

**TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD
VIRTUAL PUBLIC HEARING AGENDA
JANUARY 20, 2021
HERNDON COUNCIL CHAMBERS BUILDING
765 LYNN STREET
7:00 P.M.**

CALL TO ORDER

1. Roll Call
2. Determination of Quorum

NEW BUSINESS

3. 2021 Election of Officers
4. Resolution, to approve revisions to the by-laws for the Historic District Review Board (HDRB) formerly the Heritage Preservation Review Board (HPRB).

APPROVAL OF MINUTES

5. December 2, 2020 Work Session Draft Minutes
6. December 16, 2020 Public Hearing Draft Minutes

COMMENTS

7. Comments from the Board Members
8. Comments from the Staff Members

PUBLIC HEARINGS

9. **APPLICATION FOR NEW CONSTRUCTION, HDRB #21-004**, to consider an application for a Certificate of Appropriateness for a newly constructed accessory structure at 757 Grace Street, Herndon, Virginia, located between the intersection of Grace Street and Vine Street and the intersection of Grace Street and the Washington and Old Dominion Trail right-of-way, and further identified as Fairfax County Tax Map 0162-02-0007B. The property is zoned R-10, Residential, Single Family; and consists of approximately 28,224 total square feet of land. Owners/Applicants: James L. and Elizabeth A. Leach.
10. **APPLICATION FOR NEW CONSTRUCTION, HDRB #21-001**, to consider an application for a Certificate of Appropriateness to construct a new residential

structure and a new accessory structure at 647 Jefferson Street, Herndon, Virginia, located between the intersection of Jefferson Street and Monroe Street and the intersection of Jefferson Street and Quincy Street, and further identified as Fairfax County Tax Map 0162-53-0002. The property is zoned R-10, Residential, Single Family; and consists of approximately 4,926 total square feet of land. Owners/Applicant: Station House, LLC c/o Stephanie Wright.

11. **APPLICATION FOR NEW CONSTRUCTION, HDRB #21-002**, to consider an application for a Certificate of Appropriateness to construct a new residential structure and a new accessory structure at 649 Jefferson Street, Herndon, Virginia, located between the intersection of Jefferson Street and Monroe Street and the intersection of Jefferson Street and Quincy Street, and further identified as Fairfax County Tax Map 0162-53-0001. The property is zoned R-10, Residential, Single Family; and consists of approximately 5,101 total square feet of land. Owners/Applicant: Station House, LLC c/o Stephanie Wright.

ADJOURNMENT



MEMORANDUM

To: Chair Walker & Members of the Historic District Review Board

From: Christopher J. Garcia, AICP, Community Design Planner/Deputy Zoning Administrator 

Date: January 15, 2021

Subject: Resolution, to approve revisions to the by-laws for the Historic District Review Board (HDRB) formerly the Heritage Preservation Review Board (HPRB)

Summary Information:

On November 17, 2020 the Herndon Town Council approved Ordinance 20-O-61, for a Zoning Ordinance Text Amendment ZOTA #20-01, that amended multiple sections of Chapter 78 (ZONING) of the Herndon Town Code, to establish new, and clarify, revise and/or delete existing, regulations and definitions in order to change the name of the Heritage Preservation Overlay district to the Historic District Overlay, to change the name of this Board from the Heritage Preservation Review Board to the Historic District Review Board, and allow for the administrative review of certain types of certificates of appropriateness and related measures. A copy of Ordinance 20-O-61, as adopted through ZOTA #20-01, is provided as Attachment #1.

The by-laws for this Board must now be amended to reflect the renaming of this Board from the Heritage Preservation Review Board to the Historic District Review Board. No other revisions are being proposed by staff at this time

Staff Analysis:

Pursuant to Article IX. of the current by-laws, a proposal for a modification to the by-laws must be submitted to the Board at a regular meeting and then scheduled for consideration and action at the next regular meeting. The revisions to the by-laws are being presented to the Board at this regular meeting for review and discussion and this item will also be placed on the agenda for the February 17, 2021, regular meeting/public hearing for consideration of the revisions and a final vote.

A redline version of the proposed changes to the bylaws is attached hereto as Attachment #2, and a final version the bylaws is attached hereto as Attachment #3 for the Board's review and consideration. The proposed by-laws can be adopted with a HDRB resolution, which is also attached hereto as Attachment #4.

