



22SN0099 – Christine and Brian Fazzino

Magisterial District – Matoaca

Applicant – Christine and Brian Fazzino (804-263-3101)

BOS Public Hearing – November 16, 2022

Time Remaining

365 Days

Case Manager

Thomas Jenkins

(804-318-8898)

Request

Conditional Use

Conditional use for a family day care home.

Planning Commission Recommendation

Approval

Staff Recommendation

Approval

The Property

7637 Nicklaus Circle

Site Size

0.17 Acre

Comprehensive Plan –

Land Use Designation

Suburban Residential I

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

Request for a conditional use to permit a family day care home, incidental to a dwelling, in a Residential (R-9) District. The applicants propose to allow the keeping of up to eight (8) children from the home. This is the applicants' initial request on the property.

Recommendations

PLANNING COMMISSION - APPROVAL

STAFF - APPROVAL

Staff recommends approval. Impacts on adjoining properties will be minimal. Compatibility with the surrounding neighborhood will be maintained by the conditions.

NOTES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVISORS

1. Conditions may be imposed.
2. Conditions are attached to this report.

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Zoning History

89SN0346: Approved (12/1991)

Rezoning from Agricultural (A) and General Business (B-3) to Residential (R-9) District with Conditional Use Planned Development to permit use and bulk exceptions for a mixed use development with single family residential, multi-family residential, commercial, and recreational uses.

Comprehensive Plan – Land Use Plan Designation

The Comprehensive Plan designates the Property for Suburban Residential I, which suggests the Property is appropriate for residential development at a maximum density of 2.0 dwellings per acre.

