

EXHIBIT NO. 1

5  
11-19-07

Docket Item # 5  
SPECIAL USE PERMIT #2007-0101

Planning Commission Meeting  
November 8, 2007

**ISSUE:** Consideration of a request for a special use permit to operate a child care home.

**APPLICANT:** Ruth Walker

**STAFF:** Allison Anderson  
Allison.anderson@alexandriava.gov

**LOCATION:** 611 S. Alfred Street

**ZONE:** RB/Residential

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**PLANNING COMMISSION ACTION, NOVEMBER 8, 2007:** By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

**Reason:** The Planning Commission agreed with the staff analysis.

**STAFF RECOMMENDATION:** Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



## **I. DISCUSSION**

### REQUEST

The applicant, Ruth Walker, requests special use permit approval for the operation of a child day home located at 611 S. Alfred Street, Unit #601.

### SITE DESCRIPTION

The subject property is one lot of record with 200 feet of frontage on S. Alfred Street, 217 feet of depth and a total lot area of 38,209 square feet. The site is developed with the Old Town West townhouse development. The subject site is a townhouse that faces S. Alfred Street.



The surrounding area is occupied by a mix of residential and retail uses. Immediately to the north are the Old Town West Apartments. To the south are townhouses. To the east are offices and parking lots and to the west is Route 1.

### BACKGROUND

On October 19, 2002, City Council granted Special Use Permit #2002-0078 to the applicant for the operation of a child day home. The hours approved at that time were: 6:00am – 6:00pm Monday through Friday for no more than nine children, 6:00pm – 6:00am for no more than five children and 24 hours of operation on Saturday and Sunday for no more than 5 children. The applicant was unable to find an assistant and was not able to obtain a child care license from the state. The SUP subsequently expired.

### PROPOSAL

The applicant proposes to care for nine children in her home as follows:

Hours:                      Daily, 6:30 a.m. – 6:30 p.m.  
                                    Daily, overnight 6:30 p.m. – 6:30 a.m.

Number of children:    9

Age of children:        6 weeks to 12 years

Noise:                     The applicant does not anticipate any noise.

Trash/Litter:            City trash service

### PARKING

The applicant is anticipating that parents will drop their children off at the front entrance of the home on South Alfred Street. On-street parking is available on the west side of the street, but is limited. The applicant is also able to provide pick up and drop off in the parking lot located behind her home.

### ZONING/MASTER PLAN DESIGNATION

The subject property is located in the RB zone. Section 3-703 of the Zoning Ordinance allows a child day home in the RB zone only with a special use permit.

The proposed use is consistent with the Southwest Quadrant Small Area Plan chapter of the Master Plan which designates the property for residential use.

## **II. STAFF ANALYSIS**

Staff is in support of the expansion of the child care home located at 611 South Alfred Street. The applicant has been licensed to operate a child care home since 1995 and is currently caring for five children. The applicant lives in a clean, neat, well-maintained two level three-bedroom home that is a privately owned, publicly assisted unit. The applicant has arranged her space so that there is adequate room to accommodate nine children. There is an on-site playground. The applicant indicates that she will also walk with the children to a playground located near her home.

The applicant is proposing to provide child care 24 hours a day, seven days a week. The Zoning Ordinance requires that no child be cared for in a continuous 24 hour period. Staff recognizes that there is a great need for child care, including overnight care. The applicant's past history of overnight care has not generated any complaints regarding noise or any other issue. Due to the applicant's history of providing care without complaint, staff is in agreement with the Office of Early Childhood Development and is recommending approval of the special use permit.

With the following conditions, staff recommends approval of the special use permit.

## **III. RECOMMENDED CONDITIONS**

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)

2. No child shall be under care for a continuous 24 hour period. (P&Z)
3. The applicant shall obtain a license from the Virginia Department of Social Services. (P&Z)
4. Approval of the Special Use Permit for no more than nine children, twenty four hours a day and seven days a week pending compliance with other departments' recommendations and the licensing and registration requirements and other limitations of local and state regulations, and on the condition that she always has the help of an assistant who has clearances and has been trained and certified in First Aid and CPR procedures whenever more than five children are in care. (Human Services)
5. The applicant or an assistant must be available to escort children to and from the parent's cars in the event that parking is not available on S. Alfred St. Parents shall not be permitted to double-park their cars on S. Alfred St while dropping off or picking up children. (T&ES)
6. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the child care home. This is to be completed prior to the child care home opening for business. (Police)
7. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for employees. (Police)
8. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Richard Josephson, Deputy Director, Department of Planning and Zoning;  
Allison Anderson, Urban Planner.

