Special Exception (SE) #25-03 1207 Sunrise Court Home-Based Child Daycare Use

Planning Commission Public Hearing
February 9, 2026

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LIVE DIFFERENTLY. TOWN OF Herndon VIRGINIA

Aerial Photograph



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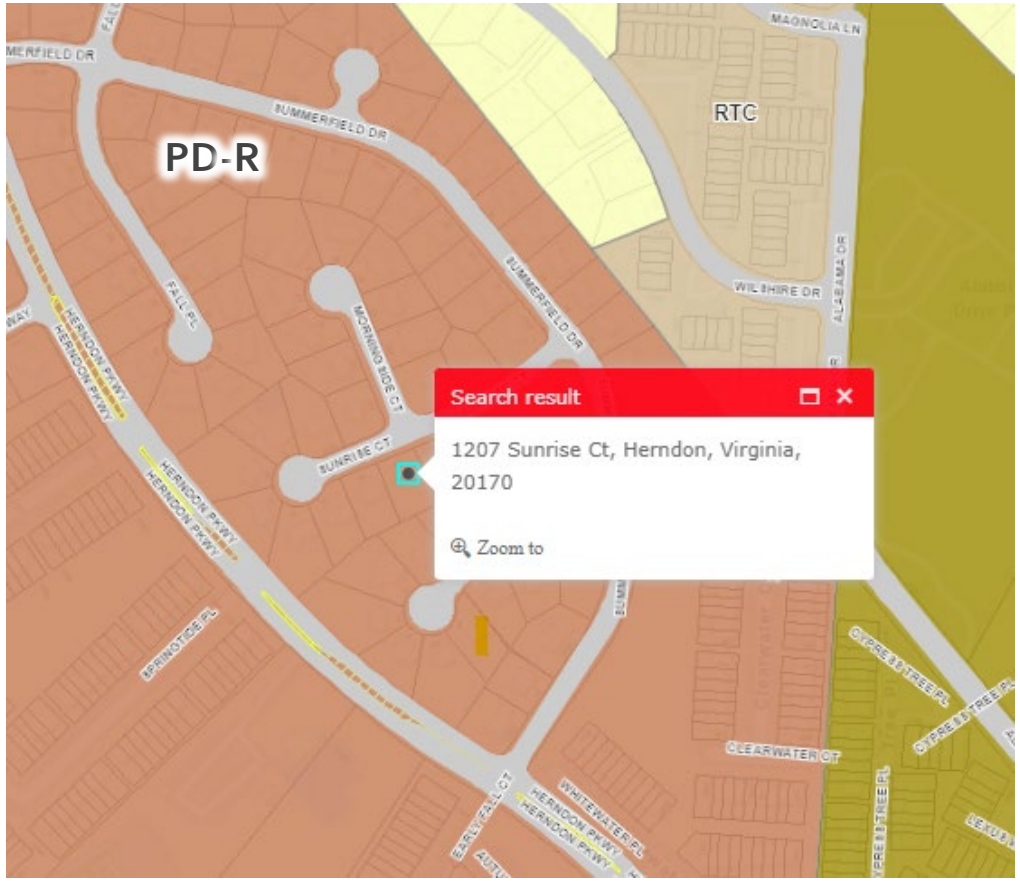
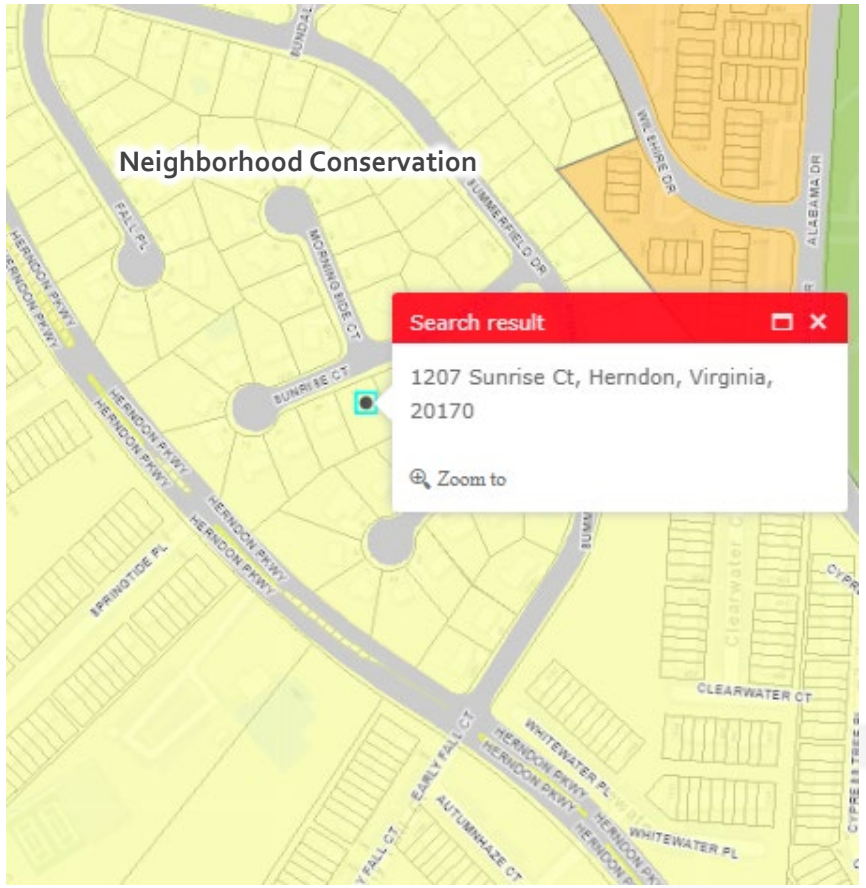
Zoning Map and 2030 Comprehensive Plan Land Use Map

