGHT WHERNSIDE DRIVE- RIGHT TWO BAYS ROAD TO 9077 ON CORNER

EXTERIOR
Building Sites/Lots: Lot Dimension: Lot Acres/Sqft: .06/2,614
Exterior: Fenced - Rear, Patio, Sidewalks
Exterior Construction: Siding - Vinyl, Wood, Other
Lot Description: Bcks-Opn Comm, Corner Lot, PUD
Other Structures: Above Grade, Below Grade
Original Builder: Beazer New Construction: No
Property Condition: Shows Well
Roads: Black Top

TO WHOM IT MAY CONCERN

Hi

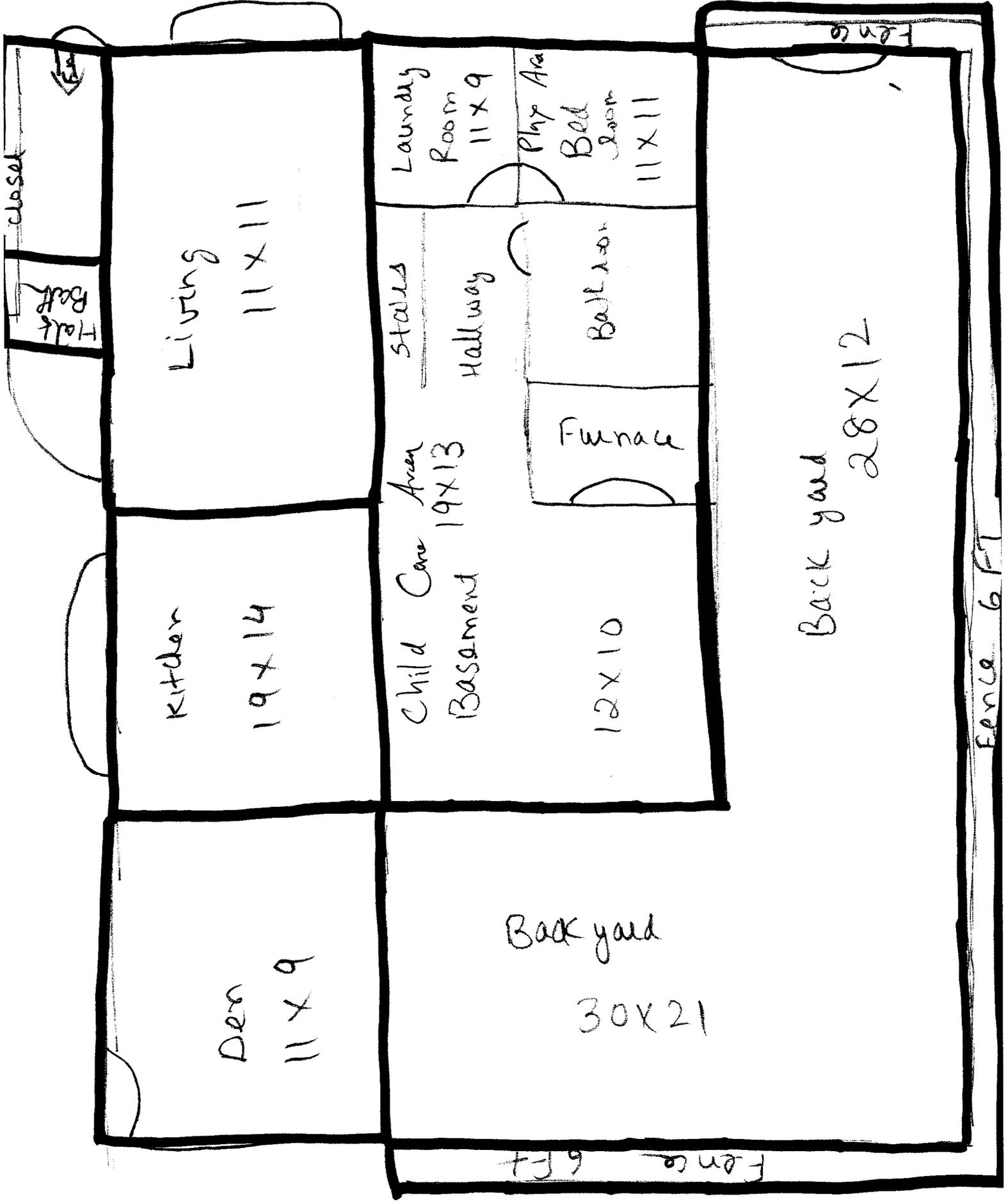
We are having a home child care. Curentely we have permit of 5 children and we trying to have more so we are requesting for the special permit to allow us to have up to 12 children. We are living in a town house that we own. We reside in 9077 two bays road Lorton VA, 22079. Hour of operation for the home child care are from 6am to 6pm Monday to Friday.

