

CASE NUMBER: 20SN0571
APPLICANT: Shawn Nicole Stone

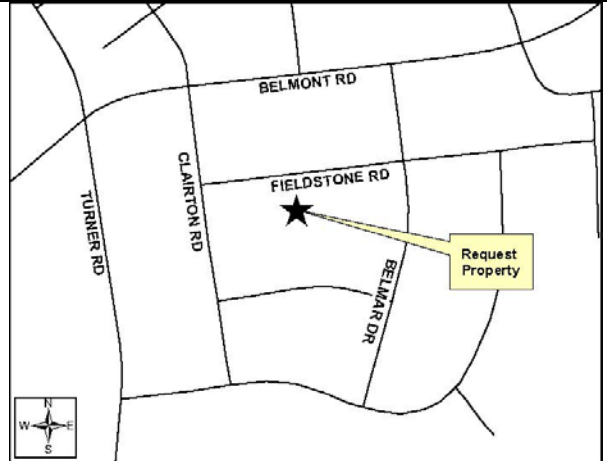


CHESTERFIELD COUNTY, VIRGINIA
DALE DISTRICT

**STAFF'S ANALYSIS
AND RECOMMENDATION**

Board of Supervisors (BOS) Hearing:
 SEPTEMBER 23, 2020
BOS Time Remaining:
 365 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:

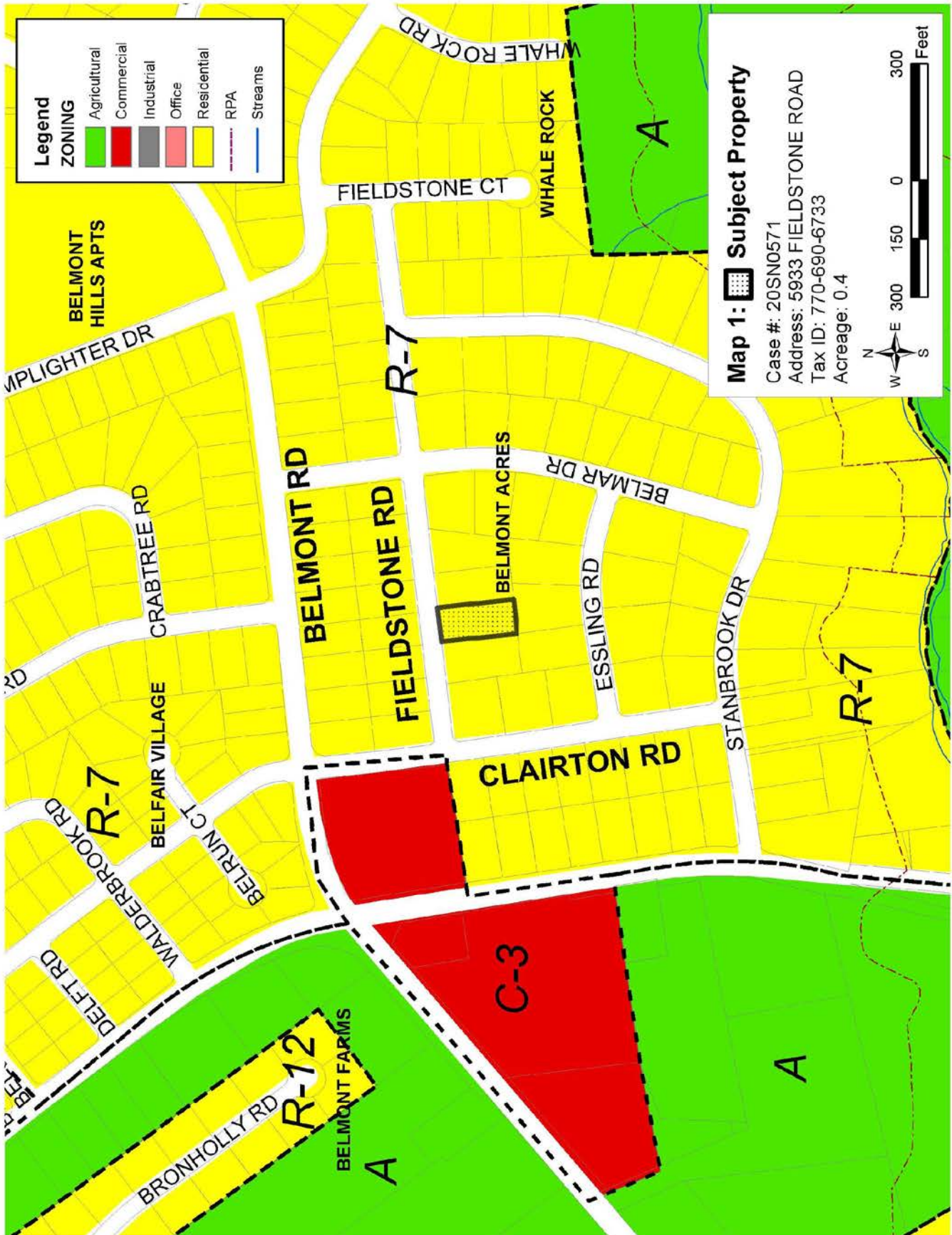
- A. Conditions may be imposed or the property owners may proffer conditions.
- B. Conditions are located in Attachment 1.