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

##### Transportation & Environmental Services:

- R-1 The applicant or an assistant must be available to escort children to and from the parent's cars in the event that parking is not available on S. Alfred St. Parents shall not be permitted to double-park their cars on S. Alfred St while dropping off or picking up children. (T&ES)

##### Code Requirements:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

##### Code Enforcement:

- C-1 This review is based on the assumption that this facility will be licensed as a family day home by the Virginia Department of Social Services. If this does not occur then the number of children served at one time shall be limited to five.
- C-2 Smoke detectors shall be provided in all sleeping areas.
- C-3 Fire extinguishers shall be provided at this facility.
- C-4 An evacuation plan shall be posted.

##### Health Department:

- F-1 No Comment

Human Services:

- F-1 Ms. Ruth Walker of 611 S. Alfred Street #601 has been a successful registered and agency approved family child care provider since May 1995. Her current child care permit expires on November 30, 2007. She is allowed to care for five children.

Ms. Walker wishes to expand her child care business and be able to care for up to nine children. Ms. Walker was granted a special use permit several years ago but did not follow through with becoming state licensed since she was unable to find an appropriate assistant. Her sister has agreed to be her assistant so she is once again applying for a Special Use Permit. Ms. Walker is registered to attend an orientation on October 18, 2007 to become state licensed.

Ms. Walker lives in a clean, neat, well-maintained two level three-bedroom home that is an ARHA public housing unit. Although her home is not spacious, Ms. Walker has arranged her space so that there is adequate room to accommodate nine children. She will use her living room and dining room as the primary child care areas and is considering moving both of her cribs to a second story bedroom in order to provide more space downstairs. Ms. Walker understands that if she decides to use both levels of her home, the children must be supervised by an adult at all times. There is an on-site playground outside her backdoor which is usable with proper and constant supervision by Ms. Walker and an assistant. Ms. Walker says she will also walk with the children to a playground located near her home.

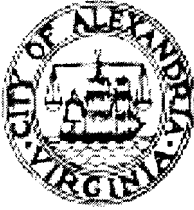
Ms. Walker originally planned to operate her child care business Monday-Friday from 6:30 a.m. – 6:30 a.m. providing both daytime and night time care. In the beginning, Ms. Walker thought she would not do week-end care but has since changed her mind. Ms. Walker now states that she wishes to be approved for nine children, twenty four hours a day and seven days a week. Ms. Walker indicates that she has thought through the issues related to the demands of extended childcare and will use her assistant whenever she needs to take care of personal business. Ms. Walker also says that she has fifteen years of experience as a childcare provider and has learned to monitor her stress levels and knows when to take a vacation. A review of Ms. Walker's record shows that she does, indeed, recognize when she is feeling burned out or in need of a break and has called the Office for Early Childhood Development to inform them that she is taking personal or vacation days. Ms. Walker also plans to enroll in the USDA child nutrition program.

- R-1 Approval of the Special Use Permit for no more than nine children, twenty four hours a day and seven days a week pending compliance with other departments' recommendations and the licensing and registration requirements and other limitations of local and state regulations, and on the condition that she always has the help of an assistant who has clearances and has been trained and certified in First Aid and CPR procedures whenever more than five children are in care.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the child care home. This is to be completed prior to the child care home opening for business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for employees.





