

**CASE NUMBER: 20SN0571**  
**APPLICANT: Shawn Nicole Stone**

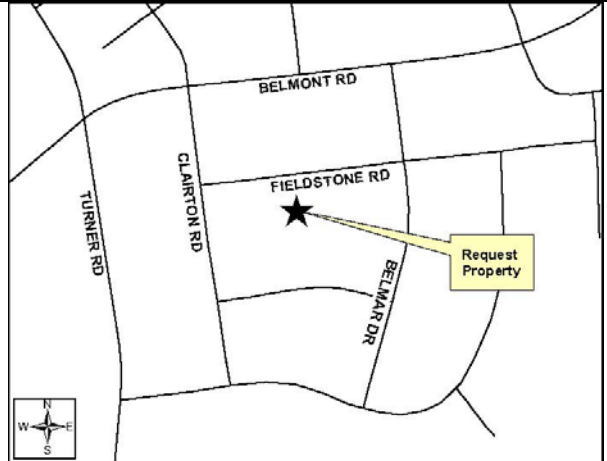


**CHESTERFIELD COUNTY, VIRGINIA**  
**DALE DISTRICT**

**STAFF'S ANALYSIS  
AND RECOMMENDATION**

**Planning Commission (CPC) Hearing:**  
AUGUST 18, 2020  
**CPC Time Remaining:**  
100 DAYS

**Applicant's Contacts:**  
SHAWN STONE (804-908-3745)  
**Planning Department Case Manager:**  
TYLER WALTER (804-318-8893)



0.4 Acre – 5933 Fieldstone Road

**REQUEST**

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

**Notes:**

- A. Conditions may be imposed or the property owners may proffer conditions.
- B. Conditions are located in Attachment 1.

**SUMMARY**

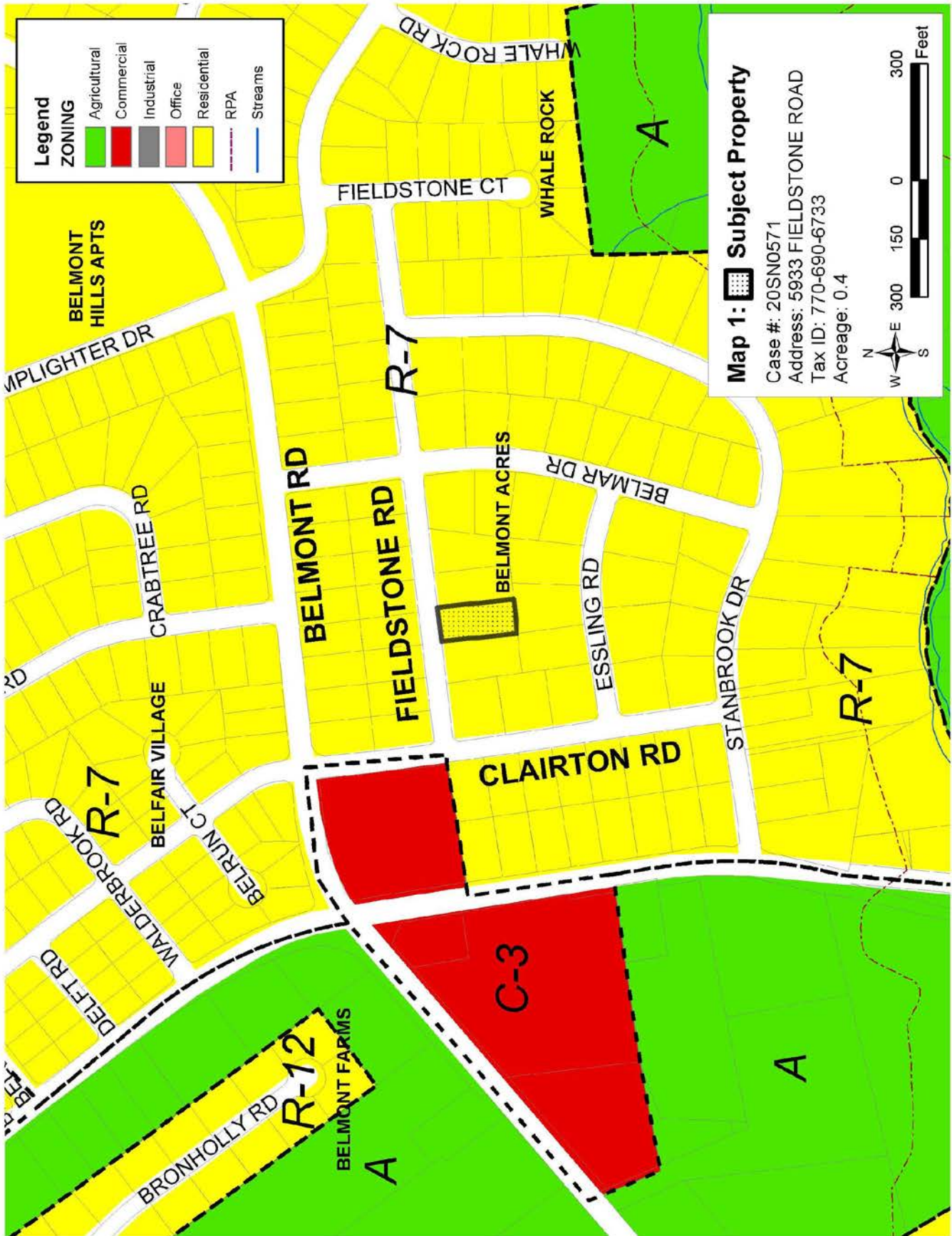
In 2015, a conditional use (Case 15SN0620) was approved to permit the applicant to operate a family day care home for the keeping of up to 12 children, incidental to the dwelling. A condition of approval limited the operation of this daycare for five (5) years. The applicant intends to continue operating the family day care home subject to the same conditions of the 2015 approval, except there would be no time limitation.

