

# Issue Analysis Form

**Date:** December 13, 2022

**Item:** Special Exception Request # SE-22-11

**Applicant:** Amelia & Jason Ruffin

**Lead Department:** Community Development

**Contact Person:** Tim Graves, Planner I



## Description and Current Status

The applicants would like to provide childcare services for up to ten (10) children at their existing house in Branchester Lakes Subdivision, where they currently provide care for up to four (4) children as a by-right home occupation.

A special exception is required to provide care for more than four (4) children at a home. This request is pursuant to PG County Zoning Ordinance Section 90-203(3).

The Planning Commission recommends **APPROVAL** of this request, subject to recommended conditions contained in the draft ordinance.

Staff, on behalf of the Planning Commission, has attached the draft ordinance for consideration and is requesting a motion to **APPROVE** the ordinance.

### Sample Motion:

*"I move that the Board adopt the Ordinance to approve Special Exception request SE-22-11, subject to the specified conditions."*

## Government Path

Does this require IDA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Planning Commission action?	<input checked="" type="checkbox"/> Yes	PC Recommended Approval by 6-0 vote on November 17, 2022
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	Public Hearing on December 13, 2022
Does this require a Public Hearing?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If so, before what date?	N/A	

## Fiscal Impact Statement

The proposed use would generate additional tax revenue from an expanded business.

## County Impact

The special exception would allow an existing home-based childcare business to expand in the County and would provide residents and the surrounding community with expanded childcare services.

## Notes

**Contents:** 1. Issue Analysis 2. Draft Ordinance 3. BOS Staff Report  
4. Application and attachments 5. Public notice materials 6. Powerpoint Presentation

Board of Supervisors  
County of Prince George, Virginia

**DRAFT Ordinance**

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 13th day of December, 2022:

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Present:

Marlene J. Waymack, Chair  
Donald R. Hunter, Vice-Chair  
Floyd M. Brown, Jr.  
Alan R. Carmichael  
T. J. Webb

Vote:

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**SPECIAL EXCEPTION SE-22-11:** Request of Jason and Amelia Ruffin to permit a Family day care home (large) within a Limited Residential (R-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-203(3). The purpose of the request is to provide child care services for up to 10 children at a time as a home occupation within an existing single-family dwelling. The subject property is approximately 0.368 acres in size, located at 4481 Branchester Parkway, and is identified as Tax Map 13H(04)0I-011-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

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BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-22-11 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception is granted to Jason & Amelia Ruffin for the following use on Tax Map 13H(04)0I-011-0: Family day care home (large), pursuant to Section 90-203(3), for the purpose of providing care services for up to ten (10) children as a home occupation accessory to a single-family dwelling.
2. Hours of operation shall be limited to 8am to 5pm on Monday through Friday, with up to 30 additional minutes allotted for pickup and dropoff of children at the beginning and end of each business day.
3. One (1) person may be employed for on-site assistance, in addition to the occupant(s) of the dwelling.
4. The owner(s) and any employee shall park in the on-site driveway during business hours.
5. Vehicles may use street parking for pickup and dropoff of children.
6. The business operator shall maintain all required licenses including a license from the Virginia Department of Social Services based on the number and age of children cared for.
7. No permanent signage shall be permitted for the business.
8. The applicant shall take the appropriate measures to ensure compliance with the County Noise Ordinance of the Code of the County of Prince George County, as adopted.

9. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four 24 consecutive months.
10. This Special Exception is renewable or transferrable to future owners only by approval of the Board of Supervisors without a public hearing so long as there are no deviations from the conditions.
11. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.

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Adopted on December 13, 2022 and becoming effective immediately.



## BOARD OF SUPERVISORS STAFF REPORT

Public Hearing December 13, 2022

**SE-22-11** – Home childcare for up to 10 children

**Applicant:** Amelia and Jason Ruffin

**Case Manager:** Tim Graves - (804)722-8678

### I. Request

The applicants would like to provide childcare services for up to ten (10) children at their existing house in Branchester Lakes Subdivision, where they currently provide care for up to four (4) children as a by-right home occupation.