Staff recommends approval of the Resolution to approve revisions to the by-laws for the Historic District Review Board (HDRB) formerly the Heritage Preservation Review Board (HPRB) attached to the staff report.

Thank you.

Attachments:

1. ZOTA #20-01 As Adopted
2. HDRB By-Laws Amendment Redlined Draft
3. HDRB By-Laws Amendment Final
4. HDRB By-Laws Amendment Resolution

TOWN OF HERNDON, VIRGINIA

ORDINANCE

November 17, 2020

Ordinance – to amend Chapter 78 (ZONING), Article I (Introductory Provisions), Section 78-10.3 (Purpose and Intent), Article II (Zoning Districts), Section 78-20.2 (Establishment of Overlay Zoning Districts), Section 78-20.3 (Relationship of Base Districts to Overlay Zoning Districts), Section 78-20.5 (Transition to New Zoning Districts), Article V (Planned Development Districts), Section 78-50.2 (Standards for all Planned Development Districts), Section 78-50.6 (PD-D, Planned Development-Downtown), Section 78-50.7 (PD-TD, Planned Development-Traditional Downtown), Article VI (Overlay Districts), Section 78-60.2 (Floodplain Overlay District (FPO)), Section 78-60.3 (Heritage Preservation Overlay District (HP District), Section 78-60.4 (Chesapeake Bay Preservation Area Overlay District (CBPAO))), Article VII (Use Regulations), Section 78-71.13 (Commercial Utilities Use Category), Article VIII (Accessory Uses), Section 78-80.3 (Accessory Structure Standards), Section 78-80.4 (Standards for Specific Accessory Uses and Structures by Use Type), Article XI (Development Standards), Section 78-110.3 (Site Landscaping (Not Contained in Perimeter Buffer Strips and Vehicular Use Areas)), Section 78-114.1 (Additional Screening Requirements), Section 78-115.1 (Retaining Walls), Section 78-115.2 (Fencing, Walls (Except Retaining Walls) and Hedges, Article XIV (Signs), Section 78-140.4 (Prohibited Signs), Section 78-140.5 (Sign License Required), Section 78-141.6 (Sign Standards for Downtown and Mixed-Use Districts), Article XV (Decision-Making Authorities, Application Review and Permitting), Section 78-150.1 (Town Council), Section 78-150.2 (Planning Commission), Section 78-150.4 (Heritage Preservation Review Board), Section 78-150.5 (Architectural Review Board), Section 78-150.6 (Zoning Administrator) Section 78-151. (Summary Table of Development Review Responsibilities), Section 78-152.2 (Application Submission, Requirements and Acceptance), Section 78-153.2 (Review Process for Applications Requiring a Public Hearing (Approval by Decision Making Body)), Section 78-155.1 (Zoning Map Amendment (ZMA)), Article XVI (Nonconformities), Section 78-160.1 (Generally), Section 78-160.3 (Nonconforming Structures), Article XVII (Enforcement, Violations and Remedies), Section 78-170.3 (Types of Violations), Section 78-170.4 (Penalties, Fines and Remedies for Violations), Article XVIII (Definitions), Section 78-180. (Definitions), and adding a new Section 78-155.10 (Certificates of Appropriateness) to change the name of the Heritage Preservation Overlay district to the Historic District Overlay and to allow for the administrative review of certain types of certificates of appropriateness.

BE IT ORDAINED by the Council for the Town of Herndon that:

1. Chapter 78 (ZONING) of the Herndon Town Code is amended and reenacted as follows.

Section 78-10.3 – Purpose and Intent.

(b) Intent. *This chapter is intended to:*

(5) Protect against destruction of or encroachment upon historic ~~and heritage~~ areas.

(19) Enhance the unique characteristics of historic ~~and heritage~~ resources and ensure a built environment that is a *historically* worthy ~~heritage~~ for future generations.

Section 78-20.2 – Establishment of overlay zoning districts.

The overlay zoning districts established in this chapter are shown in Table 78-20.2: Overlay Zoning Districts.

