



# 21SN0582 – April and Derrick Jack

Magisterial District – Dale

Applicant – April and Derrick Jack (804-320-0582)

BOS Public Hearing – July 27, 2022

Time Remaining  
**365 Days**

Case Manager  
**Joseph Feest**  
(804) 748-1967

## Request

### Conditional Use

Renewal of a conditional use to permit a family day care home.

## Planning Commission Recommendation

**Approval**

## Staff Recommendation

**Approval**

## The Property

6406 Bareback Terrace

## Site Size

0.31 Acre

## Comprehensive Plan –

### Land Use Designation

Suburban Residential II

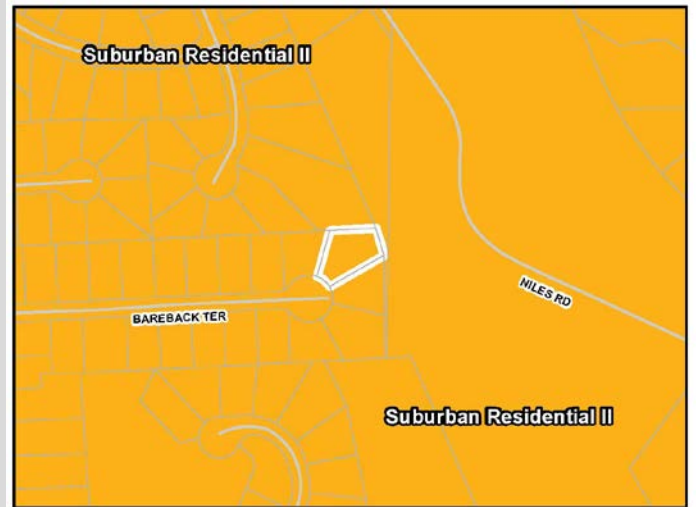
## Plan Area

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 conditional use approval (Case 15SN0615) to permit continued operation of an existing licensed family day care home. The applicants plan to continue providing in-home day care services for up to twelve (12) children.

## Recommendations

### PLANNING COMMISSION - APPROVAL

#### STAFF - APPROVAL

Staff recommends approval. As conditioned, the residential character of the area will be maintained. This use has minimal impact to surrounding properties. This case came to staff attention during a routine review of previous zoning approvals with defined expiration dates. There have been no other known violations of conditions of zoning associated with this family day care home.

#### NOTES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS

1. Conditions may be imposed and are included with this report.
2. Both the Planning Commission and Staff recommend the conditions identified in the staff report.

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## Zoning History

**15SN0615:** Approved (3/2015)

Conditional use approval to permit a family day care home for the care of up to 12 children in a Residential (R-7) zoning district. Conditions of approval included non-transferable use, hours and days of operation, a five (5) year time limit, and limitations on the number of children being cared for, signs, alterations/additions to the existing structure, outdoor play equipment, and the number of permitted employees.

## 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 (Case 15SN0615) to permit continued operation of a licensed family day care home. Figure 3, below, shows the subject property as viewed by the street. This family day care home has been operating at the site since 2015, serving up to twelve (children) at a time, with staff consisting of family members that live on the premises and one employee who lives off site. The recommended conditions for this request will be the same as the previous case, with three minor changes. Condition 1 will need to be amended to reflect that Derrick Jack is now a co-applicant. Condition 6, pertaining to a five-year approval limit, will be removed. Condition 7 will be amended to reflect that the required fencing has already been installed in the rear yard (as depicted in Figure 4, below).

Conditions for this case are included with this report.