A special exception is required to provide care for more than four (4) children at a home. This request is pursuant to PG County Zoning Ordinance Section 90-203(3).

### II. Property

**Address:** 4481 Branchester Parkway

**Tax Map:** 13H(04)0I-011-0

**Site Size:** 0.368 acres

**Legal Owner:** Amelia & Jason Ruffin

**RE Taxes Paid?:** Yes

**Zoning District:** R-1 Limited Residential

**Current Use(s):** Single-Family Dwelling, Home Child Care up to 4 children

**Comp Plan Land Use:** Residential

**Planning Area:** Prince George Planning Area

**Previous Zoning Cases:** N/A

Figure 1: Aerial view of request property (2020)



Figure 2: Photo (Google Street View 2021)



### III. Meeting Information

Planning Commission Public Hearing: November 17, 2022 – **Recommended Approval 6-0**

Board of Supervisors Public Hearing: December 13, 2022

#### IV. Background

- Applicant currently provides care for up to 4 children under existing by-right home occupation with a business license
- Applicant submitted a preliminary application identified as # PSE-22-11 on 6-24-22 and received a comment letter from staff. On 9-12-22 they submitted the formal application for this request.

#### V. Applicant Proposal

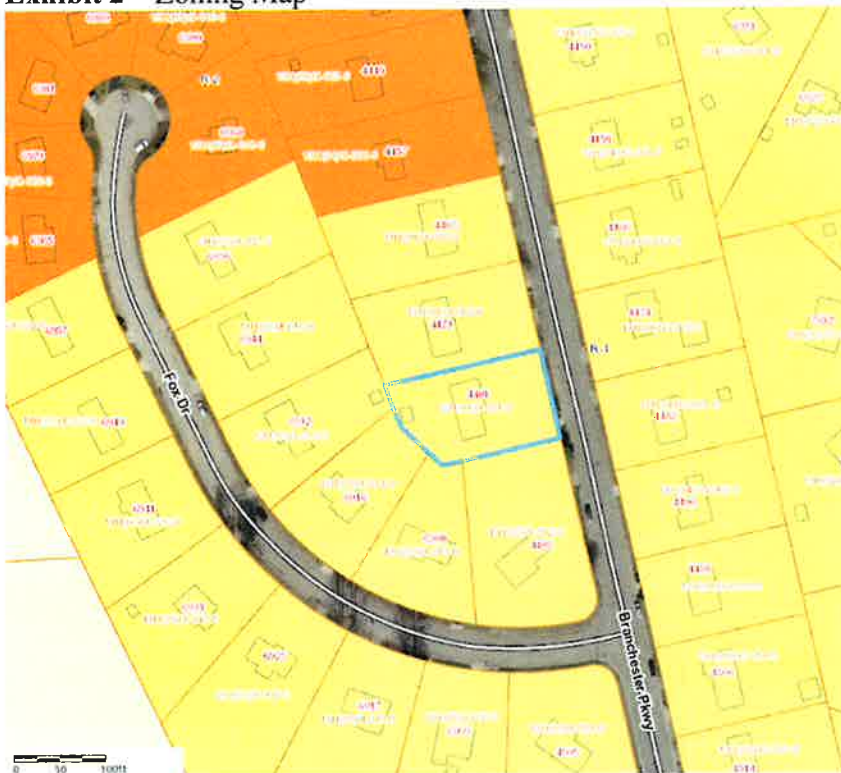
- Former teacher of Prince George County Schools for 10 years
- Already provides care for up to 4 children out of the house
- 1 employee/volunteer other than Amelia Ruffin
- Ages of children: 2 to 10 with a concentration on preschool-aged children (3-5 years old)
- Hours of care: 8am to 5pm, Monday to Friday
- Owner and employee park in driveway
- Pickup and dropoff of children occurs at the street
- Activities primarily occur in attached garage
- Backyard is play area

