Special Exception (SE) #24-03
1402 Winterland Ct.
Home-Based Child Daycare Use Use

Planning Commission Public Hearing
February 24, 2025

Fadrique Iglesias
Community Planner

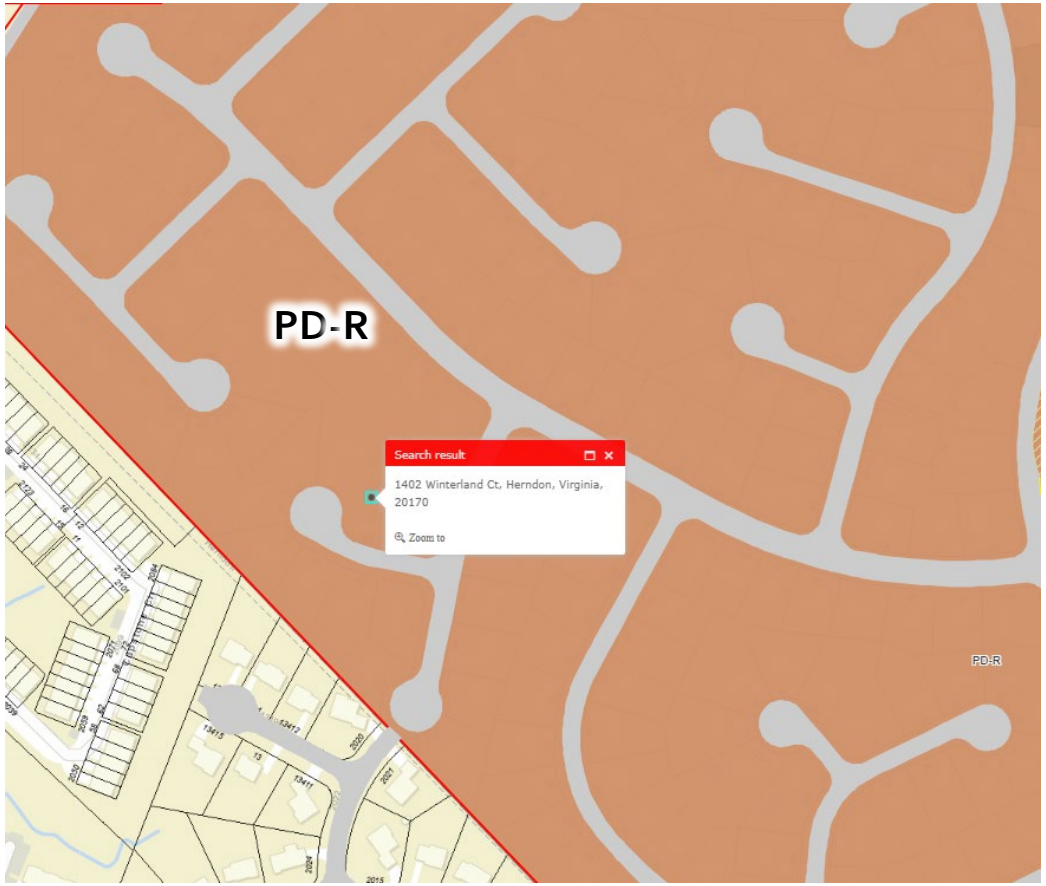
Aerial Photographs





The subject property is a PD-R, 11,959 sq. ft. residential lot featuring a primary dwelling unit with approx. 3,450 sq. ft. of above-grade living area.

Zoning Map and 2030 Comprehensive Plan Land Use Map





Existing Conditions

Applicant received approval of a Zoning Inspection Permit (ZIP#24-026) to operate a child daycare use with a max. of 7 clients at one time as a home-based business at the subject property. The town has not received any complaints for this address





