

Additional Application Reference for Home Day Care Facilities



ZONING EVALUATION DIVISION
Fairfax County
Department of Planning and Development
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035
703-324-1290

www.fairfaxcounty.gov/planning-development/about-us/zoning-evaluation-division

August 2021



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 771 (Virginia Relay Center).

In Fairfax County, you may care for up to five (5) children (in addition to your own) in your townhome or apartment, or you may care for up to seven (7) children (in addition to your own) in your single family detached house by right and, in either case, have one nonresident helper.

If you would like to have more children and/or helpers, you may request approval of a special permit or special exception to allow you to care for up to twelve (12) children (in addition to your own) and/or additional helpers. To request approval of a special permit, you must submit an application to the Department of Planning and Development and appear before the Board of Zoning Appeals.

If you would like to care for more children and have additional helpers and you live in a *PDH, PRC, PDC, PRM, PTC, or PCC Zoning District*, you may request approval of a special exception to allow you to care for up to twelve (12) children (in addition to your own) and/or additional helpers. To request approval of a special exception, you must submit an application to the Department of Planning and Development and appear before the Planning Commission, as well as the Board of Supervisors.

Regardless of how many children you care for in your townhome, apartment or house, there are a few basic rules you must follow in Fairfax County. These are as follows:

1. You must live in the townhome, apartment or dwelling that is used to care for other children.
2. You must be licensed by the State of Virginia or have a current family child care permit from the Fairfax County Office for Children, and follow all state laws and local county laws governing home day care facilities including Chapter 30 of the Fairfax County Code.
3. There cannot be any exterior appearance or signs, other than play equipment, that show that a home day care facility is being operated within the townhome, apartment or house.
4. One nonresident helper is allowed and they are limited to the hours of 7:00 a.m. to 6:00 p.m. daily, unless a special permit or special exception is granted to allow additional helpers and/or extended hours.

The following pages provide examples of what is required to be submitted with your special permit or special exception application package. Please refer to the application package itself for further details which can be found at:

www.fairfaxcounty.gov/planning-development/zoning/special-permit-process and
www.fairfaxcounty.gov/planning-development/zoning/special-exception-process

Additionally, you are strongly encouraged to discuss your proposed home day care facility with your homeowners association as approval of a special permit or a special exception does not abrogate or annul any covenants that may apply to your property.

Application packages must be submitted through the Fairfax County PLUS System:

<https://plus.fairfaxcounty.gov/CitizenAccess/Welcome.aspx>

EXAMPLE
STATEMENT OF JUSTIFICATION
FOR A HOME DAY CARE FACILITY

Connie Cooper
d/b/a Connie's Home Day Care
19 Yon Way
Fairfax, VA 22035
703-324-1110
CC19@gmail.com

July 20, 2021

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

Re: Special Permit Application
Applicant: Connie Cooper, d/b/a Connie's Home Day Care
Zoning Ordinance **Section 4102.7.I.** for Home Day Care Facility
Tax Map #: 028-3-10-0005
Zoning District: R-3
Lot Size: 10,500 square feet

To whom it may concern,

Please accept the following as my statement of justification for a special permit (or special exception) for a home day care facility in my home. I own and live in a single-family detached dwelling at 19 Yon Way in Fairfax, Virginia with my husband and two children. The property is zoned R-3 and I understand I need to seek approval of a special permit (or special exception) in order to operate a home day care facility within my home. I am currently licensed by the State of Virginia to have 7 children in my home day care facility in my home. Below is information about my home day care facilities operations:

Hours: The home day care is open from 7:00 a.m. to 6:00 p.m., Monday through Friday.

Number of Children: I currently care for 7 children. I wish to care for up to 12 children at any one time. This number does not include my own two children.

Arrival Schedule: I propose that 7 of the children will arrive between 7:00 a.m. and 8:00 a.m., and 5 of the children will arrive between 8:00 a.m. and 9:15 a.m. Two of the children will walk a block with their parent to our house.

Departure Schedule: 5 of the children will be picked up between 2:45 p.m. and 4:15 p.m. 5 of the children will leave between 4:30 p.m. and 5:00 p.m. 2 of the children will stay until 5:30 p.m. (*Please see my Attachment 1 with the proposed Arrival and Departure Schedule*).

Parking: I use my garage to park my family car. My driveway provides enough parking for two cars because the driveway is more than 28 feet long and holds two cars side by side. In addition, ample parking is available along the streets in front of my house for the employees.

Area Served: Currently, most of the children live in the general vicinity of my neighborhood. Many of the children live in neighborhoods around Government Center Parkway. These parents drive their children to my house. As I noted, two of the children live in the immediate area. Their parents walk them to the home day care.

Operations: As I stated, my house is a single-family detached dwelling. It has a walk-out basement, which is where the children spend most of their time. I use the kitchen and dining area of the house (located on the ground floor) for meals and snacks. Attached is a floor plan that indicates the areas where the day care is located. The house has 2,500 square feet. The basement area, kitchen and dining rooms where I conduct the home day care consist of approximately 1,200 square feet in total. (*See Attachment 2 for floor layout and interior photos*).

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 approximately 2,000 square feet. There is a swing set with slide, sand box and a fence around this area. The location of the outdoor play area, including the locations of the swing set with slide, sand box and fence are shown on the special permit plat (or special exception plat) which is included.

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

Sincerely,

Connie L. Cooper
Owner of Connie's Home Day Care

EXAMPLE

Arrival and Departure Schedule for:
Connie Cooper, 19 Yon Way, Fairfax, VA 22035
d/b/a Connie's Home Day Care

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

Departure Schedule

Child	2:45 – 4:15 pm	4:15 – 4:30 pm	4:30 – 5:00 pm	5:00 – 6:00 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

STATEMENT OF JUSTIFICATION
FOR A HOME DAY CARE FACILITY

Name: _____

Business Name: _____

Address: _____

Phone #: _____

Email Address: _____

Date: _____

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

Re: Special Permit Application (or Special Exception)

Applicant: _____

Zoning Ordinance **Section 4102.7.I.** for Home Day Care Facility

Tax Map #: _____

Zoning District: _____

Lot Size: _____

To whom it may concern,

Please accept the following as my statement of justification for a special permit for a home day care facility in my home. I own and live in a _____ dwelling at _____

in Fairfax, Virginia with _____ .
The property is zoned _____ and I understand I need to seek approval of
a special permit (or special exception) in order to operate a home day care facility within my
home. I am currently licensed by the State of Virginia to have _____ children in
my day care facility in my home. Below is information about my home day care facility
operations:

Hours: The home day care is open from _____ to _____ .

Number of Children: I currently care for _____ children. I wish to care for up to
12 children at any one time. This number does not include my own two children.

Employees: I have _____ assistant(s) who work _____
_____ .

Arrival Schedule: _____ of the children arrive between _____ AM and _____ AM.
_____ .

Departure Schedule: _____ of the children are picked up at _____ PM and _____ PM.
_____ .

Parking: I use my _____ to park my family car. The childrens'
parents park _____
_____ .

Area Served: _____

_____ .

Operations: As I stated, my house is a single-family detached dwelling. It has

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

Outdoor Play Area: I use my _____ yard for outdoor play for the children. The area is approximately _____ square feet. There is _____

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 _____

Sincerely,

Owner of _____

Arrival and Departure Schedule for:

Address: _____

Arrival Schedule

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

Departure Schedule

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