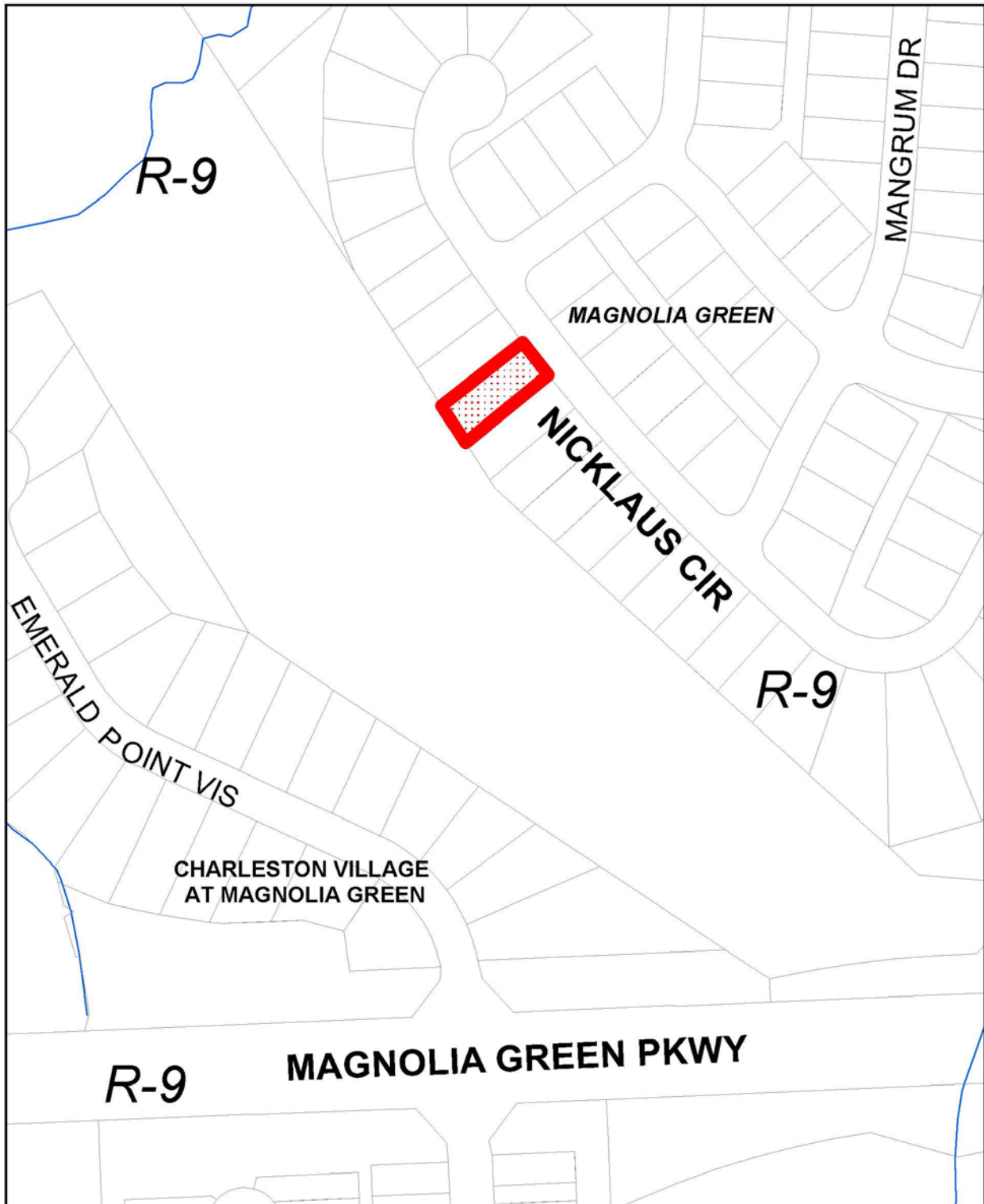
Proposal

The property is located within the Magnolia Green subdivision and is developed with a two-story single family dwelling.

A State-licensed family day care home, to allow the keeping of up to eight (8) children, is proposed. This is the applicants' first request for this use on the Property and in the County. Conditions relative to non-transferable ownership, location and expansion of the use, signage, the number of children in the applicants' care, hours of operation, fenced outdoor play areas, number of employees, and a five (5) year time limit are provided with this request. These conditions are in line with similar requests across the County and should help mitigate impacts on adjacent properties and the neighborhood.

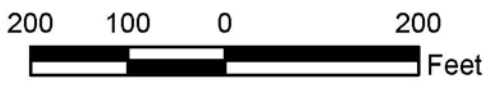




Aerial view of the property at 7637 Nicklaus Circle (Source: County imagery)



Map 1:  **Subject Property**

Case #: 22SN0099
Acreage: 0.17
Address: 7637 NICKLAUS CIRCLE
GPIN: 704-669-3064



-  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 Magnolia Green Fire Station, Company Number 25

Additional Information

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

Police

Division	Beat	District
Swift Creek	36	Matoaca

Additional Information

This request is anticipated to have minimal impacts on Police.

Transportation - County Department of Transportation

The traffic impact of the request is anticipated to be minimal.

Transportation - Virginia Department of Transportation

The Virginia Department of Transportation (VDOT) has reviewed zoning case 22SN0099 to request a Conditional Use to permit a family daycare for eight (8) children on the property. This zoning case does not appear to impact VDOT maintained right-of-way and VDOT offers no comment at this time.

Utilities – Water and Wastewater

The existing residential structure on the request site is connected to the public water and wastewater systems. The proposed family day care home will have minimal impact on the public water and wastewater systems. The Utilities Department supports this request.

Community Engagement & Public Hearings

Community Meetings

A virtual public meeting was scheduled, signs were posted, and notifications were sent to adjoining property owners; however, with no interest from the public, the meeting was cancelled.

Planning Commission

10/18/2022: **Citizen Comments:** No citizens spoke to this request.

Recommendation: APPROVAL WITH
THE [PROFFERED CONDITIONS](#)

Motion: Petroski **Second:** Hylton

AYES: Owens, Petroski, Freye, Hylton, Sloan

Conditions

Staff Note: Both the Planning Commission and Staff recommend imposition of the following conditions.

1. Non-Transferable Ownership. This conditional use approval shall be granted to and for Christine and Brian Fazzino, 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 eight (8) children, other than the applicants' 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 8:00 AM to 6:30 PM, Monday through Friday. (P)
6. Time Limitation. – This conditional use approval shall be granted for a period of five (5) years from the date of approval. (P)
7. Fenced Outdoor Play Areas. Any outdoor play area and/or recreational equipment utilized by the family day care home shall be located in the 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 or play area. All equipment for outdoor play areas shall be located no closer than fifteen (15) feet from the side or rear property lines. (P)
8. 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:**
Christine and Brian Fazzino (804-263-3101)

District Planning Commissioner

- **Tommy Owens (804-869-2214)**
owenstommy@chesterfield.gov

Staff

- **Planning Department Case Manager:** Thomas Jenkins (804-318-8898) jenkinsst@chesterfield.gov
- **Budget & Management:** David Oakley (804-706-2586) oakleyd@chesterfield.gov
- **Community Enhancement:** Carl Schlaudt (804-318-8674) schlaudtc@chesterfield.gov
- **Environmental Engineering:** Scott Dunn (804-748-1030) dunns@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:** Logan Ashby (804-318-8043) ashbyL@chesterfield.gov
- **Transportation - County Department of Transportation:** Steve Adams (804-751-4461) adamsst@chesterfield.gov
- **Transportation - Virginia Department of Transportation:** Dustin Dunnagan (804-674-2907) dustin.dunnagan@vdot.virginia.gov
- **Utilities:** Randy Phelps (804-796-7126) phelpsc@chesterfield.gov