~~May 16, 2006 CPC~~
August 15, 2006 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0250

Shawn West

Dale Magisterial District
7401 Hopkins Road

REQUEST: Conditional Use to permit a family day care home in a Residential (R-7) District.

PROPOSED LAND USE:

A family day care home within an existing single family residence is planned.

(NOTE: IN ORDER FOR THE PLANNING COMMISSION TO CONSIDER THIS REQUEST ON AUGUST 15, 2006, A $130.00 DEFERRAL FEE MUST BE PAID PRIOR TO THE MEETING.)

RECOMMENDATION

Recommend approval for the following reasons:

A. The family day care home, if properly conditioned, should be compatible with surrounding residential development. Family day care homes have been approved in other similar neighborhoods throughout the County and have operated without any apparent adverse impact on area residences.

B. Through the Conditional Use process and with the imposition of the recommended conditions, the residential character of the area will be maintained.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS.)

CONDITIONS

1. This Conditional Use shall be granted to and for Shawn West, exclusively, and shall not be transferable or run with the land. (P)

2. There shall be no exterior additions or alterations to the existing structure to accommodate this use. (P)

3. There shall be no signs permitted to identify this use. (P)

GENERAL INFORMATION

Location:

East line of Hopkins Road, north of Bellbrook Drive and better known as 7401 Hopkins Road. Tax ID 782-677-2190.

Existing Zoning:

R-7

Size:

0.7 acre

Existing Land Use:

Single family residential

Adjacent Zoning and Land Use:

North, South, East and West - R-7; Single family residential

UTILITIES

Public Water System:

A ten (10) inch water line extends along Hopkins Road, adjacent to this site. The existing structure is connected to the public water system. Use of public water is required by County Code.

Public Wastewater System:

There is an existing eight (8) inch wastewater collector line extending along the northeastern boundary of this site. The existing structure is connected to the public wastewater system. Use of public wastewater is required by County Code.

ENVIRONMENTAL

This request will have no impact on these facilities.

PUBLIC FACILITIES

Fire Service:

Bensley Fire Station, Company Number 3 currently provides fire protection and emergency medical service (EMS). This request will have a minimal impact on Fire and EMS.

Transportation:

The property is located on the east side of Hopkins Road between Beulah Road and Old Hopkins Road. Hopkins Road adjacent to the property is classified as a major arterial with a recommended right-of-way width of ninety (90) feet. Forty-five (45) feet of right-of-way, measured from the centerline of Hopkins Road adjacent to the property, should be dedicated to the county. When asked, the applicant was not willing to dedicate this right-of-way.

This section of Hopkins Road had a 2003 traffic count of 9,365 vehicles per day. Based on the volume of traffic it carried during peak hours, Hopkins Road was at capacity. (Level of Service E)

Section 19-301 of the zoning ordinance limits family day care homes to twelve (12) children exclusive of the provider's children and any other children who reside in the home. Based on day care center trip rates, a facility with twelve (12) students could generate approximately fifty (50) average daily trips.

LAND USE

Comprehensive Plan:

The request lies within the boundaries of the Central Area Land Use Plan which suggests the property is appropriate for residential use of 2.51 to 4.0 dwelling units per acre.

Area Development Trends:

Adjacent properties are zoned Residential (R-7) and are occupied by single family dwellings or are vacant. It is anticipated that residential use will continue in the area, as recommended by the Plan.

Site Design:

The applicant proposes to utilize the dwelling in which she resides for a family day care home. To insure that the residential character of the area is maintained, conditions preclude any additions or alteration to the existing dwelling to accommodate the use and any sign to identify the use (Conditions 2 and 3). There is a circular driveway which accommodates on-site traffic circulation.

Use:

As noted herein, the applicant is proposing to operate a family day care home. The Zoning Ordinance permits the keeping of a maximum of five (5) children, excluding the provider's children and any children who reside in the home, as a restricted use in a residential district. The Ordinance would allow the keeping of up to twelve (12) children, exclusive of the provider's children and any children who reside in the home, with a Conditional Use.

CONCLUSIONS

The proposed family day care home, as conditioned, should have no adverse impact on the surrounding neighborhood. Similar family day care homes have been approved in other neighborhoods and have operated without any apparent impact on area residences. The conditions are similar to conditions imposed upon other family day care homes and are designed to maintain the residential character of the area (Conditions 1 through 3). Therefore, approval of this request, subject to the conditions, is recommended.

CASE HISTORY

Planning Commission Meeting (5/16/06):

At the request of the applicant, the Commission deferred this case to August 15, 2006.

