



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT
November 11, 2015

SPECIAL USE PERMIT – 73 REX ROAD (SECTION 10-3-40 (6) MFDH)

GENERAL INFORMATION

Applicant: Donna Ray Budzius

Tax Map: 9-M-3A

Acreage: 9,048 square feet

Location: 73 Rex Road

Request: Public hearing to consider a request for a special use permit per Section 10-3-40 (6) of the Zoning Ordinance to allow a major family day home within the R-2, Residential District.

LAND USE, ZONING, AND SITE CHARACTERISTICS

The Comprehensive Plan designates this area as Medium Density Residential. This designation states that these areas are designated in areas near major thoroughfares or commercial areas. Most of these areas have been developed or are approved for development of a variety of housing types such as single-family, duplex, and in special circumstances, apartments. Depending on the specific site characteristics, densities in these areas may range from 1 to 15 units per acre.

The following land uses are located on and adjacent to the property:

Site: Duplex dwelling, zoned R-2

North: Across Rex Road, single-family dwellings and duplex dwellings, zoned R-2

East: Duplex dwellings, zoned R-2

South: Duplex dwellings and single-family dwellings, zoned R-2

West: Across Lynne Place, single-family dwellings, zoned R-2

EVAULATION

The applicant is requesting a special use permit per Section 10-3-40 (6) of the Zoning Ordinance to allow a “major family day home” (MFDH) within the R-2, Residential District. MFDHs are defined in the Zoning Ordinance as: *A child day care program offered in the residence of the provider or the home of any of the children in care for five (5) through twelve (12) children under the age of thirteen (13), exclusive of any children who reside in the home, when at least one (1) child receives care for compensation.* The property is located on the southeast corner of Rex Road and Lynne Place, within the Willow Hills Subdivision.

The applicant currently provides care for four (4) full time children in the home, and is working with the Virginia Department of Social Services (VDSS) to become licensed as a MFDH provider in order

to expand the enrollment. The VDSS application is for the maximum number of children, which is twelve (12); however, the applicant states it is likely only five to eight children would be provided care at any one time.

The facility is described as a clean, organized environment for children with an indoor activity area, large outdoor activity area, and a designated sleeping area. Off-street parking is available for drop-off and pick-up of children within the sizeable driveway on site. Hours of operation are 7:00 am until 5:00 pm with a staggered drop-off/pick-up schedule provided between 7:00 – 9:00 am and 4:30 – 5:00 pm, respectively. The size of the facility and the hours of operation are not conditions of the SUP and may change at times.

As previously detailed, the property is on the corner of Rex Road and Lynne Place, where there is a “STOP” sign for traffic entering Rex Road from Lynne Place. City Code Section 13-1-72 states “on street parking is not permitted within 30-feet of a “STOP” sign. Consequently, as discussed with the applicant, vehicles would not be allowed to park in front of the subject property, along Lynne Place between the “STOP” sign and the driveway entrance.

Staff does not foresee any negative impact in approving this application. Staff supports approval of the requested special use permit.