Figure 3: Street view of 6406 Bareback Terrace

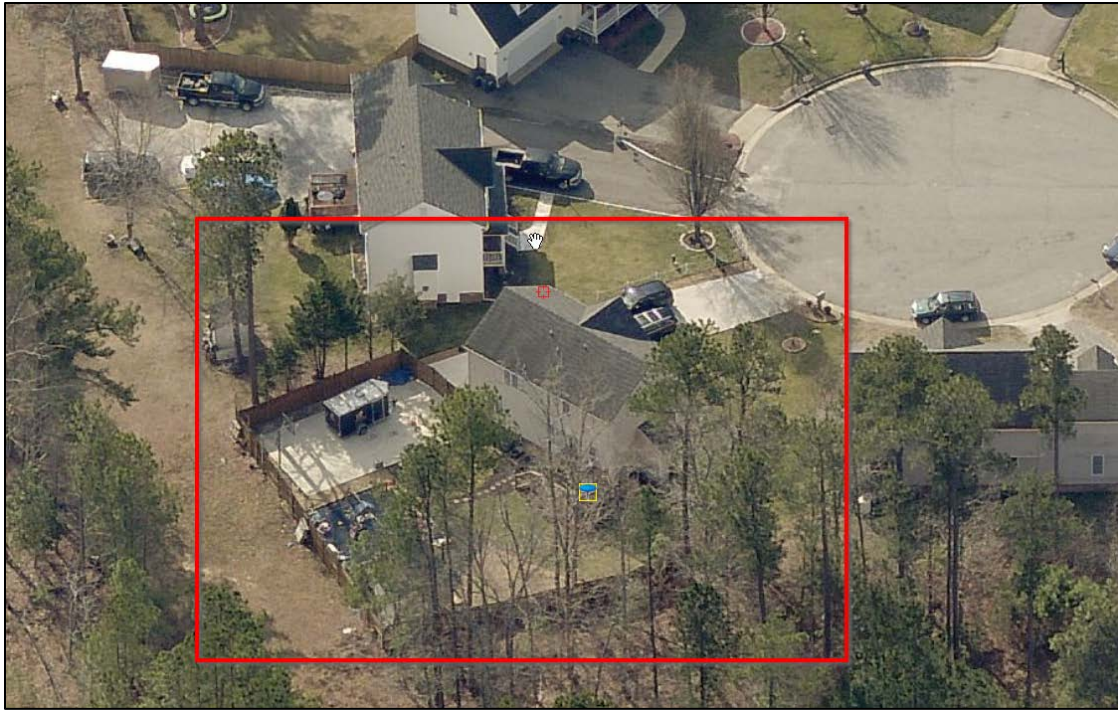
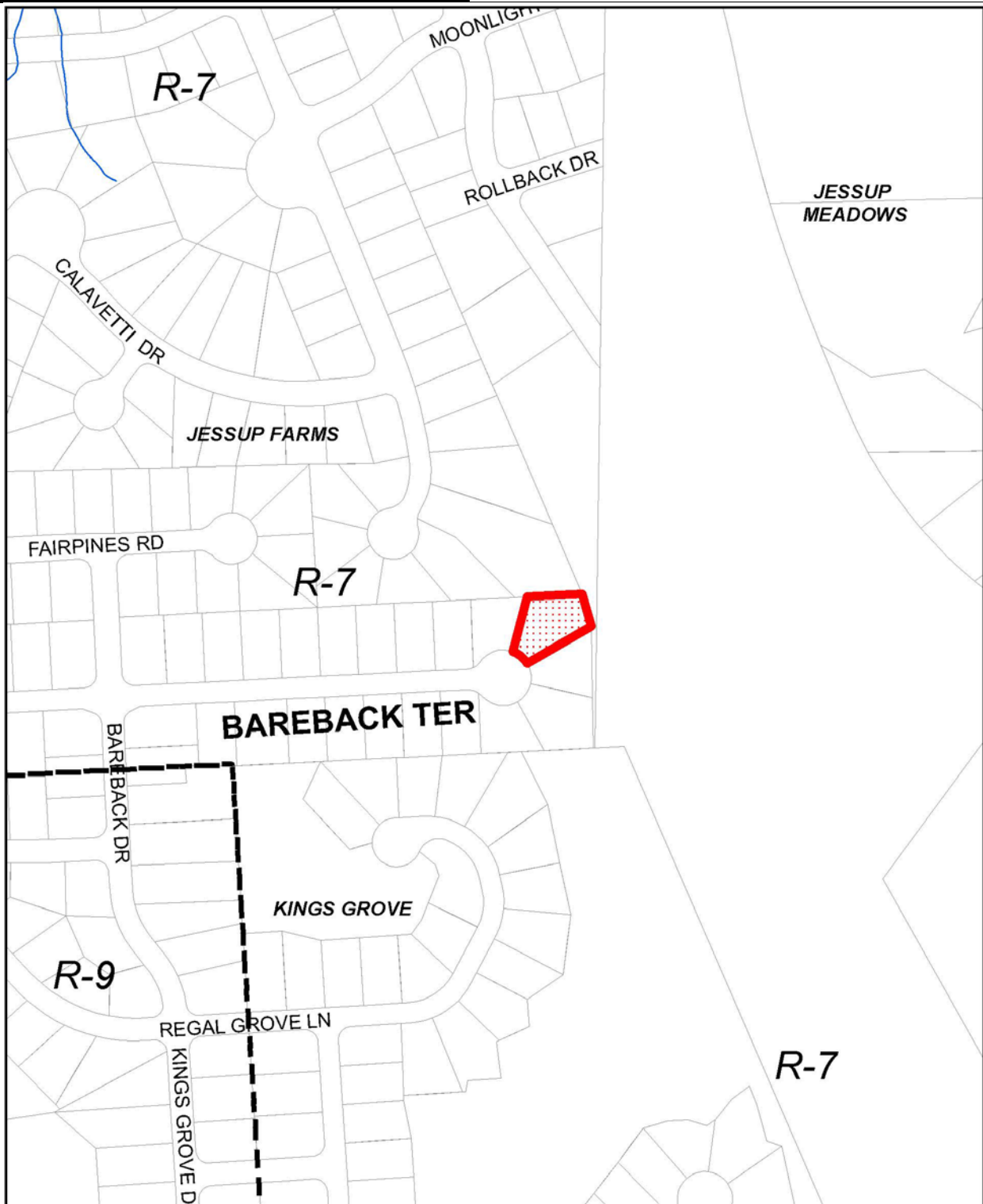