#### VI. Exhibits

Exhibit 1 – Aerial view of subject property



**Exhibit 2 – Zoning Map**



**Exhibit 3 – Photo from the street (Google Street View 2021)**



## **VII. Planning and Zoning Review Comments**

1. The desired land use is classified as: “Family day care home (large)” – This land use is permitted by Special Exception pursuant to Section 90-203(3). This land use is defined as follows:

Family day care home means a dwelling unit in which the provider resides that is used to provide care, protection, and guidance to one through 12 children, exclusive of the provider's own children and children who reside in the home, when at least one child receives care for compensation... A family day care home (large) may provide care for one to 12 individual children during any part of the 24-hour day and shall be governed by a license issued by the state department of social services, consistent with the provisions of Code of Virginia, § 15.2-229.

2. Zoning cases that currently affect the subject property: No zoning cases apply to property.
3. Other relevant zoning cases: The County approved a similar special exception in 2013 – case # SE-13-03, for up to 12 children at a house on Heritage Road.
4. Other zoning approvals required after the SE is approved: Home Occupation Zoning Approval for the expanded business
5. Compatibility with surrounding zoning districts: Compatible with residential uses
6. Compatibility with existing surrounding uses and future uses according to the Comprehensive Plan: Current and future planned surrounding uses are residential. The requested use appears to be compatible with the surrounding residential uses. The recommended conditions help ensure there is no significant change to the outside character of the property.
7. Expected impacts and mitigation for this request
  - a. Traffic (during pick-up and dropoff times) – Mitigation: Conditions limiting number of children, hours of operation, and pickup and drop off time periods.
  - b. Visual and Noise: Children playing in backyard – Mitigation: N/A assuming this is similar to a residential use.
8. Staff has recommended conditions to ensure that the activities are consistent with the statements in the application and that a license is maintained with the department of social services.

### VIII. Supplemental Staff Review Comments

#### **Building Inspections Division – Charles Harrison III, Building Official**

1. The applicant must provide valid proof of VADSS licensure/registration for the requested location.
2. A new Certificate of Occupancy will be generated reflecting the occupancy amendments for this property.
3. The 2018 VUSBC allows a Family Day Home, licensed or registered by the Virginia DSS, to operate within a single family dwelling. The proposed increase in the number of children (4 children to 10) will not require an occupancy reclassification of the building and will not require a building permit. The classification of the building will remain R-5 (Single Family Dwelling) in accordance with the 2018 VUSBC.
4. The Family Day Home license and program oversight by the Virginia DSS must be maintained in order to operate this business.
5. Emergency planning and preparedness (emergency responder notification, fire safety and evacuation plans, monthly emergency evacuation drills, etc.) at this facility must comply with the current Virginia Statewide Fire Prevention Code (specifically sections 401 through 404). Annual inspections will be required and must be conducted by this Department.

#### **Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer**

1. A low volume commercial entrance will be required for permanent access to the site for the proposed use. Low volume commercial entrances must demonstrate that stopping sight distance is provided at the proposed entrance and meet applicable standards. The existing entrance appears to meet VDOT standards for a low volume commercial entrance.
2. VDOT has no objection to the proposed special exception request.

The departments below reviewed this request and had no comments.

**Environmental Division** - *Angela Blount, Environmental Program Coordinator*  
**Utilities Department** – *Rachael Lumpkin, Utility Project Engineer*

The departments below received a copy of this request and did not provide comments.

**Fire & EMS Department** – *Paul Beamon, Chief*  
**Economic Development** – *Stacey English, Economic Development Specialist*  
**Real Estate Assessor** – *Brian Gordineer, Real Estate Assessor*  
**Virginia Department of Health** - *Alice Weathers, Environmental Health Specialist*  
**Police Department / Sheriff's Department** – *Harold Shreves*

### **IX. Public Notice and Community Feedback**

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- No comments from the community were received prior to finalizing this report.
- There were no public comments during the November 17, 2022 public hearing.