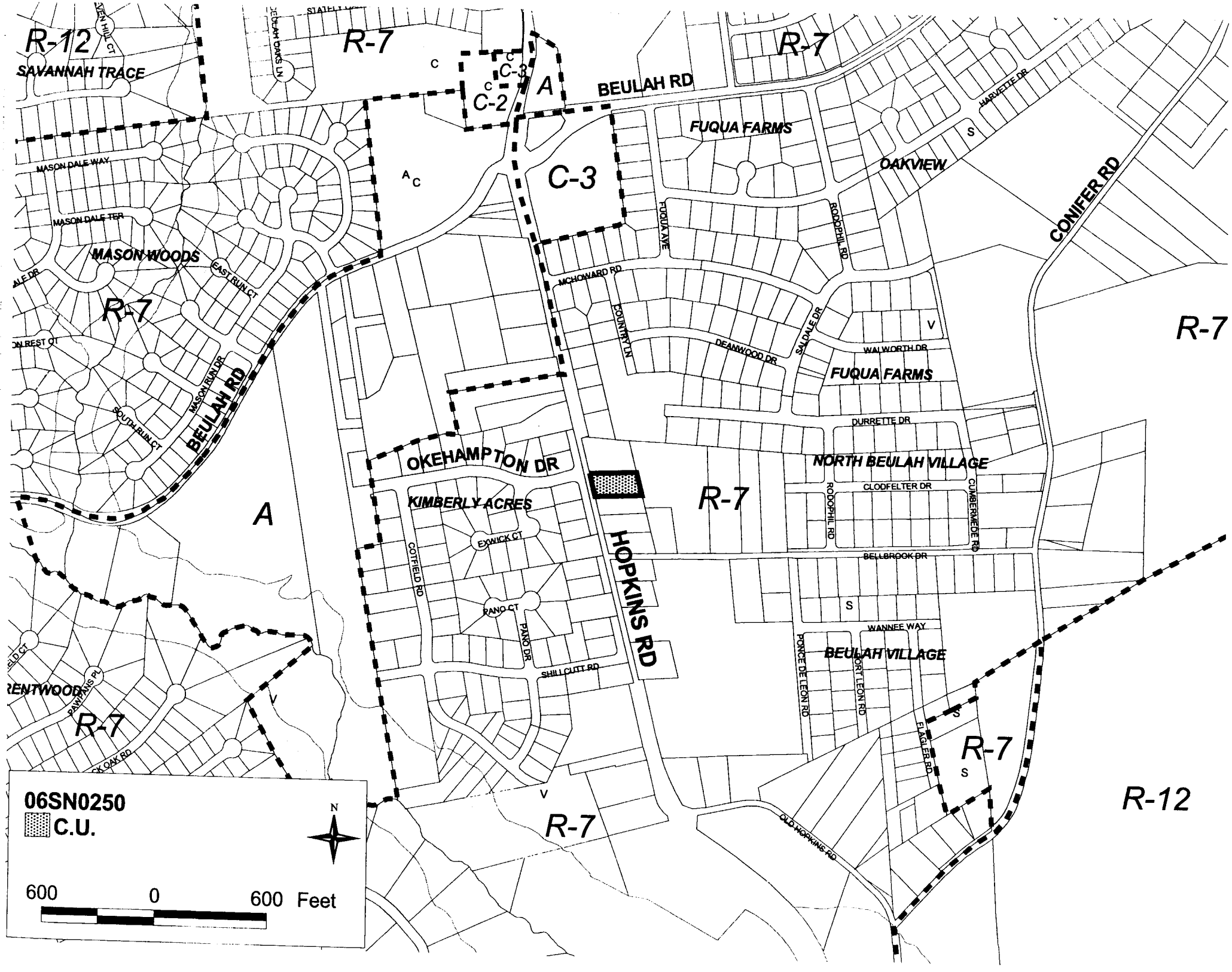
Staff (5/17/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than June 12, 2006, for consideration at the Commission's August 15, 2006, public hearing.

Also, the applicant was advised that a $130.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (7/24/06):

To date, no new information has been received nor has the deferral fee been paid.



R-12
SAVANNAH TRACE
R-7
C-3
C-2
A
BEULAH RD
FUQUA FARMS
OAKVIEW
HARVETTE DR
CONIFER RD
MASON DALE WAY
MASON DALE TER
MASON WOODS
EAST RUN CT
FUQUA AVE
RODOPHIL RD
MCHOWARD RD
COUNTRY LN
DEANWOOD DR
SALDALE DR
WALWORTH DR
FUQUA FARMS
MASON RUN DR
SOUTH RUN CT
BEULAH RD
DURRETTE DR
OKEHAMPTON DR
NORTH BEULAH VILLAGE
KIMBERLY ACRES
CLODFELTER DR
RODOPHIL RD
CUMBERMEDE RD
EXWICK CT
COTFIELD RD
HOPKINS RD
BELLBROOK DR
PANO CT
PANO DR
WANNEE WAY
BEULAH VILLAGE
SHILLCUTT RD
PONCE DE LEON RD
FORT LEON RD
FLAGLER RD
RENTWOOD
PAWPANS PL
OLD HOPKINS RD
R-12
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