Figure 4: Fenced rear yard play area of 6406 Bareback Terrace

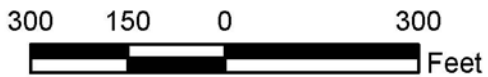




**Current Zoning Map**



**Map 1:  Subject Property**

Case #: 21SN0582  
Acreage: 0.31  
Address: 6406 BAREBACK TERRACE  
GPIN: 770-683-0899



-  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 Dale Fire Station, Company Number 11

#### Additional Information

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

### Police

Division	Beat	District
Falling Creek	56	Dale

#### Additional Information

This request is anticipated to have minimal impacts on Police.

### Transportation - County Department of Transportation

The anticipated traffic impact of the proposal has been evaluated and it is anticipated to be minimal.

### Transportation - Virginia Department of Transportation

No comments are provided for this request.

### Utilities – Water and Wastewater

1. The existing residence is connected to the public water and wastewater systems.
2. The renewal of a family day care home will have no impact on the public water and wastewater systems.
3. The Utilities Department supports this request.

## Community Engagement & Public Hearings

### Community Meeting

#### 4/26/2022 (Virtual) – Discussion Topics:

1. Continuation of existing family day care home
2. Options for other permanent commercial location

### Planning Commission

**6/21/2022:** **Citizen Comments:** No citizens spoke to this request.

**Recommendation:** APPROVAL WITH THE [CONDITION](#)

**Motion:** Sloan **Second:** Hylton

**AYES:** Owens, Freye, Hylton, Sloan

**ABSENT:** Petroski



## Conditions

1. Non-Transferable Ownership. This conditional use approval shall be granted to and for April and Derrick Jack, 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 applicants' 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. There shall be no Saturday or Sunday operation of this use. (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. The existing perimeter fencing installed around the equipment or play area shall be retained. 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)

## Case Contacts

### Applicant

- **Applicant's Contact:**  
April & Derrick Jack (804-320-0582)  
apriljack36@gmail.com

### District Planning Commissioner

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

### Staff

- **Planning Department Case Manager:** Carl Schlaudt (804-318-8674) schlaudtc@chesterfield.gov
- **Budget & Management:** David Oakley (804-706-2586) oakleyd@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
- **Libraries:** Jennifer Stevens (804-751-4998) stevensj@chesterfield.gov
- **Parks & Recreation:** Janit Llewellyn (804-751-4482) llewellynJa@chesterfield.gov
- **Police:** Jim Eicher (804-318-8693) eicherj@chesterfield.gov
- **Schools:** Natalie Spillman (804-748-1370) spillmann@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