### **X. Planning Commission Recommendation**

**Approval**, subject to the recommended conditions in the section below.

Staff recommended approval to the Planning Commission based on the following considerations:

1. The applicant's request appears to be compatible with current and future surrounding land uses.
2. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
3. Staff has recommended the below conditions for this request which are intended to ensure applicable code requirements are met and limit any expected impacts on adjacent property owners and the surrounding community. The Applicant has reviewed and supports these conditions.

### **XI. Recommended Conditions**

The recommended conditions are provided in the Draft Ordinance included with the staff report materials for the BOS.



Exec Gov SE-22-0017 Inv 2188



# SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance Planning & Zoning Division  
6602 Courts Drive, Prince George, VA 23875  
(804) 722-8678 | [www.princegeorgecountyva.gov](http://www.princegeorgecountyva.gov)

OFFICE USE ONLY

APPLICATION #:

PSE-22-11

DATE SUBMITTED  
**SEP 12 2022**  
BY: **TWG**

## APPLICANT FILL-IN ALL BLANKS

REQUEST: I am requesting to provide care and educational services to up to 10 children between the ages of 2-9 years old. Services will be provided Monday-Friday between the hours of 8am - 5pm.

REQUEST PROPERTY ADDRESS / LOCATION: 4481 Branchester Parkway Prince George VA 23875

REQUEST TAX MAP PIN(S): (List all) 13H(04)01-011-0

AFFECTED ACREAGE (Each parcel): All

ENTIRE PARCEL (Y / N - Each parcel): Y

ATTACHMENTS (Check if Attached; \* = Required):

APPLICANT STATEMENT\* (Specify goals, details, etc.)

COMMUNITY MEETING SUMMARY

PROPOSED CONDITIONS

ADDITIONAL ATTACHMENTS:

SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN\*

(Show proposed improvements; Use GIS or Engineer Drawing)

NAME(S): Jason and Amelia Ruffin

MAILING ADDRESS: (Incl. City, State, Zip): 4481 Branchester Parkway Prince George VA 23875

E-MAIL: [Amelia@ruffinsmuffinsprek.com](mailto:Amelia@ruffinsmuffinsprek.com)

PHONE: 804-898-5684

NAME(S): If different than owner:

RELATION TO OWNER:

MAILING ADDRESS: (Incl. City, State, Zip):

E-MAIL:

PHONE:

OFFICE USE ONLY (Completed at the time of application)

ZONING DISTRICT(S):		LAND USE(S) CODE REFERENCE(S):	
FEE DUE: Special Exception: \$700 Special Exception Home Occ: \$350	FEE PAID:	PAYMENT TYPE: CHECK / CASH / CREDIT / DEBIT	
CHECK # / TRANSACTION #:		DATE RECEIVED:	RECEIVED BY:

OWNER AFFIDAVIT	
<p>The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.</p>	
NAME:	NAME:
<u>Amelia Buffin</u>	<u>Jason Ruffin</u>
SIGNED:	SIGNED:
<u>[Signature]</u>	<u>[Signature]</u>
DATE: <u>9-12-2022</u>	DATE: <u>09-12-2022</u>
<b>NOTARIZATION:</b>	
STATE OF VIRGINIA	
COUNTY OF: <u>Prince George</u>	
Subscribed and sworn before me this <u>12<sup>th</sup></u> day of <u>Sept</u> , 20 <u>22</u> .	
<u>[Signature]</u> Notary Public	
My Commission expires: <u>4-30</u> , 20 <u>25</u>	



June 24, 2022

To Whom It May Concern:

I am requesting to use a portion of my home as a large family day home to provide care to children ages 2 up to age 10 with a concentration on preschool aged children (3-5 years old). I will provide care for children from 8 am - 5 pm, Monday -Friday. I would like to provide services for 10 children at a time. I have currently been successful with up to 4 children at this residence. I am a former teacher of Prince George County Schools. I worked with Prince George for ten years. Prior to teaching here, I owned a large family day home in Petersburg. I have also spoken with several of my neighbors and they love the idea of being able to serve the community in this way.