TABLE 78-20.2: OVERLAY ZONING DISTRICTS	
Abbreviations	District Name
FPO	Floodplain Overlay District
HPO <i>HDO</i>	Heritage Preservation <i>Historic District</i> Overlay District
CBPAO	Chesapeake Bay Preservation Area Overlay District

Section 78-20.3 – Relationship of base districts to overlay zoning districts.

Three overlay districts are established in addition to the base zoning districts: The Floodplain Overlay (FPO) ~~District~~, the ~~Heritage Preservation~~ *Historic District* Overlay (~~HPO~~) (*HDO*) ~~District~~, and the Chesapeake Bay Preservation Area *Overlay* (CBPAO) ~~district~~. Where land is classified into an overlay district as well as a base zoning district, the regulations governing the development in the overlay district shall apply in addition to the regulations governing the development in the underlying base zoning district. In the event of an express conflict, as determined by the zoning administrator, between the standards governing an underlying base zoning district and those governing an overlay district, the standards governing the overlay district shall control.

Section 78-20.5 – Transition to new zoning districts.

Upon adoption of this chapter, land that was zoned within a zoning district classification existing prior to July 1, 2006, shall be classified within one of the zoning district classifications set forth in Article II, Zoning Districts, and as shown in Table 78-20.5, Transition to New Zoning Districts. The following table summarizes the transition from former zoning ordinance districts to new districts set forth in this chapter.

TABLE 78-20.5: TRANSITION TO NEW ZONING DISTRICTS	
Overlay Districts:	
Floodplain Overlay District (FPO)	Floodplain Overlay District (FPO)
Heritage Preservation District (HPO) <i>Historic District Overlay District (HDO)</i>	Heritage Preservation District (HPO) <i>Historic District Overlay District (HDO)</i>
Chesapeake Bay Preservation Area Overlay District (CBPAO)	Chesapeake Bay Preservation Area Overlay District (CBPAO)

Section 78-50.2 – Standards for all planned development districts.

(b) *Review board approval for PD development.* Development located within a planned development district and outside of the ~~heritage preservation district~~ *historic district* overlay district, other than single-family detached units, shall be subject to the approval of the architectural review board. Development within a planned development district in the ~~heritage preservation district~~ *historic district* overlay district shall be subject to the approval of the ~~heritage preservation district~~ *historic district* review board.

Section 78-50.6 – Planned development downtown district.

(a) *Purpose and intent.* The intent of the PD-D district is to encourage revitalization and creative design for residential and commercial lands located in the Downtown Overlay of the Herndon 2030 Comprehensive Plan (adopted August 12, 2008), as may be amended, and to provide flexibility in land planning for residential and commercial development located in the downtown area.

(1) *Objectives.* Objectives of the PD-D district include:

- e. Adhering to the standards and guidelines of the Herndon 2030 Comprehensive Plan (adopted August 12, 2008), as may be amended, and the Herndon ~~Heritage Preservation Handbook, revised July 1990, as may be amended from time to time (the Heritage Preservation Handbook).~~ *Historic District Overlay Guidelines, as amended.*

- (2) *Additional considerations to ensure purpose and intent are met.* Decisions on PD-D zoning map amendments shall involve consideration of the existence or provision of an adequate road network and parking facilities, provision of public facilities and amenities, the use or mix of uses offered in proposed development plans, the merit of proposed site design in achieving the goals of the comprehensive plan and the ~~heritage preservation handbook~~ *Historic District Overlay Guidelines*, and the contribution of the proposed development to revitalization of the downtown. The flexibility of PD-D district regulations does not mean that an applicant is entitled to such a rezoning by meeting the minimum requirements of this division or that proposals approaching the maximum permitted density are entitled to a PD-D zoning map amendment.

- (f) *Dimensional Standards.* The PD-D district shall be subject to the following dimensional standards:

- (2) *Increases in intensity.* The floor area ratio of development shall not exceed 0.5 in the Downtown Overlay in the Herndon 2030 Comprehensive Plan (adopted August 12, 2008), as may be amended, except as allowed in section 78-50.6(f)(2), increases in intensity. The town council may, as part of the review of the PD-D district, increase the floor area ratio (i) up to 2.50 in sectors 1, 2 and 6 or (ii) up to 0.7 in sectors 3 and 4 of the Downtown Overlay, if the PD-D development meets three or more of the following criteria.