**RECOMMENDATION**

STAFF

**APPROVAL**

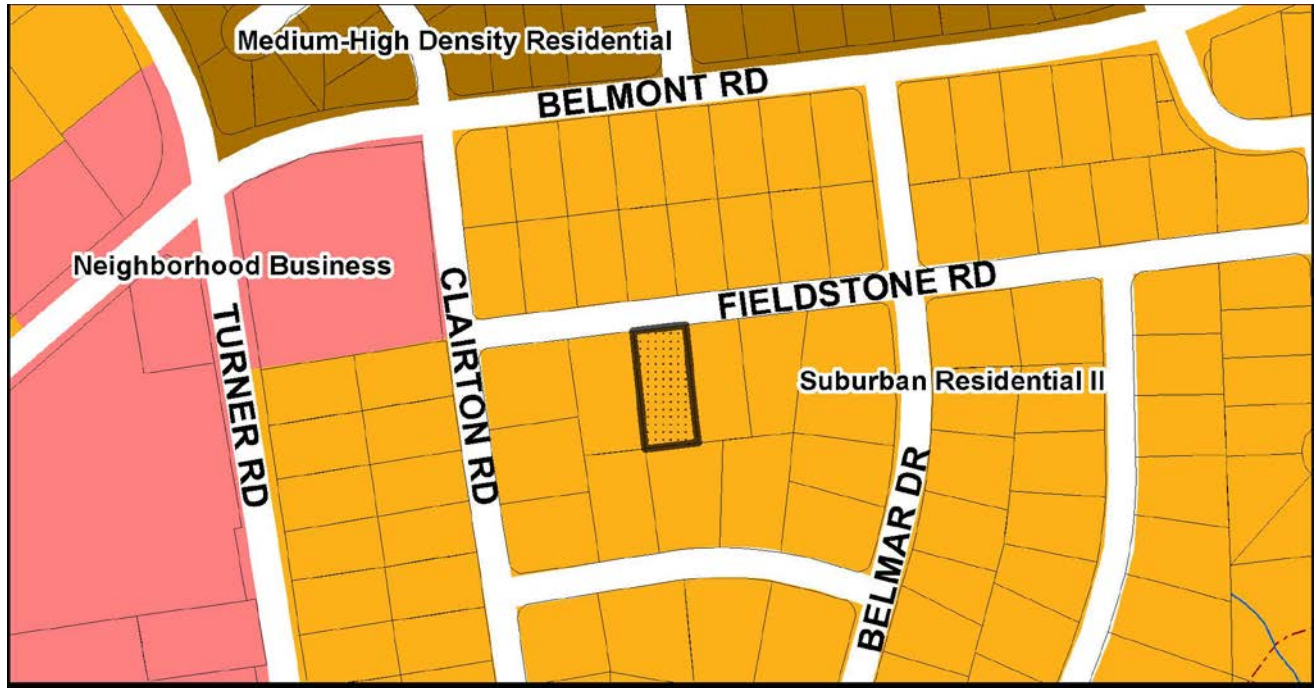
- As conditioned, the use would be compatible with surrounding residential development.
- Residential character of the area would be maintained.





**Comprehensive Plan**  
**Classification: SUBURBAN RESIDENTIAL II**

The designation suggests the property is appropriate for residential use of 2.0 to 4.0 dwelling units per acre.



 Subject Property

300 150 0 300 Feet



**Surrounding Land Uses and Development**



**PLANNING**

Staff Contact: Tyler Walter (804-318-8893) waltert@chesterfield.gov

**Zoning History**

Case Number	Request
11SN0174 Approved (08/2011)	<ul style="list-style-type: none"> <li>• Conditional Use to permit a family day care home</li> <li>• Time limitation of three (3) years</li> <li>• No additions or alterations to accommodate use</li> <li>• No signs permitted to identify use</li> <li>• Maximum of nine (9) children, excluding any children of the home</li> <li>• Operate weekdays (7 a.m. – 6 p.m.); no weekends</li> </ul>
15SN0620 Approved (04/2015)	<ul style="list-style-type: none"> <li>• Renewal of Case 11SN0174</li> <li>• Same conditions as 11SN0174, with the following changes: <ul style="list-style-type: none"> <li>○ Maximum of twelve (12) children, excluding applicant’s children</li> <li>○ Time limitation of five (5) years</li> </ul> </li> </ul>

**Proposal**

The Zoning Ordinance permits the keeping of a maximum of five (5) children, exclusive of the occupants’ children and any children who permanently reside in the home, by right in a residential district. The applicant currently operates a State-licensed family day care home to keep up to twelve (12) children. The applicant received conditional use approval first in 2011 (Case 11SN0174) to operate a daycare to keep a maximum of nine (9) children for three (3) years. Subsequently, in 2015 the applicant applied to renew the original approval (Case 15SN0620) to keep a maximum of twelve (12) children for five (5) years.