I have an employee/ volunteer who comes regularly to assist with the children's activities. She currently parks on the side of the road in front of the house. There is space for her to park in the driveway so there is more room for parent drop-off/pick-up. I currently park in the driveway to create an open space in the backyard for the children to run, ride bikes, and play with other toys ( balls, jump ropes, etc.) Right now, both pick-up and drop-off times last for less than five minutes. I wait at the top of the driveway and as parents pull up, they park and then they assist their child to meet me in the driveway. I greet each student and then we all wave "Good-bye" to the parents. At pick-up time, the parents line up on the side of the road and they are waiting at the top of the driveway for the children. At both times there is room for cars to drive past my house in both directions.

The outside play area is towards the back of the house and far from the road. There is no access to the pool for safety reasons. There is a fence and gate between the play area and the pool area. The fence is designed to make climbing difficult for small children. The main portion of the house that is used for the daycare is the attached garage which has been converted into a play/learning space for the children. The temperature is regulated with a window A/C unit to maintain a temperature between 65 and 80 degrees Fahrenheit. We only use the half bathroom that is on the first floor.

I would not need any signage. My husband and I are both on the deed and have insurance to cover any liabilities for this type of business. I look forward to continuing to work with the county.

Sincerely,

Amelia Ruffin  
Ruffin's Muffins Pre-K  
Owner/Director/Teacher  
Amelia@ruffinsmuffinsprek.com  
(804) 898-5684



## County of Prince George, Virginia

*"A global community where families thrive and businesses prosper"*

November 29, 2022

### BOARD OF SUPERVISORS - NOTICE OF PUBLIC HEARING

Dear owner, agent or occupant of each parcel that is abutting, immediately across the street or road, or within close proximity of the property affected:

This is notification that the Prince George County Board of Supervisors will hold a public hearing on **Tuesday, December 13, 2022 beginning at 7:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

**SPECIAL EXCEPTION SE-22-11:** Request of Jason and Amelia Ruffin to permit a Family day care home (large) within a Limited Residential (R-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-203(3). The purpose of the request is to provide child care services for up to 10 children at a time as a home occupation within an existing single-family dwelling. The subject property is approximately 0.368 acres in size, located at 4481 Branchester Parkway, and is identified as Tax Map 13H(04)0I-011-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