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.

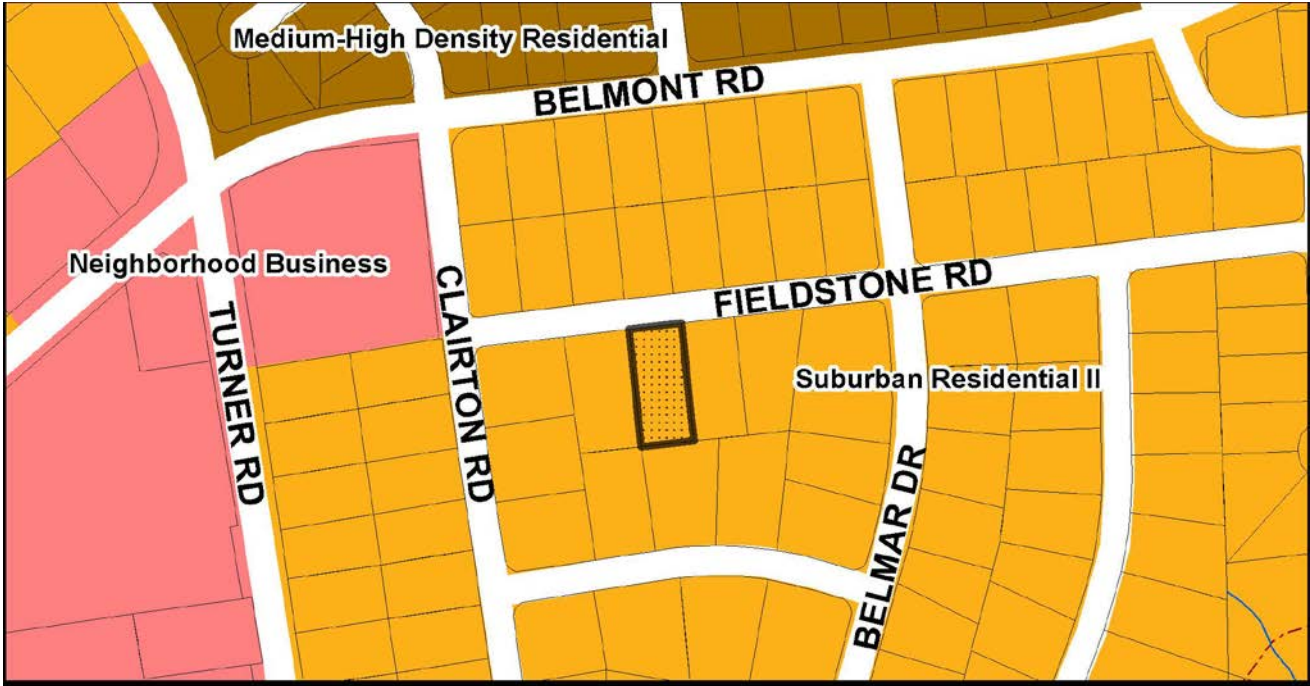
RECOMMENDATION

PLANNING COMMISSION	APPROVAL
STAFF	APPROVAL <ul style="list-style-type: none"> • As conditioned, the use would be compatible with surrounding residential development. • Residential character of the area would be maintained.

