Special Exception (SE) #26-02 1001 Jeff Ryan Drive Home-Based Child Daycare Use

Planning Commission Work Session
April 13, 2026

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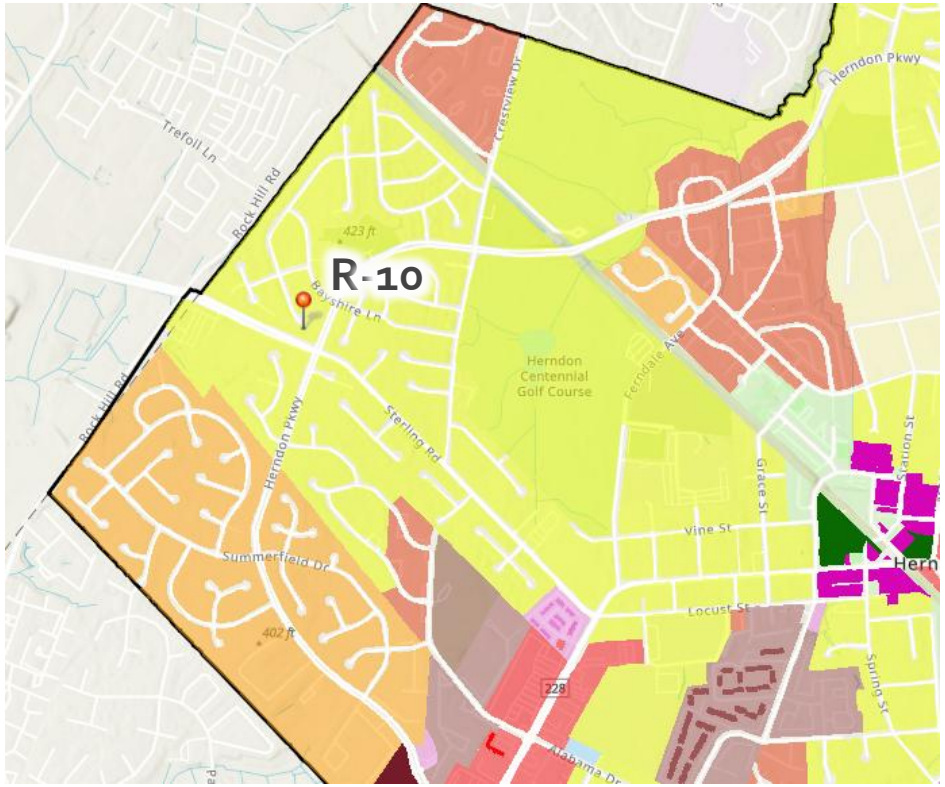
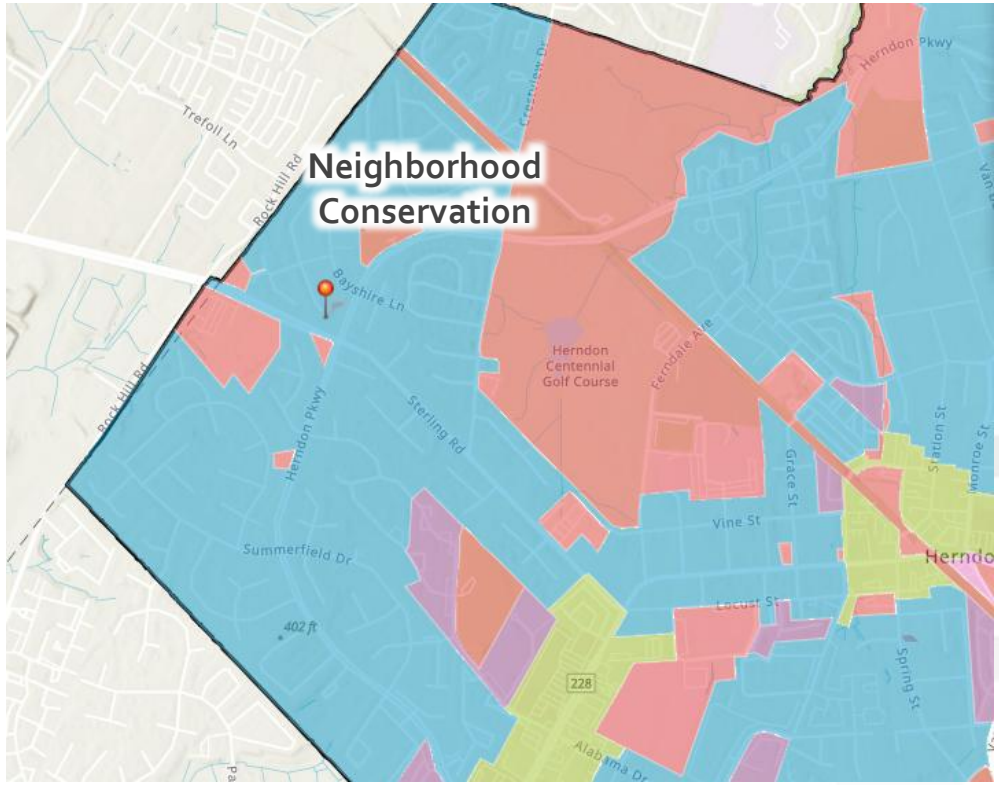
LIVE DIFFERENTLY. TOWN OF Herndon VIRGINIA

Aerial Photograph



Zoning Map and 2030 Comprehensive Plan Land Use Map





Existing Conditions

The applicant received approval of a Zoning Inspection Permit (ZIP #25-058) 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.



