TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

APRIL 22, 2025

Resolution- to approve a Special Exception – SE #24-03, 1402 Winterland Court, to permit a home-based child daycare use within the PD-R, Planned Development-Residential, zoning district.

The applicant, Ms. Nidia Retamal, Anbada Childcare, LLC, has submitted a request for a special exception to permit a home-based child daycare for 12 children with extended hours within the PD-R, Planned Development-Residential, zoning district. The proposed use will increase the maximum number of children enrolled per day from 7 to 12 and increase the hours of operation from 6 AM – 9 PM to 5 AM – 11 PM. The Property is identified as Fairfax County Tax Map # 0161 18 0154.

On March 24, 2024, the Planning Commission recommended that the special exception with conditions be approved based upon the finding that the proposed use meets the purpose and intent of the Zoning Ordinance.

The Town Council has reviewed this application and has held a public hearing in accordance with the provisions of §15.2-2204 of the State Code and has found that the application with conditions meets the purpose and intent of the Zoning Ordinance, in particular Section 78-155.3(e).

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Special Exception SE #24-02 is approved with the conditions set forth below to achieve compliance with the standards found in Section 78-155.3(e):

    a. Substantial conformance with the submitted application and plan submitted by applicant on November 26, 2024, and for the purpose of a daycare use only.

    b. The permitted hours of operation shall be 5:00 a.m. until 11:00 p.m. Monday through Friday.

    c. The total number of children present on site for home-based child daycare use shall not exceed 12 enrolled children per day. The ratio

of employees to children as required by the state shall be maintained.

d. When playing outside all children shall be within the fenced playground area.

e. Child drop-off and pick-up shall be limited to the driveway or to the curbside on the street adjacent to the subject property on Winterland. Double parking on Winterland Ct. is prohibited at all times.

f. No signage shall be permitted.

2. Per Section 78-155.3(f)(3), this approval shall not run with the land.