



PLANNING COMMISSION COMMUNICATION

Meeting Date: September 17 th , 2013	Item: Conditional Use Permit for a Family Child Care Home, located at 6356 Huntly Road, Timnath CO, 80547	
Presented by: Matt Blakely		
Owner: Jamie and Brandon Bohn Applicant: Jamie Bohn		
Application Type: Conditional Use Permit Case Number: CU-2013-002		
EXECUTIVE SUMMARY: The applicant has applied for a Conditional Use Permit to allow a Family Child Care Home use in the R-2 Single Family Residential Zoning District. The Family Child Care Home will be located in the existing residence, and will consist of teaching 3-5 year old kids for 2.5 hours a day 3 times per week.		
STAFF RECOMMENDATION: Staff recommends approval.		
KEY POINTS/SUPPORTING INFORMATION:		
<hr/> Process Schedule <hr/>		
Task	Description	Date
<i>Application Submitted</i>		8/27/13
<i>Acceptance of Application</i>		9/6/2013
<i>Referral Agency Notification</i>	<i>Referral comments are due by 9/20/2013</i>	9/6/13
<i>Comments Issued</i>	<i>Pending results of Planning Commission Meeting.</i>	TBD
<i>Notice Posted</i>	<i>Public Hearing Notice posted at Town Hall, Timnath Post Office, Town of Timnath website, and mailing to adjacent property owners</i>	9/13/13
<i>Planning Commission</i>		9/17/13
<i>Town Council</i>		9/24/13
Legal Description/Address: 6356 Huntly Road, Timnath CO 80547		
Parcel Size (Acres): 8,000 sf		
<hr/> Existing Zoning: R-2 Proposed Zoning : unchanged		
Existing Land Use: Residential Proposed Land Use: unchanged		
SERVICES:		
<i>Water:</i>	Fort Collins – Loveland Water District	
<i>Sewer:</i>	South Fort Collins Sanitation District	
<i>Fire:</i>	Poudre Fire Authority	



Special Districts: Within Timnath Development Authority Boundaries
Timnath South Metropolitan District

Adjacent Zoning/Land Uses:

<i>Direction</i>	<i>Zoning</i>	<i>Land Use</i>
<i>North</i>	R-2	Residential
<i>South</i>	R-2	Residential
<i>East</i>	R-2	Residential
<i>West</i>	R-2	Residential

Application Description:

Site Location & Layout:

The property is located at 6356 Huntly Road, in the Timnath South Subdivision.

Proposed Actions:

The applicant has submitted a conditional use permit for a family child care home at the address listed above. The Family Child Care Home use is a conditional use within the R-2 Zoning District.

Per Code Section 16.3.7: "Because of their unusual or special characteristics, conditional uses require review and evaluation so that they may be located properly with respect to their effects on surrounding properties. The review process prescribed in this Section is intended to assure compatibility and harmonious development between conditional uses, surrounding properties and the Town at large. Conditional uses may be permitted subject to such conditions and limitations as the Town may prescribe to ensure that the location and operation of the conditional uses will be in accordance with the conditional use criteria and the intent of this Code and each zoning district. The scope and elements of any conditional use may be limited or qualified by the conditions applicable to the specific property. Where conditions cannot be devised to achieve these objectives, applications for conditional use permits shall be denied."

Family child care homes are defined in the Timnath Land Use Code and the Colorado Revised Statutes Section 26-6-102(4) as the following:

"(4) "Family child care home" means a facility for child care in a place of residence of a family or person for the purpose of providing less than twenty-four-hour care for children under the age of eighteen years who are not related to the head of such home. "Family child care home" may include infant-toddler child care homes, large child care homes, experienced provider child care homes, and such other types of family child care homes designated by rules of the state board pursuant to section 26-6-106 (2) (p), as the state board deems necessary and appropriate."

The Planning Commission is to determine if the application complies with the conditional use review criteria and then recommend to Town Council approval, approval with conditions, or denial.