Thank you

Mehrunnisa Dakwala

RECEIVED
Department of Planning & Zoning

FEB 23 2016
Zoning Evaluation Division



closet

Halt Bath

Living

11 x 11

Kitchen

19 x 14

Den

11 x 9

Child Care Area

19 x 13

Basement

12 x 10

Back yard

30 x 21

Laundry Room

11 x 9

Play Area

Bed Room

11 x 11

Stairs

Hallway

Furnace

Ball room

Back yard

28 x 12

Fence

Fence 6 FT

Fence 6 FT





9027











First Aid Guide
EMERGENCIES
FOR SCHOOL EMERGENCIES

FIRE
EXTINGUISHER
↓

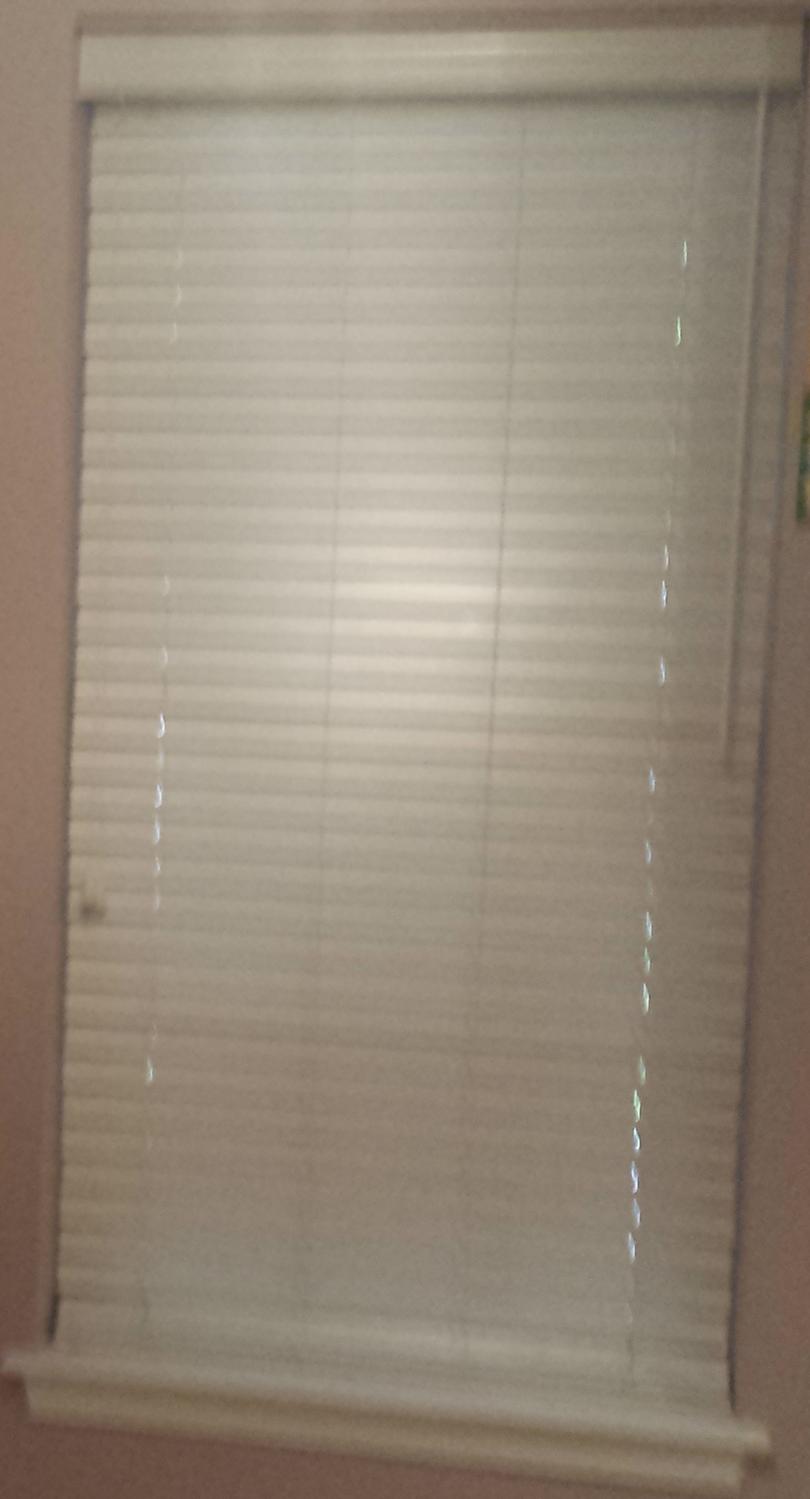
DRAMATIC
PLAY AREA







EXIT



Application No.(s): SP 2016-MV-026
(county-assigned application number(s), to be entered by County Staff)

134249

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: Feb, 9, 2016
(enter date affidavit is notarized)

I, MEHRUNNISA S. DAKWALA, 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)
Meheunnisa Dakwala	9077 Two Bay Rd Lorton VA 22079	Applicant - Titelowner
Salim Dakwala	9077 Two Bay Rd Lorton VA 22079	CO-Title owner

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

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

Application No.(s): SP 2016-MV-026
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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): SP2016-MW-026
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DATE: Feb. 9, 2016
(enter date affidavit is notarized)

134249

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

PARTNERSHIP INFORMATION

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

N/A

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

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

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): SP 2016-MW-026
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: Feb. 9, 2016