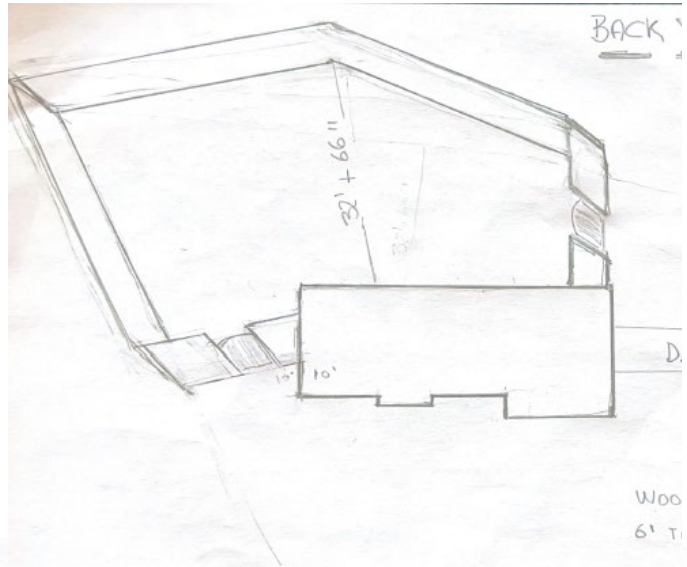


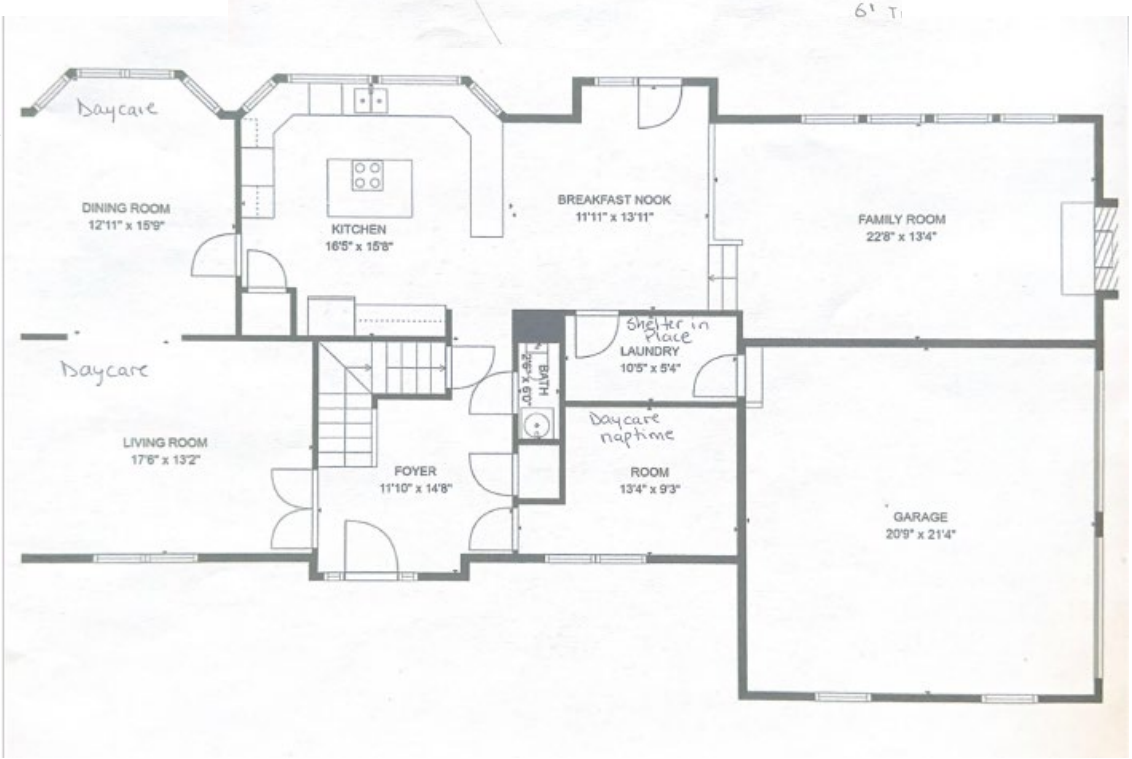
Proposed Special Exception

- Applicant seeks approval to increase the number of children permitted in their home-based childcare business to a max. of 12.
- The proposed use will provide care for children in 2 shifts, between 5:00 AM and 11:00 PM, with staggered pick-up and drop-off schedules.
- A Family Day Home, licensed by the Virginia Office of Child Care Health and Safety, allows up to 12 children to be cared for in a single-family residence.
- The zoning ordinance allows up to 7 children to be care for in a single-family residence with the approval of a Zoning Inspection Permit.
  - A maximum of 12 children may be cared for with the approval of a Special Exception.
  - The applicant is requesting 12 children to be cared for, as allowed by the Commonwealth of Virginia.

Proposed Operations

- Home-based childcare business: 2 shifts to accommodate families with diverse needs, Mon. to Fri.:
  - 1st Shift: 5:00 AM to 3:00 PM
  - 2nd Shift: 4:30 PM to 11:00 PM
- The childcare business is supported by a schedule that includes 1 employee working from 8:00 AM to 5:00 PM.
- Additionally, two assistants reside on-site and contribute to the daycare operations, ensuring continuous supervision and care for the children.
- Pick-up / drop-off schedule:
  - Morning Drop-Off: 5:00 AM to 7:30 AM
  - Afternoon Pick-Up: 2:00 PM to 4:00 PM
  - Afternoon Drop-Off: 4:30 PM to 5:00 PM
  - Night Pick-Up: 10:00 PM to 11:00 PM
- The proposed application satisfies the min. requirement of 75 sq. ft. of outdoor play area per child enrolled in the childcare business (900 sq. ft.).





Staff Analysis

- Zoning Ordinance compliance & Comprehensive Plan adherence
  - Purpose and intent of the PD-R Zoning District
- By-right uses versus special exception uses
- Use compatibility
- Parking analysis
- Potential impacts
- What conditions may mitigate and/or manage impacts

Impacts

- Denial of the Special Exception:
  - By-right uses (home-based business) remains.
  - Proposed business (childcare home-based business) would be permitted at the subject property/location; however, the maximum number of children at one time is 7.
  - ZIP#24-026 remains active.

- Approval of the Special Exception:
  - Daycare with maximum 12 children is permitted

Special Exception Conditions

#	Condition	Covered by language in the Zoning Code	Reason for Condition
1	Substantial conformance with the submitted application and plan submitted by applicant on November 26, 2024 and for the purpose of a daycare use only.	No	The site shall be developed and maintained in substantial conformance with a submitted special exception plan that is 33 percent or less of the gross floor area and in conformance with section 78-80.5. of the zoning ordinance.
2	Hours of Operation.	No	The permitted hours of operation shall be 5:00 a.m. until 11:00 p.m. Monday through Friday.
3	Number of Permitted Children.	No	The total number of children present on site for home-based child daycare use shall not exceed 12 at any one time. The ratio of employees to children as required by the state shall be maintained.
4	On-Site Play Area.	No	When playing outside all children shall be within the fenced playground area.
5	Child Drop-off and Pick-up.	No	Child drop-off and pick-up shall be limited to the curbside on the street adjacent to the subject property on Winterland
6	Signage.	No	No signage shall be permitted.

Recommendations

- Staff recommend the Planning Commission approve the **Special Exception with conditions**.

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