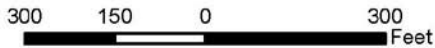


Comprehensive Plan
Classification: SUBURBAN RESIDENTIAL II

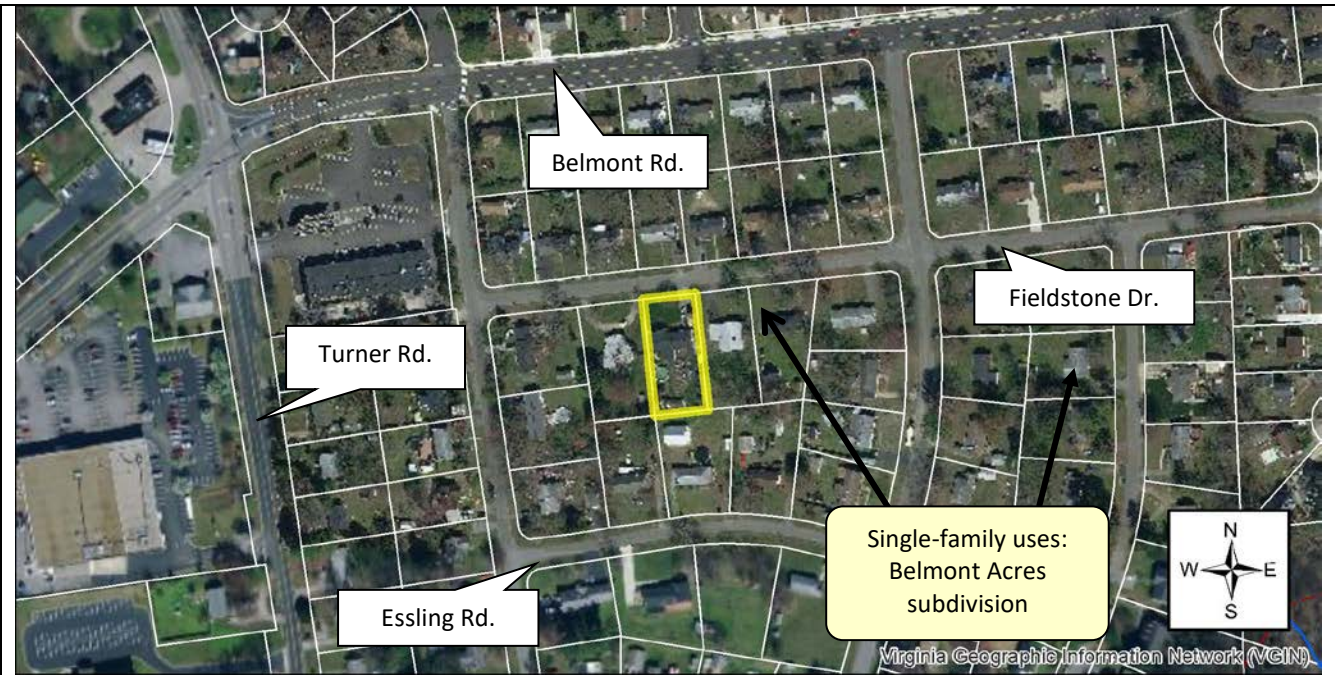
The designation suggests the property is appropriate for residential use of 2.0 to 4.0 dwelling units per acre.



Subject Property



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

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"> Maintain fenced rear yard Play area in rear or side yard and no closer than fifteen (15) feet to rear or side property line <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

12/12/2019	Application submitted
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Community Meeting

6/23/2020	Issues Discussed: Virtual community meeting held due to the COVID-19 pandemic. No citizens attended.
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Planning Commission

8/18/2020	Citizen Comments: No citizens spoke to this request. Action – APPROVAL SUBJECT TO CONDITIONS IN ATTACHMENT 1. Motion: Owens Second: Hylton AYES: Freye, Sloan, Hylton, Owens, and Petroski
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The Board of Supervisors on Wednesday, September 23, 2020, beginning at 6:00 p.m., will consider this request.

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)