Future Approvals/Processes:

Pending the outcome of the Planning Commission meeting, the Town of Timnath Town Council will hold a public hearing on September 24, 2013 to consider approving the Conditional Use Permit. The applicant



will then provide evidence of the conditional use approval to the State of Colorado for a family home child care license and be permitted to operate an in home family child care facility as regulated by the State.

Review Criteria/Recommendation:

This application was submitted as a complete and comprehensive application and adequately addressed all elements required to proceed with the approval process. Upon review of this application by all referral agencies and applicable ordinances, regulations, standards, criteria, and policies, and the criteria set forth in Section 16.3.7.C of the Timnath Land Use Code staff recommends approval with the following Conditions:

1. Additional referral agency conditions as may apply, pending receipt of comments.
2. The use must comply with the Home Occupation regulations of the Town's Land Use Code section 16.3.13.

Conditional Use Review Criteria.

In addition to all provisions of this Code, the Town shall use the following criteria to evaluate the applicant's conditional use application:

1. The conditional use will satisfy all applicable provisions of this Code unless a variance is being requested.

This conditional use satisfies all applicable provisions of the Code. No variances are being requested or required.

2. The conditional use will conform with or further the goals, policies and strategies set forth in the Town of Timnath Comprehensive Plan.

The conditional use as proposed does conform with and/or further the goals, policies, and strategies set forth in the Comprehensive Plan.

3. The conditional use will be adequately served with public utilities, services, and facilities (i.e. water, sewer, electric, schools, street system, fire protection, public transit, storm drainage, refuse collection, parks system, etc.) and not impose an undue burden above and beyond those of the permitted uses of the district.

The conditional use is adequately served and will not impose an undue burden above and beyond those of the permitted uses of the district.

4. The conditional use will not substantially alter the basic character of the district in which it is in or jeopardize the development or redevelopment potential of the district.

The conditional use will not substantially alter the character of the district.

5. The conditional use will result in efficient on- and off-site traffic circulation which will not have a significant adverse impact on the adjacent uses or result in hazardous conditions for pedestrians or vehicles in or adjacent to the site.

The conditional use will not have a significant adverse impact on traffic circulation or result in hazardous conditions for pedestrians or vehicles.



6. Potential negative impacts of the conditional use on the rest of the neighborhood or of the neighborhood on the conditional use have been mitigated through setbacks, architecture, screen walls, landscaping, site arrangement or other methods. The applicant shall satisfactorily address the following impacts:
- a. Traffic;
There will be minimal traffic impacts by this use except during drop-off and pick-up times. Staff is not recommending any additional requirements relative to traffic.
 - b. Activity levels;
Activity levels as indicated by the applicant will be during the day, three times per week. This will result in minimal impacts to neighboring properties.
 - c. Light;
No additional lighting is being proposed by the applicant. If additional lighting is installed, the lighting shall meet the criteria specified in the Timnath Land Use Code and Design Criteria Manual.
 - d. Noise;
No additional requirements other than what is specified in the Timnath Land Use Code and Design Criteria Manual. The use must comply with the Town's Municipal Code relative to noise.
 - e. Odor;
Not applicable.
 - f. Building type, style and scale;
The building will be unchanged.
 - g. Hours of operation;
The applicant states that the child care function will operate for a duration of 2½ hours per day, during the middle of the day, three days a week.
 - h. Dust;
Not applicable.
 - i. Erosion control
Not applicable.
 - j. Landscaping
No additional landscaping will be required.

Referral Comments:

Not Yet Received: Poudre Fire Authority, Fort Collins-Loveland Water District, South Fort Collins Sanitation District, Timnath Engineering, Timnath Police, Timnath Finance.

Returned with No Comments: Comcast

Returned with Comments: Safebuilt, Town Planner



RECOMMENDED MOTION: Finding that a complete application was submitted and reviewed in accordance with all applicable Town regulations, the application conforms with the mission and goals of the Timnath Comprehensive Plan, and all criteria outlined in Section 16.3.7.C. of the Timnath Municipal Code have been met, I move to recommend approval of the Conditional Use Permit for 6356 Huntly Road with the conditions listed in the staff report.