Approval of this conditional use request would permit the keeping of a maximum of twelve (12) children at any one (1) time, excluding the applicant’s children and any children who reside in the home.

The chart on the following page provides an overview of the conditions recommended by staff to mitigate the impact of the use on area properties. These conditions are the same as those approved with Case 15SN0620, except that the time limitation has been removed. These conditions are acceptable to the applicant:

As conditioned staff is supportive of the request.

General Overview	
Requirements	Details
Non-Transferable	Limited to Shawn N. and Larry D. Stone only. <i>Condition 1</i>
Limitation on Size	No exterior additions or alterations to existing structure <i>Condition 2</i>
Signage	None permitted <i>Condition 3</i>
Number of Children	Maximum of twelve (12) <i>Condition 4</i>
Days/Hours of Operation	Weekdays only; 7:00 a.m. until 6:00 p.m. <i>Condition 5</i>
Fence and Outdoor Play Areas	<ul style="list-style-type: none"> <li>Maintain fenced rear yard</li> <li>Play area in rear or side yard and no closer than fifteen (15) feet to rear or side property line</li> </ul> <i>Condition 6</i>
Outside Employees	One (1) employee permitted, other than family member employees who reside on the premises. <i>Condition 7</i>

**FIRE AND EMERGENCY MEDICAL SERVICES**  
Staff Contact: Anthony Batten (804-717-6167) battena@chesterfield.gov

Nearby Fire and Emergency Medical Service (EMS) Facilities	
Fire Station	The Manchester Fire Station, Company Number 2
EMS Facility	The Manchester Fire Station, Company Number 2

This request will have minimal impact on Fire and EMS.

**UTILITIES**  
Staff Contact: Randy Phelps (804-796-7126) phelpsc@chesterfield.gov

Existing Water and Wastewater Systems			
Utility Type	Currently Serviced	Size of Closest Existing Lines	Connection Required by County Code
Water	Yes	4"	Yes
Wastewater	Yes	8"	Yes

**Additional Utility Comments:**

The subject property is located within the mandatory water and wastewater connection area for new residential development. The existing residential structure is connected to the public water and wastewater systems. The request to extend approval for the existing family day care will not impact the public water and wastewater systems.

The Utilities Department supports this case.

**COUNTY TRANSPORTATION**

Staff Contact: Steve Adams (804-748-1028) adamsst@chesterfield.gov

**ENVIRONMENTAL ENGINEERING**

Staff Contact: Rebecca Rochet (804-748-1028) rochetr@chesterfield.gov

**PARKS AND RECREATION**

Staff Contact: Janit Llewellyn (804-751-4482) llewellynja@chesterfield.gov

**SCHOOLS**

Staff Contact: Diane Faye Gapas (804-706-2960) dianfaye\_gapas@ccpsnet.net

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

Staff Contact: Willie Gordon (804-674-2907) willie.gordon@vdot.virginia.gov

This request will not impact these facilities.

## CASE HISTORY

### Applicant Submittals

<b>12/12/2019</b>	Application submitted
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### Community Meeting

<b>6/23/2020</b>	<b>Issues Discussed:</b> Virtual community meeting held due to the COVID-19 pandemic. No citizens attended.
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**CONDITIONS**

1. Non-Transferable Ownership: This conditional use approval shall be granted to and for Shawn N. Stone and Larry D. Stone, exclusively, and shall not be transferable nor run with the land. (P)
2. Expansion of Use: There shall be no exterior additions or alterations to the existing structure to accommodate this use. (P)
3. Signage: There shall be no signs permitted to identify this use. (P)
4. Number of Children: This conditional use approval shall be limited to providing care, protection and guidance to a maximum of twelve (12) children, other than the applicant's own children or any children that reside in the home, at any one time. (P)
5. Hours of Operation: Hours and days of operation shall be limited to Monday through Friday from 7:00 a.m. to 6:00 p.m. There shall be no operation of this use on Saturday or Sunday. (P)
6. Fenced Outdoor Play Areas: Any outdoor play area and/or recreational equipment utilized by the family day-care home shall be located in the side or rear yard of the property. Outdoor play and/or recreational equipment areas shall have perimeter fencing of at least four feet in height, installed and maintained around the equipment and/or play area. All equipment for outdoor play areas shall be located no closer than fifteen (15) feet to the side or rear property lines. (P)
7. Employees: No more than one (1) employee shall be permitted to work on the premises, other than family member employees that live on the premises. (P)