- (d.) Building façade design that excels at meeting the objectives and guidelines contained in the ~~Herndon Heritage Preservation Handbook~~ *Historic District Overlay Guidelines*, subject to preliminary review by the ~~heritage preservation~~ *historic district* review board as provided in section 78-155.1(i)(a).

- (h) *Site planning and building design in PD-D.* Sites and buildings within the PD-D district shall meet the following standards:

- (6) ~~HPRB~~ **HDRB** review required for increased FAR. Site and building design shall comply with guidelines in the ~~Herndon Heritage Preservation Handbook~~ **Historic District Overlay Guidelines** as determined by the ~~HPRB~~ **HDRB** prior to the planning commission public hearing when the increased floor area ratio is considered.

Section 78-50.7 – PD-TD – Planned development traditional downtown district.

- (h) *Site planning and building design in PD-TD.* Sites and buildings within the PD-TD district shall meet the following standards:

- (5) ~~HPRB~~ **HDRB** review required. Site and building design shall comply with guidelines in the ~~Herndon Heritage Preservation Handbook~~ **Historic District Overlay Guidelines** as determined by the ~~HPRB~~ **HDRB** prior to the planning commission public hearing in accordance with section 78-155.1(h)(2).

Section 78-60.2 – Floodplain overlay district (FPO).

Section 78-60.3 – ~~Heritage Preservation~~ **Historic District Overlay district (HP HDO district).**

- (a) *Purpose and intent.* The ~~heritage preservation~~ **historic district** overlay district (HP **HDO district**) is *established pursuant to the authority granted to localities by Virginia Code § 15.2-2306. It is intended to promote and protect the unique character of the town through the identification, preservation and enhancement of buildings, structures, settings, neighborhoods, places and features with historical architectural significance to the town. The HDO further intends to:* ~~intended to provide for the establishment of historic landmarks and preservation districts as a means of preserving the historical, cultural, and architectural heritage of the town and protecting designated historic resources and is adopted pursuant to the authority granted to localities by Virginia Code §15.2-2306.~~

- (1) *Ensure that additions, repairs, modifications, and new construction enhance rather than detract from the town's historic architectural settings.*
- (2) *Preserve the architectural, artistic, and historic merit of individual structures.*
- (3) *Protect historic resources from neglect and demolition.*

(4) *Retain important townscapes, streetscapes, and viewsheds integral to the identity of Herndon.*

(b) *Applicability.* No building, structure, or sign located in the ~~HP~~ historic district *overlay* shall be erected, reconstructed, altered, demolished, moved, expanded or restored except in accordance with the provisions of 78-60.3(g), certificate of appropriateness in the ~~heritage preservation~~ *historic district* overlay. ~~district.~~

(c) *District boundaries and maps.* The boundaries of the ~~HP-district~~ *historic district overlay* shall be shown on the town's official zoning map and on the appropriate comprehensive plan maps after action by the planning commission and town council.

(d) *Revision of ~~HP-district~~ historic district overlay boundary and designation of landmarks.* The boundaries of the ~~HP-district~~ *HDO* may be amended or areas, sites, buildings, and structures may be designated as historic landmarks in compliance with the following:

(1) *Amendment procedures.* The procedures for amendment of the ~~HP-district~~ *HDO* boundaries or designation of historic landmarks shall be as provided for as an amendment to the official zoning map pursuant to section 78-155.1, zoning map amendment. In addition, the following procedures shall apply:

a. The planning commission shall conduct or delegate a survey of the town. The survey shall identify and inventory all landmarks, buildings, or structures, in areas being proposed within the proposed district boundaries. The planning commission shall also prepare reports recommended to be included in the ~~HP-district~~ *HDO*.

b. Prior to establishing or expanding the ~~HP-district~~ *HDO* the town council shall:

1. Provide for public input from the community and affected property owners in accordance with Code of Virginia, § 15.2-2204;

2. Follow the written criteria set out below to be used to determine which properties should be included within the ~~HP-district~~ *HDO*; and

3. Review the inventory and the criteria to determine which properties in the areas being considered for inclusion within the proposed district meet the criteria to be included in the ~~HP-district~~ *HDO*.

c. Upon the inclusion of an area in the ~~HP-district~~ *HDO*, the owner of each property within the established district boundaries therein shall be given written notification, including a description of the factors justifying the designation.