(enter date affidavit is notarized)

134249

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 2016-MV-026
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

134249

DATE: Feb. 9, 2016
(enter date affidavit is notarized)

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:

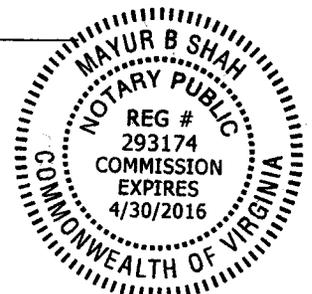
(check one) Applicant MEHRUNNISA DAKWALA [] Applicant's Authorized Agent

MEHRUNNISA S. DAKWALA
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 9th day of Feb 2016, in the State/Comm. of VIRGINIA, County/City of FAIRFAX.

Mayor B Shah
Notary Public

My commission expires: 04/30/2016





County of Fairfax, Virginia

MEMORANDUM

DATE: 13 June 2016

TO: Erin Haley, Zoning Evaluation Div. Staff Coordinator

FROM: Linda Cornish Blank, Historic Preservation Planner *LCB*

SUBJECT: SP 2016-MV-026; 9077 Two Bays Rd. in the Pohick Church Historic Overlay District, to permit a home child care facility; Tax map 108-1 ((9)) 136A; Heritage Resource comment

Location:

The subject area of this SP application is located within the Pohick Church Historic Overlay District (HOD). Architectural Review Board (ARB) review and recommendation of this SP application is stipulated by the Zoning Ordinance. Applicable section cited at the end of this memo.

Architectural Review Board (ARB) recommendation:

The ARB recommended approval of Item-ARB-16-PHC-02, proposal for a home child care facility at 9077 Two Bays Road, in the Pohick Church HOD, SP 2016-MV-026 at its June 9, 2016 meeting.

The application for a home child care facility did not propose modifications to the exterior of the existing building, physical site modifications or signage. The ARB found the proposal to meet requirements of Zoning Ordinance 7-200 HISTORIC OVERLAY DISTRICTS.