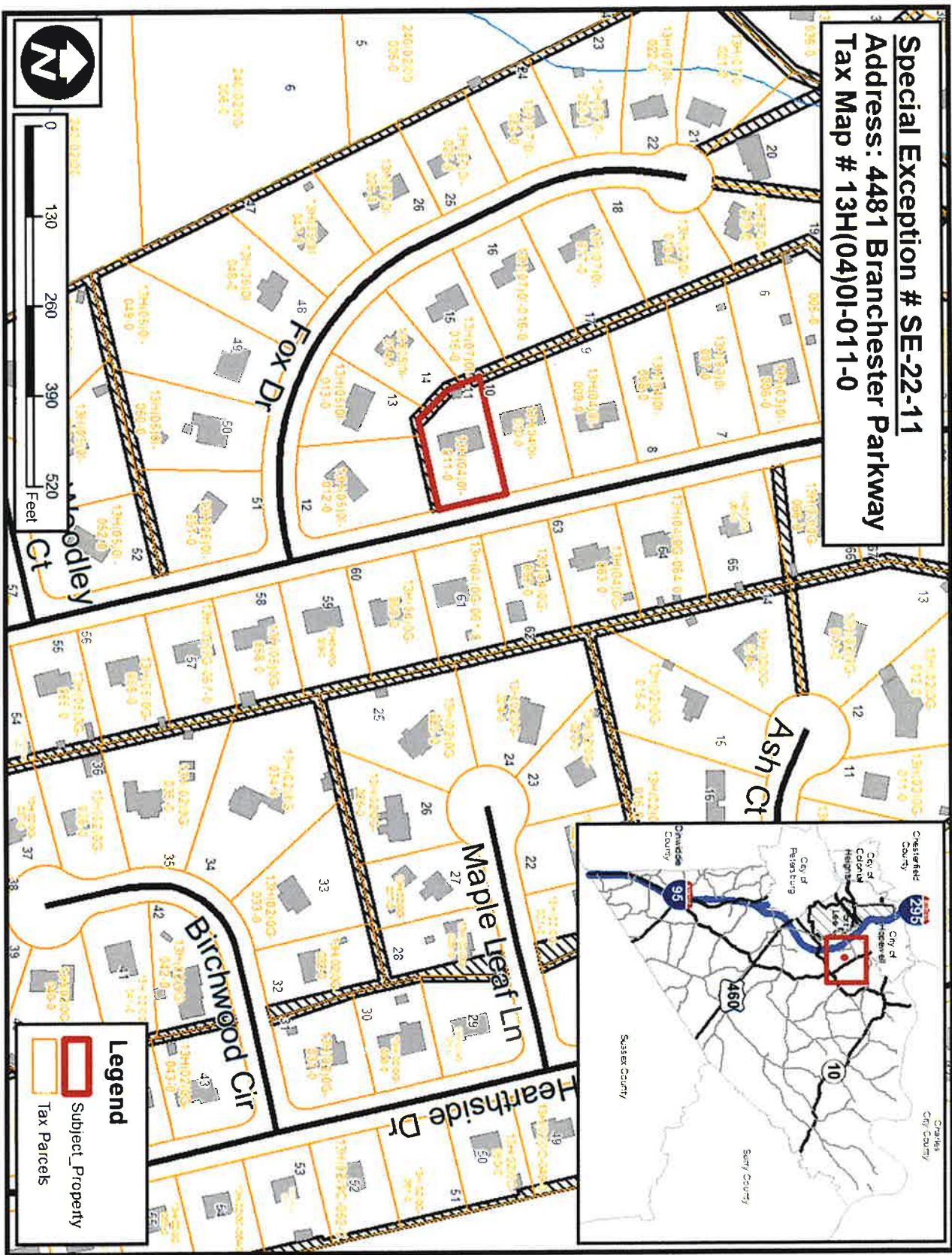
You may also contact Planning and Zoning Division at (804)722-8678 or by e-mail at [planning@princegeorgecountyva.gov](mailto:planning@princegeorgecountyva.gov) with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in blue ink that reads "Tim Graves".

Tim Graves  
Planner

**Special Exception # SE-22-11**  
**Address: 4481 Branchester Parkway**  
**Tax Map # 13H(04)01-011-0**



**Legend**

- Subject\_Property
- Tax Parcels

ALLEN JESSICA  
6944 FOX DR  
PRINCE GEORGE, VA 23875

ALLEN MICHAEL BRANDON  
4465 BRANCHESTER PKWY  
PRINCE GEORGE, VA 23875

DAVIDSON CORTLIN W & MIKEETA S  
4490 BRANCHESTER PKWY  
PRINCE GEORGE, VA 23875

EVANS KIM Y  
6916 FOX DR  
PRINCE GEORGE, VA 23875

HASKINS JEREMY D & DANA A  
4489 BRANCHESTER PKWY  
PRINCE GEORGE, VA 23875

JOHNSON DARYLL L SR & ANGELA F  
4482 BRANCHESTER PKWY  
PRINCE GEORGE, VA 23875

RUFFIN JASON M & AMELIA M  
4481 BRANCHESTER PKWY  
PRINCE GEORGE, VA 23875

SOURDIFF R MICHAEL  
4474 BRANCHESTER PKWY  
PRINCE GEORGE, VA 23875

THOMAS RICKEY & SHEILA  
6932 FOX DR  
PRINCE GEORGE, VA 23875

WHITELEY MICHAEL A & SHARON A  
4466 BRANCHESTER PKWY  
PRINCE GEORGE, VA 23875

WOOTEN WILLIAM H & BENNIE C  
6908 FOX DR  
PRINCE GEORGE, VA 23875

ZOLDORK ROBERT J & HYDE-ZOLDORK  
VALARIE R  
4473 BRANCHESTER PKWY  
PRINCE GEORGE, VA 23875

**PUBLIC NOTICE  
COUNTY OF PRINCE GEORGE**

Public Notice is hereby given to all interested persons regarding the following public meeting: The Prince George County Board of Supervisors will hold public hearings on Tuesday, December 13, 2022 beginning at 7:30 p.m. concerning the following requests:

**SPECIAL EXCEPTION SE-22-07:** Request of PG 1100 Jordan Point LLC to permit a country club with golf course and other recreational activities within a R-A (Residential-Agricultural) Zoning District pursuant to Prince George County Zoning Ordinance Sections 90-103(3) and 90-103(22), and in a R-1 (Limited Residential) Zoning District pursuant to Section 90-203(1). The subject property, formerly known as the Jordan Point Golf Course and Country Club, is approximately 143 acres in size, located at 1100 Jordan Point Road, and consists of Tax Parcels 040(02)00-001-0, 040(02)00-001-A, 040(0A)00-002-A, 040(0A)00-003-A, 140(08)00-00A-1. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

**SPECIAL EXCEPTION SE-22-11:** Request of Jason and Amelia Ruffin to permit a Family day care home (large) within a Limited Residential (R-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-203(3). The purpose of the request is to provide child care services for up to 10 children at a time as a home occupation within an existing single-family dwelling. The subject property is approximately 0.368 acres in size, located at 4481 Branchester Parkway, and is identified as Tax Map 13H(04)0I-011-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

**ORDINANCE AMENDMENT OA-22-03:** Ordinance to amend “The Code of the County of Prince George, Virginia”, 2005, as amended, by amending §§ 90-52, 90-53.1, 90-102, 90-103.1, 90-152, 90-153.1, 90-202, 90-203.1, 90-242, 90-243.1, 90-292, 90-293.1 and 90-985 to clarify the uses in the Agricultural and certain Residential zoning districts to allow by-right private animal boarding places on parcels of more than one acre and to allow by special exception from the Board of Zoning Appeals private animal boarding places on parcels of one acre or less in size.

**ORDINANCE AMENDMENT OA-22-04:** Ordinance to amend “The Code of the County of Prince George, Virginia”, 2005, as amended, by enacting § 90-707 and amending §§ 90-708, 90-709, 90-711, 90-712, 90-715, 90-717, 90-718, 90-719, 90-721, 90-723, 90-726, 90-727, 90-729, 90-730, and 90-731 to make changes to the Floodplain Ordinance to reflect certain changes in the Virginia Department of Conservation and Recreation Model Ordinance for Localities.

The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person. A live video stream will be available at [https://www.princegeorgecountyva.gov/live\\_stream/](https://www.princegeorgecountyva.gov/live_stream/). Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

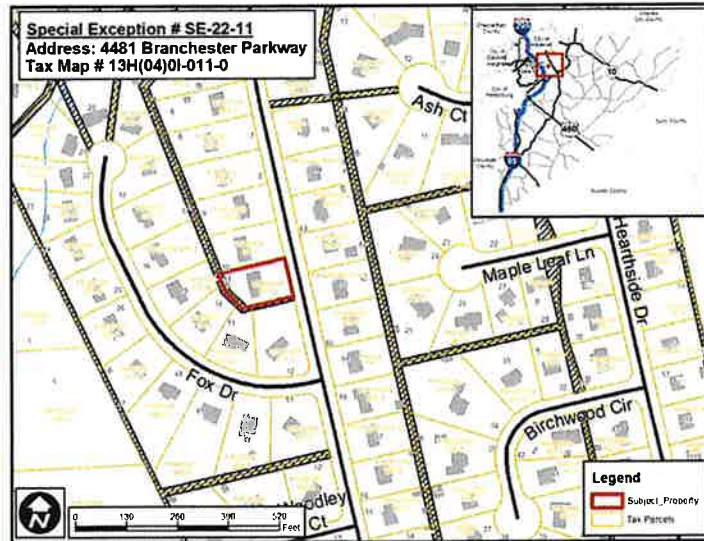
Jeffrey D. Stoke  
County Administrator

## SPECIAL EXCEPTION SE-22-11:

Request of Jason and Amelia Ruffin to permit a Family day care home (large) within a Limited Residential (R-1) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-203(3). The purpose of the request is to provide child care services for up to 10 children at a time as a home occupation within an existing single-family dwelling. The subject property is approximately 0.368 acres in size, located at 4481 Branchester Parkway, and is identified as Tax Map 13H(04)01-011-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses.