(2) *Review of ~~HP-district~~ **HDO** boundary amendments.* The advisability of amending the ~~HP-district~~ **HDO** boundary is a matter committed to the legislative discretion of the town council and is not controlled by any one factor. The following shall be considered by the town council, and its advisory bodies as part of the deliberation process:

- a. In considering an amendment to ~~HP-district~~ **the HDO** boundary, the town council may adopt a change for only part of the area surveyed by the planning commission. The town council may amend the ~~HP-district~~ **HDO** boundary to include any area that has been considered by the planning commission.
- b. The following criteria shall be used by the historic ~~preservation~~ **district** review board, planning commission, and town council in evaluating the potential expansion of the ~~HP-district~~ **HDO**. The historic ~~preservation~~ **district** review board and planning commission may recommend, and the town council may so ordain, a landmark, building, or structure, for designation as a ~~HP-district~~ **which within the HDO, provided it** meets one or more of the following criteria:

5. The property or properties are closely related to or contiguous with properties that meet criteria a-d as related to their visual character or historic pattern of development; or otherwise contribute to the historic and architectural context of the proposed or existing ~~HP-district~~ **HDO**.

- c. Such ~~HP-district~~ **HDO** boundaries may be adjusted to exclude properties along the perimeter that do not meet the criteria. The town council shall include only the geographical areas in the ~~HP-district~~ **HDO** where a majority of the properties meet the criteria established below by the town in accordance with this section. However, parcels of land contiguous to arterial streets or highways found by the town council to be significant routes of tourist access to the town or to be designated historic landmarks, buildings, structures, or districts therein, or in a contiguous locality, may be included in the ~~HP-district~~ **HDO** notwithstanding the provisions of this subsection.

- (e) *Reduction of setback.* In the ~~HP-district~~ **HDO**, the front setback for a single-family detached dwelling may be reduced from 35 feet to a lesser amount but not less than 20 feet, in instances where the ~~HPRB~~ **HDRB** makes a finding that such reduction shall cause the subject structure to be more compatible with nearby contributing structures.

(f) ~~Development within the heritage preservation historic district overlay district.~~
 Development located within a ~~preservation district~~ *the historic district overlay* shall be
 completed in accordance with the ~~Herndon Heritage Preservation Handbook~~ *Historic
 District Overlay Guidelines*, and the following standards:

(1) ~~Alteration, restoration or reconstruction.~~ *Standards for Alterations.* A certificate of
 appropriateness ~~for altering, restoring, or reconstruction of~~ *to* a building or structure
 shall be approved only after ~~considering the following standards, as well as other~~
~~appropriate matters:~~ *meeting the following standards:*

- a. ~~Whether or not reasonable~~ *Reasonable* effort shall be ~~is~~ made to alter the
 site, building, ~~or~~ structure, and its environment to the minimal extent
 practicable.
- b. ~~Whether or not alteration~~ *Alteration* of the original, distinguishing
 qualities or character of a site, building, ~~or~~ structure, and its environment
 and the removal or alteration of any historic material or distinctive
 architectural features shall be ~~is~~ avoided to the greatest extent practicable.
- c. ~~Whether all sites, buildings and structures shall be recognized as products~~
~~of their own time, with alterations~~ *Alterations* ~~and reconstruction~~ to
 existing buildings, ~~and~~ structures, ~~and sites to be~~ *are* consistent with the
 original style of such buildings and structures.
- d. ~~Whether or not distinctive~~ *Distinctive* stylistic features or examples of
 skilled craftsmanship that characterize a building, ~~or~~ structure, or site
 shall be retained and restored to the greatest extent practicable.
- e. ~~Whether or not deteriorated~~ *Deteriorated* architectural features shall be
 repaired, rather than replaced, wherever reasonably possible, ~~and, if~~ *If*
 replacement is necessary, ~~whether or not~~ new materials shall match the
 material being replaced in composition, design, color, texture, and other
 visual qualities to the greatest extent practicable.
- f. ~~Whether or not repair or replacement~~ *Repair or replacement* of missing
 architectural features shall, to the greatest extent possible, be based on
 accurate duplications of the original features, substantiated by historic,
 physical, or pictorial evidence, rather than on conjectural designs or the
 availability of different architectural elements from other buildings or
 structures.
- g. ~~Whether or not the surface cleaning~~ *Cleaning* of buildings and structures
 constituting historic landmarks shall be undertaken with the gentlest
 means practicable; provided, however, that sandblasting and other
 cleaning methods that may damage the existing building materials shall
 not be approved.