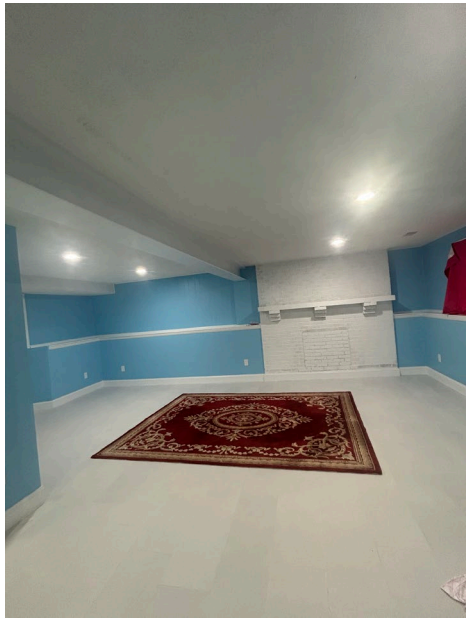




Existing Conditions

The applicant received approval of a Zoning Inspection Permit (ZIP #25-045) to operate a home-based child daycare with a maximum enrollment of seven children at the subject property. To date, the Town has not received any complaints related to the daycare at this address.







Proposed Special Exception

- Applicant seeks approval to increase the number of children enrolled in their home-based childcare business to a max. of 12.
- A home-based daycare, 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

- Access to the childcare area: main entrance of the home, with internal stairs leading to the basement.
  - The basement includes one bathroom and a kitchen. Ms. Bonilla is the sole employee of the childcare operation; however, if the Special Exception is approved, she plans to hire one additional employee.
- Proposed hours: Mon – Fri, 7:00 a.m. - 6:00 p.m.
  - Children potentially attending during a morning session (7am – noon) and/or an afternoon/after-school session (noon - 6pm) to accommodate families with diverse scheduling needs.
- The application satisfies the min. requirement of 75 sq. ft. of **outdoor play area** per child enrolled in the childcare business (900 sq. ft.).
- The applicant has indicated that approximately 470 sq. ft. (23.5'x20') of the basement will be dedicated to the daycare use.
  - **A home-based business may occupy no more than 33 percent of the floor area of the principal dwelling**, up to a maximum of 1,000 square feet, inclusive of any accessory structures (Town Ordinance Sec. 78-80.5). Thirty-three percent of the 1,510 sq. ft. of total floor area* equals approximately 498.3 sq. ft., which is greater than the 470 sq. ft. proposed for the childcare use.

**Floor area: The sum of the gross horizontal areas of the several stories of a dwelling, exclusive of garages, decks, and open porches*



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

The zoning ordinance allows a home-based daycare for up to 12 children enrolled with the granting of a special exception permit by the town council, in accordance with Sec. 78-80.5.

- 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 enrolled is seven (7).
  ZIP#25-045 remains active.

- Approval of the Special Exception:
  Daycare with maximum 12 children enrolled 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 October 31, 2025, and for the purpose of 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	Yes	6AM-9PM, in conformance with section 78-80.5. of the zoning ordinance
3	Number of Permitted Children	No	The total number of children present on site for home-based child daycare use shall not exceed 12 enrolled. 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 are preferred to occur in the driveway. Double parking on Sunrise Court is prohibited at all times.
6	Signage.	No	No signage shall be permitted.

Recommendations

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

Several daycares have been operating nearby since 2010 without negative impacts to the surrounding neighborhood. The expansion of the number of children is minor enough to not generate negative impacts.