### SE-22-11 Amelia and Jason Ruffin

Location Map





SE-22-11 Amelia and Jason Ruffin

Zoning Map



SE-22-11 Amelia and Jason Ruffin

Aerial View



SE-22-11 Amelia and Jason Ruffin

### Request Summary

- Applicant currently provides care for up to 4 children under existing by-right home occupation with a business license
- Former teacher of Prince George County Schools for 10 years
- 1 employee/volunteer other than Amelia Ruffin
- Ages of children: 2 to 10 with a concentration on preschool-aged children
- Hours of care: 8am to 5pm, Monday to Friday
- Owner and employee park in driveway
- Pickup and dropoff of children occurs at the street
- Activities primarily occur in attached garage
- Backyard is play area

SE-22-11 Amelia and Jason Ruffin



**SE-22-11 Amelia and Jason Ruffin**



**SE-22-11 Amelia and Jason Ruffin**

## Planning & Zoning Staff Review Comments

**Land Use Classification:**

"Family day care home (large)"

Permitted by Special Exception pursuant to Section 90-203(3).

Family day care home means a dwelling unit in which the provider resides that is used to provide care, protection, and guidance to one through 12 children, exclusive of the provider's own children and children who reside in the home, when at least one child receives care for compensation... A family day care home (large) may provide care for one to 12 individual children during any part of the 24-hour day and shall be governed by a license issued by the state department of social services, consistent with the provisions of Code of Virginia, § 15.2-229.

**Compatibility with surrounding zoning districts and Comp Plan uses:**

Appears to be compatible with the surrounding current and future residential uses.

**Expected impacts and mitigation:**

- Traffic (during pick-up and dropoff times) – Mitigation: Limited # of children, Limited hours of operation and pickup / drop-off time periods
- Visual and Noise: Children playing in backyard – Mitigation: Limited hours of operation

## Other Staff Review Comments

**Building Inspections Division – Charles Harrison III, Building Official**

- New Certificate of Occupancy will be generated
- The proposed increase in the number of children (4 children to 10) will not require an occupancy reclassification nor building permit.
- Building code classification will remain R-5 (Single Family Dwelling)
- Must be licensed with oversight by the Virginia Department of Social Services
- Emergency planning and preparedness at this facility must comply with Virginia Statewide Fire Prevention Code. Annual inspections will be required and conducted Building Inspections Division.

**Virginia Department of Transportation (VDOT) - Paul Hinson, Land Use Engineer**

- The existing entrance appears to meet VDOT standards for a low volume commercial entrance.
- VDOT has no objection to the proposed special exception request.

## Recommended Conditions

**Highlights:**

- Family day care home (large), pursuant to Section 90-203(3), for the purpose of providing care services for up to ten (10) children as a home occupation accessory to a single-family dwelling.
- Hours of operation: 8am to 5pm Monday through Friday, with up to 30 additional minutes allotted for pickup and dropoff of children
- One additional (1) person may be employed other than owner
- Owner(s) and any employee shall park in the on-site driveway during business hours
- Street parking for pickup and dropoff of children
- Maintain all required licenses including VDSS license
- No permanent signage
- Comply with County Noise Ordinance

*(Full list of recommended conditions in the Staff Report / Draft Ordinance)*

## Planning Commission Recommendation

**Approval, subject to the recommended conditions in the draft ordinance.**

Public hearing held by the PC on November 17, 2022

No public comments were heard at the meeting.

## Questions?