- 233 h. *When more than 49 percent of the structure containing the original or*
 234 *historic facades or the roof structure are removed, the provisions of*
 235 *Section 78-60.3(f)(2), New Construction, or Section 78-60.3(f)(4),*
 236 *Demolition, apply. Whether or not partial demolition of buildings or*
 237 *structures within preservation districts may be approved when one or*
 238 *more of the existing facades are retained for the purpose of integrating*
 239 *new construction into existing historic buildings or structures when such*
 240 *is appropriate and in accordance with the intent of this article. The town*
 241 *does not advocate this procedure, as it goes against the Secretary of the*
 242 *Interior's guidelines for rehabilitation and credits would not be allowed in*
 243 *such projects.*
- 244 i. ~~Whether or not, to the greatest extent practicable, every~~ *Every* effort shall
 245 be made to protect and preserve archeological resources within or
 246 adjacent to the heritage preservation overlay *historic* district. *to the*
 247 *greatest extent practicable.*
- 248 j. ~~Whether or not contemporary~~ *Contemporary* design ~~for~~ *of* alterations
 249 and additions to existing buildings and structures is *shall be* compatible
 250 with the size, scale, color, material *texture*, and character of the building
 251 and structures within preservation districts. ~~and whether or not such~~
 252 *Such* alterations and additions *shall not* destroy *or negatively*
 253 *impact* significant historical, architectural, or cultural material.
- 254 k. ~~Whether or not the proposed additions or alterations~~ *Alterations* to
 255 existing buildings and structures shall be done in such a manner that, if
 256 such additions or alterations were to be removed in the future, the
 257 essential form and integrity of the *original* building or structure would be
 258 unimpaired. ~~Whenever possible, new additions or alterations to existing~~
 259 ~~buildings and structures shall be done in such a manner that, if such~~
 260 ~~additions or alterations were to be removed in the future, the essential~~
 261 ~~form and integrity of the building or structure would be unimpaired.~~
- 262 (2) *New Construction.* A certificate of appropriateness for new construction of a
 263 building or structure may be approved only after ~~considering~~ *meeting* the
 264 following standards, ~~as well as other appropriate matters:~~
- 265 a. ~~Whether or not the design will~~ *The design shall* be architecturally
 266 compatible with the historic landmarks, buildings, and structures in the
 267 heritage preservation *historic district* overlay district in terms of size,
 268 scale, color, material, and character.
- 269 b. No specific architectural style shall be adopted or imposed on the
 270 administration of this section.
- 271 c. *Alterations of more than 49 percent of the structure containing the*
 272 *original or historic facades, or more than 49 percent of the structure of*

~~the roof~~, as determined by the zoning administrator, shall be considered new construction.

- (3) *Moving or relocating a building.* A certificate of appropriateness to move or relocate a building or structure may be approved only after ~~considering the following, as well as other appropriate matters~~ *meeting the following standards:*

- a. ~~Whether or not the proposed relocation may~~ *The relocation shall not* have a detrimental effect on the structural soundness of the building~~;~~.
- b. ~~Whether or not the proposed relocation would have a negative or positive~~ *The relocation shall not have a negative* effect on other historic landmarks or on other sites, buildings, or structures located within the ~~heritage preservation overlay district~~ *historic district overlay*~~;~~.
- c. ~~Whether or not the~~ *The* proposed relocation ~~would~~ *shall* provide new surroundings that would be compatible with the architectural aspect of the building or structure~~;~~.
- d. ~~Whether or not the~~ *The* proposed relocation is the only practicable means of saving the structure from demolition~~; and~~.
- e. ~~Whether or not the~~ *The* building or structure ~~will~~ *shall* be relocated to another site within the corporate limits of the town or to another adjacent site that is subject to ~~preservation control~~ *protections enumerated in the district*.

