

**RECOMMENDATION  
TO THE  
PINE BLUFF PLANNING COMMISSION**

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**SUBJECT:** Use Permit on Review request to operate an in-home day care at 2800 Avondale in an R-1 Residential zone.

**APPLICANT:** Wendy Washington

**ZONING AND LAND USE:**

ZONING:	North:	R-1 Residential	LAND USE:	North:	Residential
	South:	R-1 Residential		South:	Residential
	East:	R-1 Residential		East:	Residential
	West:	R-1 Residential		West:	Residential

**REVIEW COMMENTS**

- The applicant desires to utilize the home in which she resides as an in-home day care facility. The site is the third house west of Commerce Road on the south side of Avondale. Avondale is a paved road with curb.
- The area is totally in single family residential uses with the exception of a few uses on the east side of Commerce Road such as a school, a fire station, and an office building. Avondale is a local residential street, while Commerce Road functions as a collector street serving the neighborhood and tying the Martha Mitchell Expressway with E. Harding Avenue.
- The house contains 1288 square feet, which provides for caring for up to six (6) children (@ 200 square feet per child as per the ordinance). If the application is approved, the applicant will be limited to a license allowing her to care for only this number of children, not the 10 children she states in her submittal letter.
- The zoning regulations also require that in-home day care facilities have a hard-surfaced driveway that is at least 18 feet wide at the street. The site currently has a 10-foot driveway and a single car garage. The site plan shows that there is 12 feet between the existing driveway and the property line next door, however, it appears from an on-site review of the exterior of the property that there is only five to six feet of space between the existing driveway and the side property line. Widening the driveway to 18 feet would require paving this side of the driveway as well as about three feet of the front yard.
- The rear yard is fenced in and has sufficient square footage for outdoor play area.

**RECOMMENDATION**

The staff feels that the location of the site is fine for an in-home day care facility. It is only slightly over 100 feet from a street that provides excellent access for parents. It is also in a single family residential neighborhood that contains many families that may need day care services. The main problem that the staff sees is that the applicant will have to add additional paved

driveway area that will encroach into the front yard. However, the encroachment will be minor, and providing the additional paved surface will bring the property up to the standard of having two off-street parking spaces for the family itself, not to mention that which is required for the day-care facility.

The staff recommends approval of the request subject to (1) the applicant providing the additional paved driveway area as described herein, (2) limiting the number of children cared for to six (6), and (3) the applicant obtaining all other city and state requirements (inspection, licensing, etc.) required for the use.

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Our staff does not profess to know all matters pertaining to land use law. We serve the City of Pine Bluff in an advisory capacity only, and any comments or recommendations contained herein are based on good planning principles and the Zoning Regulations as we interpret them. If you have questions on any legal issues that might occur due to this matter, please contact the Pine Bluff City Attorney.