ATTACHMENTS:

1. *Applicant Letter requesting Family Child Care Home*
2. *Floor Plan*
3. *Property Information*
4. *1st submittal – comments*

To Whom It May Concern:

My name is Jamie Bohn and I am wanting to start a Family Child Care Home in my home. I am planning on following all of the rules and regulations that the State of Colorado sets for a licensed Family Child Care Home. I taught school for 5 years and would love to continue to share my love for learning in my home.

I feel that my child care home will be a great addition to our community. Preschools are so expensive and the closest one to my neighborhood is at least a 15 minute drive. I know that many parents will appreciate a great and safe learning environment for their kids that will be within walking distance to their homes.

I am planning on teaching kids 3-5 years old for 2.5 hours a day 3 times per week. The class will be held in the middle of the day when most neighbors are working or away, so any potential disturbance to neighbors should be minimal or nonexistent.

I expect the traffic to be minimal. Most all the kids will be coming from my neighborhood and will either be walking or riding bikes. For parents that drop students off in a vehicle, we specifically chose a corner lot so that no one will have to park in front of any neighbors property. I will also organize the drop-off/pick-up process into an orderly system . It will be fast and efficient.

Thank you for your time,

Jamie Bohn

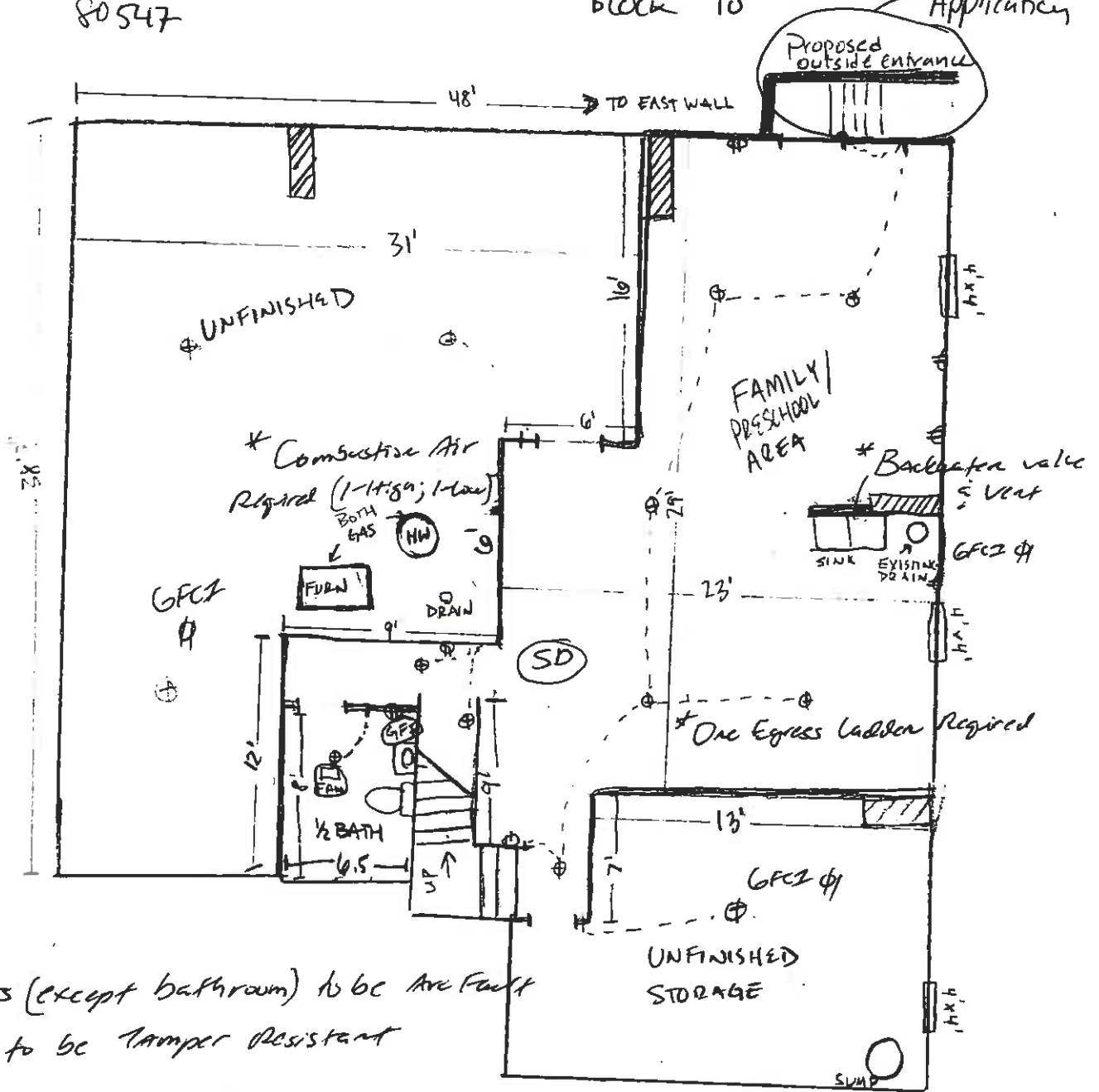
6356 Huntly Rd.