# APPLICATION

## SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2007-0101

PROPERTY LOCATION: (80.01 0401) 611 S. Alfred ST (601)

TAX MAP REFERENCE: 80.01 0401 ZONE: \_\_\_\_\_

**APPLICANT:**

Name: RUTH WALKER

Address: 611 S. ALFRED ST Alex VA 22314

PROPOSED USE: Home DAY CARE FOR MORE THEN (5) CHILDREN

[ ] **THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

[ ] **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

[ ] **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

[ ] **THE UNDERSIGNED**, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

RUTH WALKER  
Print Name of Applicant or Agent

611 S. Alfred ST  
Mailing/Street Address

Alex VA 22314  
City and State Zip Code

Ruth Walker  
Signature

703-836-2665  
Telephone #

\_\_\_\_\_  
Email address

8-28-07  
Date

Fax #

ACTION-PLANNING COMMISSION: \_\_\_\_\_ DATE: \_\_\_\_\_

ACTION-CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

**PROPERTY OWNER'S AUTHORIZATION**

(OWE TOWNE WEST II)  
 As the property owner of DLP Limited Partnership II I hereby  
 (Property Address)  
 grant the applicant authorization to apply for the CHILD CARE PROVIDER (SUP) use as  
 (use)  
 described in this application.

Name: ATA OSEI (MANAGER)

Phone: 703 545 4343

Please Print  
 Address: 500 SOUTH ALFRED ST

Email: 038176@aimco.com

Signature: ATA

Date: 8/28/07

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☐ Required floor plan and plot/site plan attached.

☐ Requesting a waiver. See attached written request.

2. The applicant is the (check one):

☐ Owner

☐ Contract Purchaser

☒ Lessee or

☐ Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

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If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☐ **Yes.** Provide proof of current City business license

☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

## NARRATIVE DESCRIPTION

**3.** The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

Ruth's Goldenchild Day & EVENING CARE has been established in Alexandria Virginia area for several years. Its primary objective is to provide quality care and development for AT-RISK-CHILDREN deriving from various disadvantaged environments. The center offer both physical and mental SKilled activities that will contribute to the enhancement of the child's abilities in there identified area. There Also will be indoor and outdoor play. The center will provide healthy meals and snacks. And appropriate rest time. It will Also have two employee staff caring for the children during the morning hours when there a nine(9) children present.

**USE CHARACTERISTICS**

4. The proposed special use permit request is for (check one):

☒ a new use requiring a special use permit,  
☐ an expansion or change to an existing use without a special use permit,  
☐ an expansion or change to an existing use with a special use permit,  
☐ other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

- A. How many patrons, clients, pupils and other such users do you expect?  
Specify time period (i.e., day, hour, or shift).

9 6:30AM - 6:30 PM (DAY)  
6:30PM Until THE Next DAY (OVERNIGHT) 24hrs

- B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).

ONE 6:30 AM - 6:30 PM (DAY)

6. Please describe the proposed hours and days of operation of the proposed use:

Day: Mon - Sun

Hours: 6:30AM - 6:30PM

Mon - Sun

6:30PM (OVERNIGHT) 24hrs

7. Please describe any potential noise emanating from the proposed use.

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

NONE

- B. How will the noise be controlled?

NONE

8. Describe any potential odors emanating from the proposed use and plans to control them:

NONE

9. Please provide information regarding trash and litter generated by the use.

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

Small amount of disposable diapers and paper products will be containerized in trash bags and placed in a large trash dumpster for regular pick up in the rear of Home

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

Very Minimum

- C. How often will trash be collected?

Daily

- D. How will you prevent littering on the property, streets and nearby properties?

TRASH products will be controlled within PROVIDERS INTERIOR AND exterior.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[ ] Yes.

[☒] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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12. What methods are proposed to ensure the safety of nearby residents, employees and patrons?

fire excape plan has been developed

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### ALCOHOL SALES

13.

- A. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes ☐ No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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N/A

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**PARKING AND ACCESS REQUIREMENTS**

14. How many parking spaces of each type are provided for the proposed use:

\_\_\_\_\_ Standard spaces  
 \_\_\_\_\_ Compact spaces  
 \_\_\_\_\_ Handicapped accessible spaces.  
 \_\_\_\_\_ Other.

N/A

*Per site  
Plan & applicant  
22 spaces are  
located in the  
lot near the apt.  
building*

## Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A \_\_\_\_\_

Does the application meet the requirement?

[ ] Yes [ ] No

- B. Where is required parking located? (check one)

☒ on-site - *per site plan*  
☐ off-site

N/A

If the required parking will be located off-site, where will it be located?

\_\_\_\_\_

**PLEASE NOTE:** Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

N/A

[ ] Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

N/A

- A. How many loading spaces are available for the use? \_\_\_\_\_

## Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 \_\_\_\_\_

Does the application meet the requirement?