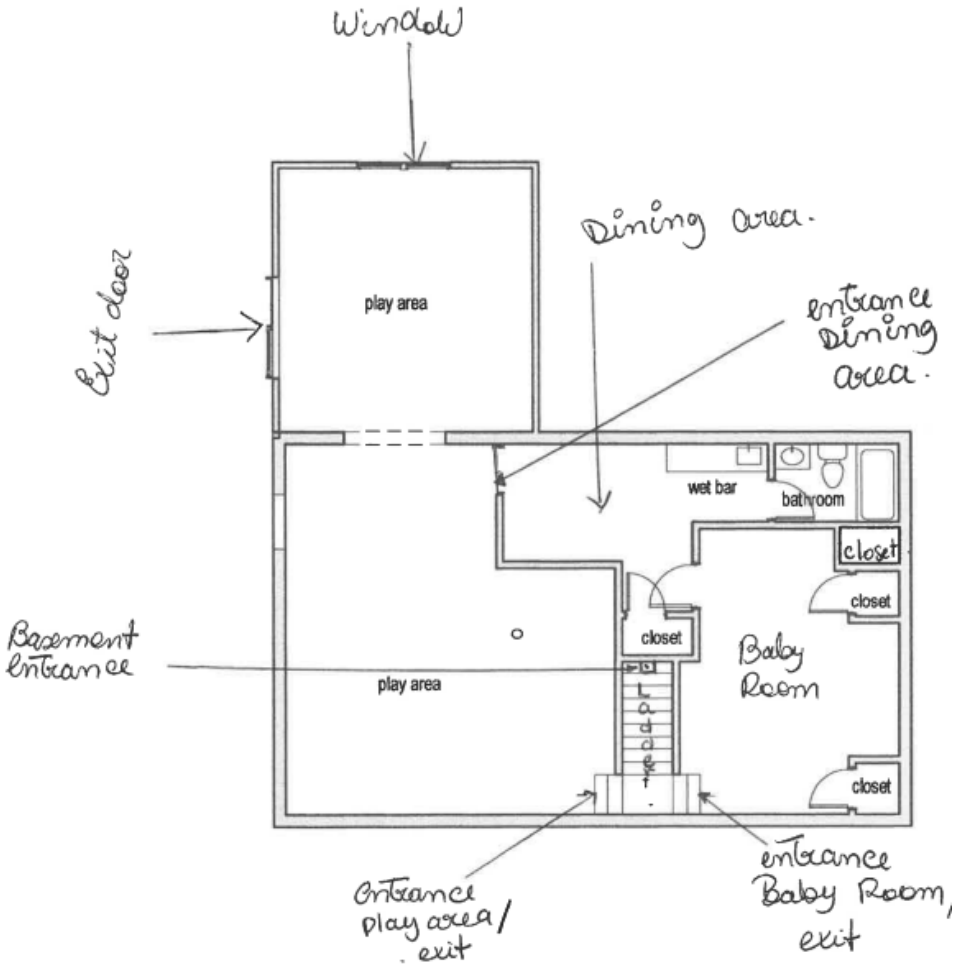


Proposed Special Exception

- Applicant seeks approval to increase the number of children enrolled in their home-based childcare business to a maximum of 12.
- 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 cared 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 and also through a new addition.
  - The basement includes one bathroom, two play areas, a baby room, and a wet bar. Ms. Abad Moretti is the **business owner** and **one employee** for 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 **1,113 sq. ft.** 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 total maximum floor area of 1,000 square feet (Town Ordinance Sec. 78-80.5)*.



Staff Analysis

- Zoning Ordinance compliance & Comprehensive Plan adherence
  - Purpose and intent of the R-10 Residential 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 would be permitted; however, the max. number of children enrolled is 7.
  - ZIP#25-058 remains active.

- Approval of the Special Exception:
  Daycare with maximum 12 children enrolled and two (2) external employees is permitted to operate in the basement (1,113 sq. ft.)

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 February 25, 2026, 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.
2	Hours of Operation	Yes	6 a.m.– 9 p.m., 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 Jeff Ryan Drive is prohibited.
6	Employees and Parking	No	Employees shall not park in the driveway
7	Signage.	No	No signage shall be permitted.

Recommendations

- Staff recommends the Planning Commission recommends approval of the Special Exception with conditions.

The expansion of the number of children is minor enough to not generate negative impacts.