Timnath, CO 80547

6356 Huntly Rd
 Timnath Colorado
 80547

FILING 1
 LOT 10
 BLOCK 10

FUTURE Application



All Circuits (except bathroom) to be Arc Fault
 All outlets to be Tamper Resistant
 max. outlet spacing 12'

- * Min. Wall Insulation R-13
- * Min. Ceiling Height 7'
- * Float walls w/ treated plates.

THIS STRUCTURE MUST CONFORM TO
 THE 2011 NATIONAL ELECTRICAL CODE

APPROVED

Subject to inspection and Compliance to all
 relevant Adopted Building and Municipal Codes.
 Changes in Plans MUST be approved.

Date 7-29-13 By D. Lohmeier

Code: 2012 NEC
 S. of E. built Colorado

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Assessor Property Information

Property Tax Year 2013

Parcel Number: 86122-14-010
Tax District: 1616

Schedule Number: R1639648
Current Mill Levy: 138.042

General Information

Owner Name & Address	Property Address
BOHN BRANDON R/JAMIE L 6356 HUNTLY RD TIMNATH, CO 80547	6356 HUNTLY RD TIMNATH 80547-0000

Subdivision #: 5007 - TIMNATH SOUTH SUB 1ST FIL, TIM (20050101411)

Neighborhood #: 18933

Legal Description

LOT 10, BLOCK 10, TIMNATH SOUTH 1ST, TIM (20050101411)

Sales Information

Reception #	Sale Price	Deed Type	Sale Date
20130038060	\$444,977	SPECIAL WARRANTY DEED	05/17/2013
20050103922	\$7,568,000	WARRANTY DEED	12/06/2005

Value Information 2013

Abstract Code/Description	Value Type	Actual Value	Assessed Value	Net Acres	Net Sq Ft
1219L Single Family Residence	Land	\$60,000	\$4,780	0.18	7,999
1219 Single Family Residence	Improvement	\$357,900	\$28,490	0.00	0
Totals:		<u>\$417,900</u>	<u>\$33,270</u>	<u>0.18</u>	<u>7,999</u>

Property Attributes and Descriptions

Attribute	Attribute Description
Land	Land Standard LC

Building Improvements

Building ID:	1	Heat	None	Total Sq Ft:	1
Property Type:	Residential	Roof Type:		Condo Sq Ft:	
Built As:	Permit Value	Roof Cover:		Bsmt. Sq Ft:	
Occupancy:	Single Family Residential	Foundation:		Bsmt. Fin. Sq Ft:	
Year Built:	2012	Rooms:	0		
Year Remodel:		Bedrooms:	0		
Quality:	Average	Baths:	0.00		
Condition:	Average	Units:	0.00		
Class Descr:		Unit Type:			
Exterior:		Stories:	1.00		

Interior:

Current use may not reflect current zoning. Not all parcels are buildable lots.