[ ] Yes [ ] No

B. Where are off-street loading facilities located? \_\_\_\_\_

\_\_\_\_\_

C. During what hours of the day do you expect loading/unloading operations to occur?

\_\_\_\_\_

\_\_\_\_\_

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

\_\_\_\_\_

\_\_\_\_\_

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

\_\_\_\_\_

\_\_\_\_\_

## SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No

Do you propose to construct an addition to the building? ☐ Yes ☐ No

How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?

\_\_\_\_\_ sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = \_\_\_\_\_ sq. ft. (total)

19. The proposed use is located in: (check one)

☐ a stand alone building

☒ a house located in a residential zone

☐ a warehouse

☐ a shopping center. Please provide name of the center: \_\_\_\_\_

☐ an office building. Please provide name of the building: \_\_\_\_\_

☐ other. Please describe: \_\_\_\_\_

End of Application



SUP # 2007-0101



## APPLICATION - SUPPLEMENTAL

**This Supplemental information is to be filed by applicants requesting special use permit approval of a child care home or child care center. All applicants must submit a plot plan of the property, showing play areas and parking, and an interior floor plan. If a play area that is not owned or leased by the operator is to be used by the children, written permission from the owner must be obtained and a copy submitted with this application.**

### CHILD CARE HOMES

**Applicants requesting special use permit approval of a child care home for six to nine children within a home shall complete this section.**

1. Is the proposed facility the principal residence of the operator? ☒ Yes ☐ No
2. Is the operator registered with the City of Alexandria Office of Early Childhood Development to provide child care in the home? ☒ Yes ☐ No
3. How many children, including resident children, will be cared for? 9
4. How many children reside in the home? 1
5. How old are the children? (List the ages of all children to be cared for)  
Resident: 17  
Non-resident: 6 week - 12 yrs
6. A minimum of 75 square feet of outdoor play area on the lot must be provided for each child above age two.  
Play area required:  
Number of children above age two: \_\_\_\_\_ x 75 square feet = \_\_\_\_\_ square feet  
Play area provided: 3,120 square feet
7. If the lot does not have room for on-site play area, is the child care home within 500 feet of a park or playground available for the children to play in? ☒ Yes ☐ No  
If yes, please describe the park's play area:  
Slide Board, playing bars,

**NOTE: Child care homes are not permitted to display signs.**

SUP # 2007-0101

**CHILD CARE HOMES and CHILD CARE CENTERS**

**Applicants for both child care homes and child care centers (day care center, day nursery and nursery schools) shall complete this section.**

1. How many employees will staff the child care facility, including the operator?

2  
How many staff members will be on the job at any one time? 2

2. Where will staff and visiting parents park?

Street parking,  
property parking lot.

3. Please describe how and where parents will drop off and pick up children.

Parents will drop off and pick up Children  
Via front entrance and property Lot  
front entrance faces the Street parking 25 parking Spaces  
to rear for pick up + drop off

4. At what time will children usually be dropped-off and picked-up?

Drop-off	Pick-up
<u>6:30AM</u>	<u>6:30pm</u>

5. What type of outdoor play equipment is proposed for the child care facility, if any? Where will it be located on the property?

Slide Board playing bars

6. Are play areas on the property fenced?

Yes Yes ✓ No  
If no, do you plan to fence any portion of the property? Yes ✓ No

Please describe the existing or proposed fence.

SUP # 2007-0101

**CHILD CARE CENTERS ONLY**

**Applicants for child care centers (day care center, day nursery and nursery schools) shall complete this section.**

1. How many children will be cared for during one day? 9
2. What age children do you anticipate caring for? 6 weeks - 12 yrs
3. Does the operation have a license from the State of Virginia for a child care facility?  
       Yes    ☒ No

