Request
Renew Prior Case & Conditional Use
Renew conditional use for a family day care home

Planning Commission Recommendation
Approval

Staff Recommendation
Approval

The Property
5919 Silver Oak Lane

Site Size
0.26 Acre

Comprehensive Plan – Land Use Designation
Suburban Residential II

Plan Area
County Wide Plan

Figure 1: Aerial of Request Area – Click Image for Link to GIS

Figure 2: Area Map of Request & Land Use Plan Map

Summary of Proposal
The applicants are requesting to renew a conditional use to permit the operation of a licensed family day care home in a Residential (R-9) District. The applicants plan to continue caring for up to twelve (12) children and propose to delete a condition related to a time limit and amend a condition limiting the number of employees permitted.
Staff recommends approval. As conditioned, the residential character of the area will be maintained and this use has minimal impact to surrounding properties.

NOTES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS

1. Conditions may be imposed. Conditions are included with this report.
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Zoning History
15SN0625: Approved (5/2015)
Conditional use to permit a family day care home in a Residential (R-9) District. Conditions of approval included:

1. Non-transferable ownership
2. Restriction on expansion of use
3. Restriction on signage
4. Maximum number of children twelve (12)
5. Hours of Operation Monday – Sunday, 6am – 6pm
6. Time Limitation of five (5) years
7. Fenced outdoor play area with restrictions
8. Employees no more than one (1) full-time employee, and one (1) part-time employee other than family

Comprehensive Plan – Land Use Plan Designation
The Comprehensive Plan designates the Property for Suburban Residential II, which suggests the Property is appropriate for residential development at a maximum density of 2.0 to 4.0 dwellings per acre.

Proposal
The applicants are requesting to renew approval of conditional use to continue the operation of a licensed family day care home, which has been operating since 2007. Staff confirms there have been no complaints filed on this property.

The original conditions of approval limited the timeframe of the approval to five years. The conditions of this request are the same as those approved in the initial case (15SN0625), with the only changes being the removal of the five-year time limitation and the ability to increase the number of employees permitted from one (1) full-time employee and one (1) part-time employee to two (2) full-time employees and one (1) part-time employee. Figure 3, below, shows the street view of the property.

Figure 3: Street View of 5919 Silver Oak Lane
Design
As shown on the Layout Plan, below and in Exhibit A, employees park on the street in front of the house and parents park in either the driveway or along the street for child drop-off and pick-up. Play areas are located in the backyard, are fenced in, and are located fifteen (15) feet away from adjacent property lines, as required by the conditions for this case.
Current Zoning Map

Map 1: Subject Property

Case #: 21SN0651
Acreage: 0.26
Address: 5919 SILVER OAK LANE
GPIN: 785-685-1292

200 100 0 200
Feet

- Resource Protection Area
- Streams
Supplemental Analysis

Community Enhancement
No comment on this request.

Environmental Engineering
No comment on this request.

Fire & Emergency Medical Services

Service Area
The Bensley Fire Station, Company Number 3

Additional Information
This request will have minimal impacts on Fire & Emergency Medical Services.

Police

Division Beat District
Falling Creek 53 Dale

Additional Information
This request is anticipated to have minimal impacts on Police.

Transportation - County Department of Transportation
The anticipated traffic impact of the request is anticipated to be minimal.

Transportation - Virginia Department of Transportation
Proposed road network additions are to be state maintained and added to the secondary system of state highways.

Utilities – Water and Wastewater
The existing residence is connected to the public water and wastewater systems. The request for a home day care will have minimal impact on the public systems. The Utilities Department supports this request.
Community Meeting
11/18/2021 – Discussion Topics:
1. Positive impact on neighbors
2. Value as an asset to families

Planning Commission
12/21/2021: Recommended for approval.
Motion: Sloan  Second: Hylton
AYES: Freye, Owens, Petroski, Hylton, Sloan
1. **Non-Transferable Ownership:** This conditional use approval shall be granted to and for Andre and Cheryl Morman, 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, at any one time. (P)

5. **Hours of Operation:** Hours and days of operation shall be limited to Monday through Friday from 6 a.m. to 6 p.m., except that a maximum of four (4) children may be kept overnight Monday through 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 around the equipment or play area. 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 two (2) full-time and one (1) part-time employee shall be permitted to work on the premises at any given time other than family member employees that live on the premises. (P)
Case Contacts

Applicant

- **Applicant’s Agent:** NOT APPLICABLE
- **Applicant’s Contact:** Cheryl and Andre Morman (804-615-2293) cherylmorman@yahoo.com

District Planning Commissioner

- LeQuan Hylton (804-768-7389) hyltonl@chesterfield.gov

Staff

- **Planning Department Case Manager:** Summer Morris (804-751-4151) morrissu@chesterfield.gov
- **Community Enhancement:** Carl Schlaudt (804-318-8674) schlaudtc@chesterfield.gov
- **Environmental Engineering:** Rebecca Rochet (804-748-1028) rochetr@chesterfield.gov
- **Fire & Emergency Medical Services:** Anthony Batten (804-717-6167) battena@chesterfield.gov
- **Police:** Jim Eicher (804-318-8693) eicherj@chesterfield.gov
- **Transportation - County Department of Transportation:** Steve Adams (804-751-4461) adamsst@chesterfield.gov
- **Transportation - Virginia Department of Transportation:** Willie Gordon (804-674-2907) willie.gordon@vdot.virginia.gov
- **Utilities:** Randy Phelps (804-796-7126) phelpsc@chesterfield.gov