For questions about this information or to make corrections contact the Assessor's office:

200 W. Oak Street
 Suite 2000
 Fort Collins, CO 80521
 Mailing address:
 PO BOX 1190
 Fort Collins, CO 80522
 (970) 498-7050
 or e-mail



MEMORANDUM

TO: Jamie Bohn
FROM: Matt Blakely, Town Planner
RE: 6356 Huntly Road
(CU-2013-002)
DATE: September 13, 2013

The following represents the **1st review** of the above application by Staff and the affected referral agencies. The included comments are from all of the agencies that have provided comments.

The following items must be acknowledged by the applicant:

Town Planner, Matt Blakely – (970) 224-3211 x19

The following Conditions shall apply to the proposed use on the lot indicated above:

1. At the time of preparation of this memorandum, not all referral agencies have provided comments. Additional comments/conditions may be required upon receipt of all referral agency responses.
2. The use must comply with the Home Occupation regulations of the Town's Land Use Code section 16.3.13.

Engineering, Steve Humann, TST Inc. – (970)226-0557

Not yet received.

Chief of Police, Sherri Wagner

Not yet received.

Poudre Fire Authority, Jim Lynxwiler

Not yet received.

Fort Collins-Loveland Water District/South Fort Collins Sanitation District

Not yet received.

Comcast, Don Kapperman

No comments.

Building Department, Safebuilt

- Home child care businesses are inspected and regulated at the state level.
- The submitted plans show a future exterior stair – if these are to be installed a building permit will be required.

Documents Required for Resubmittal:

- None

Next Steps:

1. You have been scheduled for a Planning Commission meeting on September 17, 2013. A representative of the project will need to be in attendance at that meeting to present to the Planning Commission and answer any questions.



2. Upon Planning Commission approval a Town Council public hearing will be scheduled for September 24, 2013. Again, a representative of the project will need to be in attendance.
3. The property will need to be posted with a sign at least 10 days prior to the Town Council Public Hearing. The town has a sign that you can use. Contact the Community Development department to coordinate the sign pick up and placement. We will need an affidavit to confirm the sign posting that consist of a notarized picture of the sign showing the date and time of the posting.

Please contact me at (970) 224-3211 or mblakely@TimnathGov.com if you have any questions.

Cc: April Getchius (*email*)
Don Taranto, TST Inc. (*email*)
Town File (TSS)



**Town of Timnath
Referral Notice
September 6, 2013**

We are interested in your review of the following Project

Project: Family Child Care Home
Case # CU-2013-002

Location: 6356 Huntly Road

Applicant(s): Jamie Bohn
6356 Huntly Road
Timnath CO 80547

Phone:
Fax:
Email:

Owner(s): Brandon and Jamie Bohn
6356 Huntly Road
Timnath CO 80547

Phone:
Fax:
Email:

Summary: Applicant wishes to start a Family Child Care Home inside their personal home.

Please Reply By: September 20, 2013

Reply to: Matt Blakely, Town Planner
(mblakely@timnathgov.com)

Phone: (970) 224-3211
Fax: (970) 224-3217

Organization / Agency: Safebuilt

Comments: *Home child care businesses are inspected and regulated @ the state level. I noticed the submitted plans show a future exterior stair - if these are to be installed a building permit will be required.*

NO other comments

This application has been sent to you for your review and comment. Any comments or issues you may consider relevant to this request would be appreciated. If you have any questions regarding the application, please contact the Planner listed above.

Town of Timnath
Phone: (970) 224-3211 Fax: (970) 224-3217
www.TimnathGov.com
4800 Goodman St. Timnath, CO 80547

RUSS WEBER

SAFEbuilt Colorado
Building Official Date 9/10/13
686-7511 x102