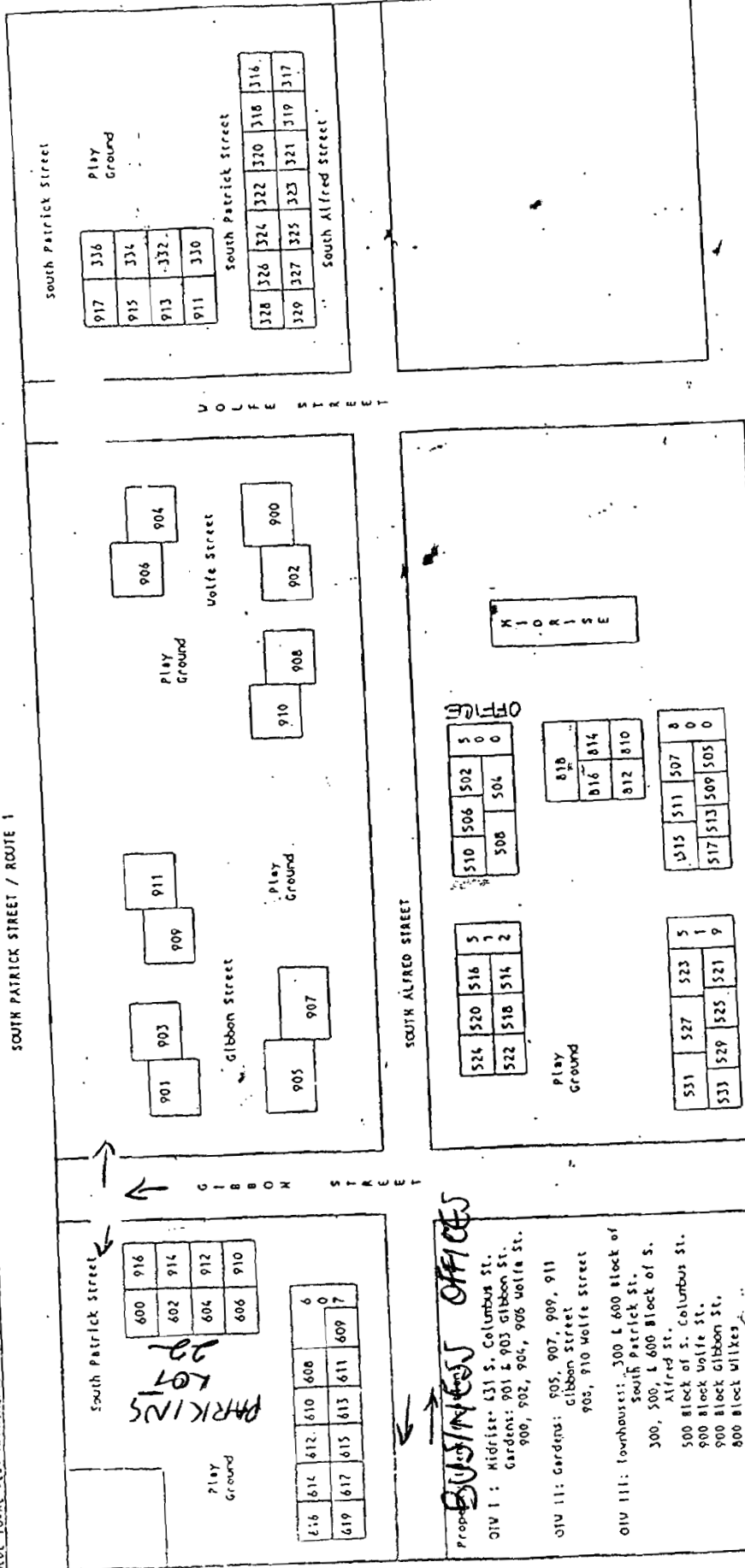
If yes, provide a copy of the license.

I HAVE A REGISTRATION THRU THE STATE OF VA  
DSS.