Background:

The subject property area was included in the HOD when it was established in 1970. The tax records indicate that the two-story frame townhouse was constructed in 2001; the property is non-contributing to the HOD.

Zoning Ordinance

“7- 204 Administration of Historic Overlay District Regulations

Once established, Historic Overlay Districts shall be subject to administrative procedures for the enforcement of such regulations as provided in this Section.

Department of Planning and Zoning
 Planning Division
 12055 Government Center Parkway, Suite 730
 Fairfax, Virginia 22035-5509
 Phone 703-324-1380
 Fax 703-324-3056
www.fairfaxcounty.gov/dpz/



1. All applications for rezoning, special exception, special permit, variance, sign permits, building permits, as qualified below, and all site plans, subdivision plats and grading plans shall be referred to the ARB for its review and recommendation in accordance with the provisions of this Part.

2. The ARB review and recommendation on applications for a rezoning, special exception, special permit, variance and for site plans, subdivision plats and grading plans shall include consideration of the potential impact of the proposal on the historical, architectural, or archaeological significance of the district . . .”

3. ARB approval shall be required prior to the issuance of Building Permits by the Director and approval of sign permits by the Zoning Administrator for the following: . . .”

8. Approval authorizing issuance of a Building Permit or a sign permit by the ARB, or Board of Supervisors on appeal as provided for below, shall be valid for two (2) years or for such longer period as may be deemed appropriate by the approving body from the date of approval . . . and shall continue for the life of the Building Permit or sign permit. . . .”



DAKWALA, MEHRUNNISA
 FAMILY

9077 TWO BAYS ROAD
 LORTON, VA 22079

(703) 550-0404
 (703) 973-7770

DAKWALA, MEHRUNNISA

Address 9077 TWO BAYS ROAD LORTON, VA 22079
Phone (703) 550-0404, (703) 973-7770
Email msdakwala@gmail.com
Website

Home Inspections	
4/11/2016	Pass

Fire Inspections	
3/11/2016	Pass

Child Care Details	
Provider Type	Family Child Care
Ages of Children Served	2 Months - 12 Years
Transportation Provided	From School, To School
Elementary Schools	Gunston
Days of Operation	Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday
Hours of Operation	07:00 AM To 06:00 PM
Language(s)	English, Hindi, Urdu
Special Needs	NA
Permit / License	Fairfax County Permit
Provider Credentials	NA
Provider Accreditation	NA
USDA Food Program	Yes
Physical Environment Characteristics	Smoke Free, Near Public Transportation, No Pets, No Yard, No Pool
Limitations	OFF LIMITS: 3RD LEVEL OF THE HOME & BACKYARD
Program Participations	Food Program, Early Headstart



MEMORANDUM

Date: May 2, 2016

To: Erin Haley, Senior Staff Coordinator
Zoning Evaluation Division

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

Subject: Home Child Care – SP 2016-MV-026

Applicant: Mehrunnisa S. Dakwala
9077 Two Bays Road, Lorton, Virginia 22079
Worthington Woods, Section 3, Lot 136A
Tax Map Ref.: 108-1 ((9)) 136A
Zoning District: R-12
Magisterial District: Mount Vernon
ZIB # 2016-0091
Date of Inspection: April 28, 2016

During an inspection conducted on April 28, 2016 the following item was found to be deficient:

A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. Where the electrical service equipment is wider than 30 inches, the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.

- At the time of inspection, there was storage of items within 36 inches of the electric panel. Applicant was advised to remove these items and provide photos to the staff coordinator that show compliance.

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-303 Standards for all Group 3 Uses

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

8-305 Additional Standards for Home Child Care Facilities

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
 - A. The dimensions, boundary lines and area of the lot or parcel.
 - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
 - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
 - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

Sect. 10-103 Use Limitations

6. The following use limitations shall apply to home child care facilities:

- A. The maximum number of children permitted at any one time shall be as follows:
- (1) Seven (7) when such facility is located in a single family detached dwelling.
 - (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.

- B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation. Notwithstanding the above, a substitute care provider may operate a home child care facility in the absence of the provider for a maximum of 240 hours per calendar year.
- C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.
- D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.
- E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.
- F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.

G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.