



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 19, 2008**

REVISED REPORT

DATE: ~~July 1, 2008~~ July 16, 2008

SUBJECT: U-2964-99-1 USE PERMIT REVIEW for family day care for nine (9) children; premises known as 1223 S. Columbus St. (Grace and Freddy Paniagua) (RPC #28-030-057)

Applicant:

Grace G. and Freddy P. Paniagua, Owners
1223 S. Columbus Street
Arlington, Virginia 22204

REVISION EXPLANATION: The recommendation has been revised to include an administrative review in six (6) months to ensure that the family day care home is in compliance with County Child Care codes, specifically that the applicant is only caring for children in the areas of the home designated for that use.

C. M. RECOMMENDATION: Renew, subject to all previously approved conditions, with an administrative review in six (6) months, and with no further scheduled County Board review.

ISSUES: This is a review of the use permit for an existing family day care service for nine (9) children, and no issues have been identified. County Child Care staff will continue to monitor the day care to ensure that the applicant is only caring for children in the areas of the home designated for that use.

SUMMARY: This is a scheduled review of a use permit for a family day care service for nine (9) children. The program has operated in compliance with use permit conditions and without complaints since approved by the County Board in 1999. Therefore, staff recommends renewal of the family day care use permit, subject to all previously approved conditions, and with no further scheduled review.

BACKGROUND: In May 1998, the applicant obtained the required Certificate of Occupancy to provide day care services for five (5) children. In 1999, the applicant was granted a use permit to provide day care services for a maximum of nine (9) children at any given time. The use permit was renewed by the County Board for three (3) years in 2000, and for five (5) years in 2003.

County Manager: _____

Staff: Melanie Wellman, DCPHD, Planning Division

PLA-5024

DISCUSSION: The family day care has been in operation since August 1999. The children in the applicant's care range in age from infants to 13 years old, and the hours of operation are from 6 a.m. to 11:30 p.m. Monday through Friday. A play area is located behind the house, surrounded by a stockade fence. A driveway in front of the house provides a safe area for parents to pick-up and drop-off children on-site, and additional street parking is available. Since the last use permit review in June 2003, the use has operated in compliance with the approved conditions, and without complaints to other offices. However, recently upon visiting the site, Child Care staff noted a minor issue in that the applicant was caring for children on levels of the home other than the basement, the only area of the home where child care is permitted. Child Care staff stated that the applicant has agreed to correct this issue and the Child Care Office will continue to monitor the use and ensure that all state and local child care codes are being adhered to.

Since the last County Board review (June 2003):

Use Permit Conditions: The family day care home operates in compliance with all use permit conditions.

County Child Care Office: The County Child Care Office reports that the applicant is in compliance with the County child care codes, as the applicant has agreed to only care for children in the basement of the home. The Child Care Office supports continuation of the use.

Community Code Enforcement: The Community Code Enforcement office reports that there are no issues regarding the continuation of this use.

Police Department: The Police Department reported no issues with this use permit.

Fire Marshal's Office: The Fire Marshal's Office has not expressed any issues or concerns regarding the continuation of this use.

Civic Association: This site is located within the Columbia Forest Civic Association. The Columbia Forest Civic Association was notified, and to this date has not provided any comments on the continuation of this use permit.

CONCLUSION: This family day care home has operated in compliance with the approved use permit conditions since 1999. Pick-up and drop-off areas are adequate and the fenced rear yard provides an outdoor play area. The County's Child Care staff reports that the use is operating in compliance with County child care codes, as the applicant has agreed to care for children in the basement of the home. An administrative review in six (6) months is recommended to ensure that all County Child Care codes are being adhered to, particularly with regards to caring for children only in the areas of the home designated for that use. The use permit can be brought back to the County Board at any time, should Child Care staff find that the family day care is not in compliance with County Child Care codes. Therefore, it is recommended that the use permit be renewed, subject to all previous conditions, with an administrative review in six (6) months, and no further scheduled County Board review.

PREVIOUS COUNTY BOARD ACTIONS:

- August 14, 1999 Approved a use permit for a family home day care for nine (9) children, ages infants to 13 years, Mondays through Fridays, 6 a.m. to 11:30 p.m. with a review in one (1) year (August 2000).
- August 5, 2000 Continued a use permit for a family home day care for nine (9) children, ages infants to 13 years, Mondays through Fridays, 6 a.m. to 11:30 p.m. with a review in three (3) years (August 2003).
- July 19, 2003 Continued a use permit for a family home day care for nine (9) children, ages infants to 13 years, Mondays through Fridays, 6 a.m. to 11:30 p.m. with a review in five (5) years (July 2008).

Approved Conditions:

1. The applicant shall meet the requirements of the Child Care Office, the Community Code Enforcement Office, the Environmental Health Bureau, and the Fire Marshal's Office, including the installation of smoke detectors.
2. The applicant shall provide an assistant to aid in the care of the children whenever the ratio of children to adults exceeds the required 6:1 ratio.