SUP2007-0101

OLDE TOWNE WEST APARTMENTS PROPERTY MAP

SOUTH PATRICK STREET / ROUTE 1



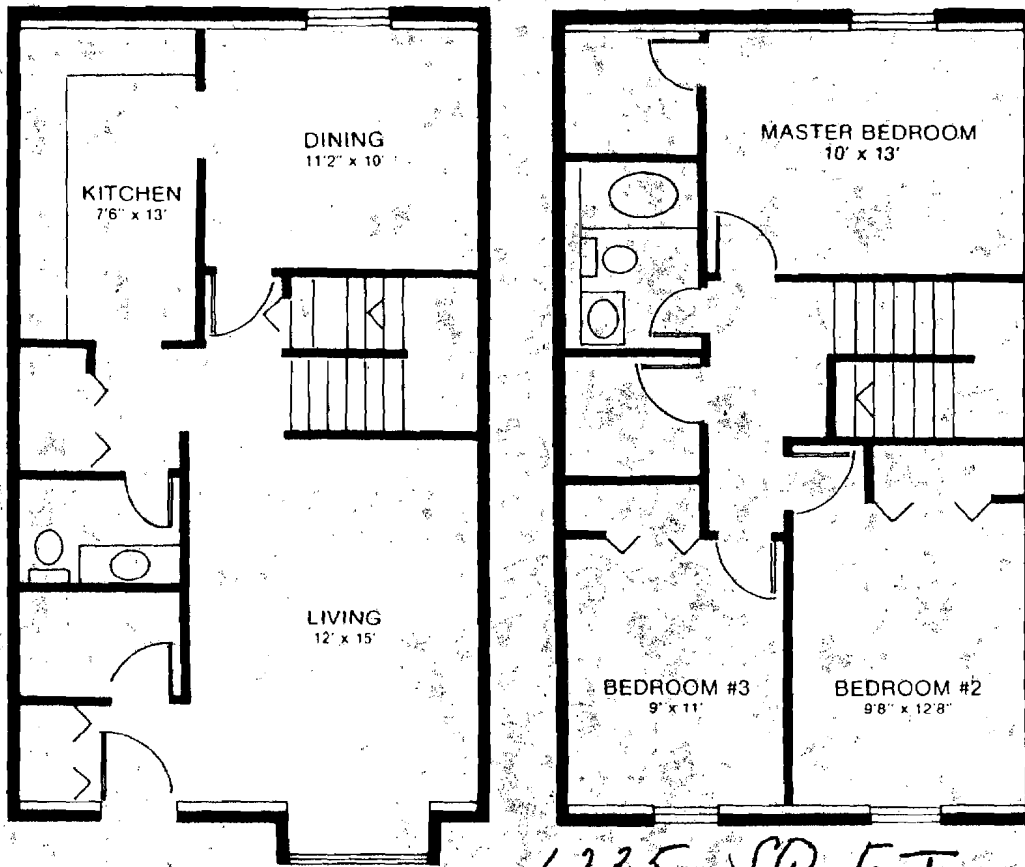
Prop-BUSINESS OFFICES

- OLV I: Midrise: 431 S. Columbus St.
- Gardens: 901 & 903 Gibbon St.
- 900, 902, 904, 906 Wolfe St.
- OLV II: Gardens: 905, 907, 909, 911
- Gibbon Street
- 900, 910 Wolfe Street
- OLV III: Townhouses: 300 & 600 Block of South Patrick St.
- 300, 500, & 600 Block of S. Alfred St.
- 500 Block of S. Columbus St.
- 900 Block Wolfe St.
- 900 Block Gibbon St.
- 800 Block Wilkes

SUP2007-0101



# Floor Plans Townhouses



1235 SQ FT  
**THREE BEDROOM TOWNHOUSE**

No. \_\_\_\_\_ Rental/Mo. \_\_\_\_\_

All Dimensions Approximate.

SUP2007-0101

City of Alexandria



WINDOW

Kids Room

KITCHEN

STAIRS

Kids Room

BATH ROOM

WINDOW

FRONT YARD

Front Door Exit

STAIRS

TREE



# APPLICATION SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** 2007-0101

**PROPERTY LOCATION:** (80.01 0401) 611 S. Alfred ST (601)

**TAX MAP REFERENCE:** 80.01 0401 **ZONE:** \_\_\_\_\_

**APPLICANT:**

**Name:** RUTH WALKER

**Address:** 611 S. ALFRED ST Alex VA 22314

**PROPOSED USE:** Home DAY CARE FOR MORE THEN (5) CHILDRE

[ ] **THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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RUTH WALKER  
Print Name of Applicant or Agent

Ruth Walker  
Signature

8-28-07  
Date

611 S. Alfred ST  
Mailing/Street Address

703-836-2665  
Telephone #

Fax #

Alex VA 22314  
City and State Zip Code

Email address

By unanimous consent, recommended approval 11-8-07  
**ACTION-PLANNING COMMISSION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ACTION-CITY COUNCIL:** CC approved PC recommendation **DATE:** 11/19/07