- (4) *Demolition.* A certificate of appropriateness to demolish a building or structure may be approved, only after ~~reviewing and considering the circumstances and conditions of the structure or building or the part proposed for demolition, and considering the following factors as well as all other appropriate matters~~ *meeting the following standards:*

- a. ~~Whether or not the~~ *The* building or structure ~~is an historic landmark or is a building within the heritage preservation overlay district that~~ *does not contribute* contributes to the character of the ~~heritage preservation overlay~~ *historic* district~~;~~.
- b. ~~Whether or not the~~ *The* building or structure ~~is of such interest or significance that it would~~ *not* qualify as a national or state landmark building or structure listed on the National Register of Historic Places or the Virginia Landmarks Register~~;~~.
- c. ~~Whether or not the building or structure is of such old or uncommon design, texture or scarce material that it could not be reproduced or could be reproduced only with great difficulty and expense;~~ *The building or structure has a common design that could reasonably be reproduced.*

- 310 d. ~~Whether or not historic events occurred in the building or structure;~~ *No*
 311 *historic events occurred in the building or structure.*
- 312 e. ~~Whether or not the building or structure is structurally unsound and to~~
 313 ~~what extent;~~ *It is determined the building or structure has a degree of*
 314 *structural unsoundness.*
- 315 f. ~~Whether or not a relocation of the building or structure or a portion~~
 316 ~~thereof would be to any extent practicable as a preferable alternative to~~
 317 ~~demolition;~~ *It is not practicable to relocate the building or structure, or*
 318 *portion thereof.*
- 319 g. ~~Whether or not the~~ *The* proposed demolition could potentially *does not*
 320 adversely affect other historic landmarks located within a ~~preservation~~
 321 ~~district~~ *the historic district overlay* or adversely affect the character of a
 322 ~~preservation district~~ *the historic district overlay*;
- 323 h. ~~— If a building is damaged by a fire or other natural hazard, the building~~
 324 ~~inspector shall determine if a building is structurally sound and is in~~
 325 ~~imminent danger to public safety and should be demolished;~~
- 326 i.h. ~~The reason for demolishing the building or structure and whether or not~~
 327 ~~any alternatives to demolition exist.~~ *Practicable alternatives to*
 328 *demolition do not exist.*
- 329 j.i. ~~Whether or not there has been a professional, economic, and structural~~
 330 ~~feasibility study for rehabilitating or reusing the structure and whether or~~
 331 ~~not its findings support the proposed demolition.~~ *An economic and*
 332 *structural feasibility study prepared by a qualified professional is*
 333 *submitted that concludes rehabilitating or reusing the building or*
 334 *structure is not a practicable alternative.*
- 335 (g) *Certificate of appropriateness (COA) in the* ~~heritage preservation overlay district~~
 336 *historic district overlay.* The purpose of this section is to establish the procedures and
 337 standards for the review of certificates of appropriateness in the ~~heritage preservation~~
 338 ~~overlay district~~ *historic district overlay.*
- 339 (1) *Applicability.* Unless exempted pursuant to section 78-60.3(g)(2), exemptions, a
 340 certificate of appropriateness must be approved prior to:
- 341 a. ~~Erecting, reconstructing, altering, or restoring~~ *New construction or*
 342 *alterations to* any building or structure in the ~~heritage preservation~~
 343 ~~overlay district~~ *historic district overlay*; or
- 344 b. Demolishing, or moving any historic landmark, building, or structure
 345 located in the ~~heritage preservation district~~ *historic district overlay.*

c. ~~Signs in the heritage preservation overlay district are reviewed pursuant to the applicable procedures in Article XIV, Signs.~~ *The installation of any sign not subject to Section 78-140.5(f).*

(2) *Exemptions from COA.* The following minor development, which has been determined not to have permanent effects on the character of the *building or sites within the* ~~heritage preservation district~~ *historic district overlay*, is exempted from the requirements of this section. In the event the scope or nature of the development changes during the improvement process, ~~the zoning administrator shall have the authority to order all work to be stopped and that an appropriate application for a certificate of appropriateness be filed.~~ *a violation may be issued pursuant to Article XVII (Enforcement, Violations, and Remedies).*

c. Landscaping, grading, walks, swimming pools and related mechanical equipment, retaining walls of less than 12 inches in height, or temporary fencing in place for one year or less, when it does not significantly affect the character of the ~~heritage preservation overlay district~~ *historic district overlay* or an historic landmark and its surroundings.

