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April 30, 2020

Steven D. Mitchell  
1291 Monroe Street  
Herndon, VA 20170

Re: Zoning Administrator Determination ZAD #20-02  
783 Station Street  
Fairfax County Tax Map # 0162 02 0301D

Dear Mr. Mitchell,

This letter is in response to your request (Attachment 1) for a zoning determination relating to the above-mentioned property. Your request includes a determination on whether a barber shop pole is a sign. A photo taken on October 30, 2019 (Attachment 2) shows a barber shop pole affixed to the subject property. You further requested a determination on what the appropriate application would be to request installation of a barber shop pole on the subject property.

Sign definitions are located in Section 78-180 of the Town of Herndon Zoning Ordinance. The definition of a sign is located below:

*Sign. Sign means any word, numeral, figure, design, trademark, flag, pennant, twirler, light, display or other device of any kind which, whether singly or in any combination, is used to attract attention, direct, identify, inform, persuade, advertise for the purpose of visually attracting attention of the public while viewing the sign from outdoors.*

The barber shop pole is functioning to attract attention and therefore qualifies as a sign per the zoning ordinance.

The property is located within the Heritage Preservation Overlay district (HP district). Certain improvements in the HP district are not permitted prior to the approval of a Certificate of Appropriateness (COA) as outlined in Section 78-60.3(g)(1) of the zoning ordinance:

*Applicability. Unless exempted pursuant to Section 78-60.3(g), exemptions, a certificate of appropriateness must be approved prior to:*

- a. Erecting, reconstructing, altering, or restoring any building or structure in the heritage preservation overlay district; or*

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- b. *Demolishing, or moving any historic landmark, building, or structure located in the heritage preservation district.*
- c. *Signs in the heritage preservation overlay district are reviewed pursuant to the applicable procedures in Article XIV, Signs.*

The "Heritage Preservation Review Board Application for a Wall or Window Sign Permit" is the appropriate application for signs subject Section 78-60.3(g)(1)(a)(3), to include a barber shop pole affixed to a building.

In accordance with Section 15.2-2311 of the Code of Virginia (1950), as amended, you have the right to appeal this decision to the Board of Zoning Appeals within thirty (30) days after receipt of this letter. The decision(s) set forth in this letter shall be final and not appealable if not appealed within the thirty-day period. If you wish to appeal this decision you must do so in the specified time by submitting a completed application and \$100.00 fee to the Community Development Department at 777 Lynn Street, Herndon, Virginia 20170.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Stromberg". The signature is fluid and cursive, with a large initial "D" and "S".

David Stromberg, AICP  
Zoning Administrator