

BOARD OF ADJUSTMENT PUBLIC HEARING
November 10, 2011
1:00 P.M.

SUBJECT: CASE NO. BA 11-11-01 YULIYA LEDNEVA
SPECIAL EXCEPTION USE 18984 E BERRY DRIVE
Mary Zaitz, Community Compliance Officer

VICINITY MAP; The site is located at 18984 E Berry Drive in the Tuscany Subdivision. The property is zoned MU-PUD (Mixed Use-Planned Unit Development) and located within Election District 3.

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

- North - City of Centennial-Residential
- South - MU-PUD Residential
- East - MU-PUD Residential
- West - City of Centennial-Residential

PROPOSAL:

The applicant, Yuliya Ledneva, is requesting to extend her existing home day care business for to up to 12 children (A Large Child Care Home)

I. BACKGROUND

The subject property is zoned MU-PUD (Mixed Use Planned Unit Development) which allows for Single Family dwelling units and Type A group Homes as principal permitted uses. The request is to extend her existing home day care to a "Large Child Care Home" as defined in the Home Occupation Regulations (12-405). The applicant has applied for all State regulations but needs the approval of the Board of Adjustment to expand her license.

Section 13-803 states that a Special Exception Use may be granted: To provide for uses within the unincorporated areas of Arapahoe County which require special review by the Board of Adjustment in order to determine their compatibility with surrounding principal permitted uses. Such uses commonly have the potential for various adverse impacts such as traffic congestion, noise, visual and aesthetic impact which could undermine the integrity of the zoning district in which it would be situated and therefore could jeopardize the health, safety and welfare of the existing community.

II. DISCUSSION

Staff review of this application included a comparison of the proposal to the Comprehensive Plan, zoning and subdivision regulations, and an analysis of referral comments.

1. Comprehensive Plan:

The Comprehensive Plan designates this area for single family residential.

2. Ordinance Review and additional Background Information

The applicant has been a licensed day care provider for almost 3 years. She is currently allowed a maximum of 6 children. The neighboring properties have no opposition thus far. State requirements will be met by the Department of Human Services, State of Colorado.

3. Referral Comments

Comments received as a result of the referral process are as follows:

- Board of County Commissioners
- Arapahoe County Engineering Department
- Arapahoe County Planning Department

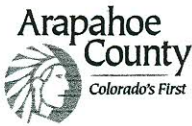
III. STAFF FINDINGS:

Staff has visited the site, reviewed the plans and supporting documentation, referral comments, as well as citizen input in response to this application. Based upon review of applicable policies and goals in the Land Development Code and analysis of referral comments, our findings include:

- The applicant's proposal is in character with all guidelines from the Home Occupation Regulations.
- No neighborhood opposition at time of writing staff report

Attachments

1. Application
2. Letter of Intent
3. Site plan



ARAPAHOE COUNTY BOARD OF ADJUSTMENT
APPLICATION FOR
SPECIAL EXCEPTION USE

CASE # 3A11-11-01

DATE Oct 12, 2011 CASE MANAGER Mary Zaitz

NAME OF APPLICANT Yuliya Ledneva

ADDRESS 18984 E. Berry Dr. Aurora

ZIP CODE 80015 PHONE (720) 939-6557

NAME OF PROPERTY OWNER Yuliya Ledneva and Robert Aramiant's

ADDRESS 18984 E. Berry Dr Aurora

ZIP CODE 80015 PHONE (720) 939-6557

ADDRESS OF PROPOSED USE same

ZONE MU-PUD ACREAGE _____

LEGAL DESCRIPTION lot 32, BK 7 TUSCANY #4 2073-15-3-24-032

PROPOSED SPECIAL EXCEPTION USE a large family daycare

LAND DEVELOPMENT CODE REFERENCE Section 13-800

Yuliya Ledneva
Owner's signature

Yuliya Ledneva
Applicant's signature

Referred To:

Board of County Commissioners	✓
Planning	✓
Engineering	
East End Advisory	
Sheriff	
CDOT	
Other	<u>State License License # 1555353</u>

You will receive posting instructions for the property AFTER COMPLETE APPLICATION is received by the Zoning Division of Arapahoe County at 10730 E. Briarwood Ave. #100 Centennial, CO 80112 Phone: (720) 874-6711

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Regular Meeting \$450.00
Special Meeting \$900.00

10-7-11
Date Received

Mary Zaitz
Received By Zoning Department

To the attention of the Adjustment Board:

Letter of Intent

I, Yuliya Ledneva, have been successfully operating Happy Feet Daycare since January of 2009. My family daycare operates from 7 A.M. until 6 P.M., Monday through Friday.

I have never had any complaints from any of my neighbors or the parents from day one. The children are very happy to be at my daycare. We do many activities together, go to the park, eat home prepared meals, and get ready for Kindergarten. The children's ages range from 2 to 5 years old.

In order to avoid any type of inconvenience to the neighbors and to provide outside activities, the kids are taken to the park on a daily basis. They never play in the backyard. The children walk quietly and in pairs until we reach the playground, the walk to the playground takes us about 5 minutes. Also, I have never had any traffic outside of my house because the parents drop off and pick up their kids at different times and if some of the parents happen to arrive simultaneously, we have a three car driveway to accommodate them.

At this time I have three families on a part-time basis who would love to bring their children full-time but cannot do so due to my license limitations. My current license allows me to have 6 children. I would like to apply for a large family daycare license which has a limit of 12 children. My Social Services supervisor encourages me to expand my daycare because she thinks that I am doing a good job taking care of the kids.

I kindly ask the Board to allow me to accommodate more families and let me open a large family daycare.

Sincerely,
Yuliya Ledneva.

10/07/11