(3) *Relationship of certificate of appropriateness to site* ~~administrative plan~~ *review.*

a. An application for a certificate of appropriateness in the ~~heritage preservation overlay district~~ *historic district overlay* for a development that requires site plan, *subdivision site plan*, single lot development plan, *or building location survey* approval pursuant to ~~Section 78-155.6, site plan~~ *(Site Plans, Subdivision Plans, Single Lot Development Plans, and Building Location Surveys)* shall not be reviewed formally by the ~~heritage preservation~~ *historic district* review board (~~HPRB HDRB~~) until the site plan, *subdivision site plan*, ~~or~~ single lot development plan, *or building location survey* is approved. ~~However, applicants~~ *Applicants* may meet informally with the ~~HPRB HDRB~~ prior to *site administrative* plan approval.

b. ~~In instances where development requires site plan or single lot development plan approval (section 78-155.6), upon recommendation of the zoning administrator or the town council, an applicant may present the substance of the plan for development for which a certificate of appropriateness is required at a work session of the HPRB prior or concurrent with the review of the site plan or single lot development plan.~~ *On properties zoned and used for single family residential within the historic district overlay, additions that comply with the applicable standards in Section 78-60.3(f), and with a footprint between 750*

square feet and 1,250 square feet, and disturb less than 2,500 square feet of land, may not be required to submit a single lot development plan. Relief from the submission of a single lot development plan shall be determined by the concurrence of the zoning administrator and town engineer.

- (4) Certificate of appropriateness review procedure. The approval of a certificate of appropriateness shall be subject to the *Historic District Procedure Guide, Section 78-153.2 (Review Process for Applications Requiring a Public Hearing (Approval by a Decision Making Body))*, and the following:

a. ~~Prior to submitting an application for a certificate of appropriateness, applicants are encouraged to seek advice from the HPRB during one or more work sessions. At the work session, the HPRB will review the proposed plan for development and provide the applicant comments about its general conformance with the requirements for a certificate of appropriateness. The comments are advisory and do not confer development rights on the applicant or bind the HPRB, town staff, or any other entity of the town providing comments.~~

b. ~~The procedures and requirements for submittal and review of an application, scheduling the public hearing and public notification are established in Section 78-153.2.~~

c. ~~All applications for a certificate of appropriateness shall include the items required in section 78-152.2, submittal requirements, as well as the following:~~

1. ~~Architectural drawings or renderings drawn to scale (for new construction, rehabilitation or building alterations);~~

2. ~~Site plan drawn to scale (including landscaping);~~

3. ~~Samples of materials and colors to be used;~~

4. ~~Written statements concerning the following:~~

(a) ~~Construction methods to be employed;~~

(b) ~~A description of proposed materials;~~

(c) ~~Any proposed signs, with appropriate details;~~

(d) ~~Any proposed exterior lighting arrangements;~~

(e) ~~Elevations of all portions of structures and their relationships to public view;~~

(f) ~~Design of doors and windows;~~

(g) ~~The colors to be utilized and their relationships to adjacent structures;~~

(h) ~~All other exhibits and reports deemed necessary by the board for a full review of the application; and~~

(i) ~~If an application for demolition is submitted for a building or structure and is defined as a contributing building in the heritage preservation district, the interior and exterior of the building must be thoroughly documented with black and white photographs and measured drawings including floor plans and elevations following the standards of the Historic American Buildings Survey.~~

a. *Certain certificates of appropriateness may be reviewed and approved, approved with conditions, or denied administratively. Review of such certificates of appropriateness shall be based upon the Herndon Historic Preservation Guidelines, the standards in Section 78-60.3(f), and the standards listed below:*

1. *A list of improvements that may receive administrative review of a certificate of appropriateness shall be established by the zoning administrator maintained in the Office of Community Development.*

2. *Improvements eligible for an administrative review shall be of a common and recurring nature.*

3. *Improvements eligible for administrative review shall have only a minor impact on the design, character, or historic fabric of building, structure, or site.*

4. *Applications may be forwarded to the HDRB if the zoning administrator determines the application does not meet the aforementioned criteria.*

db. ~~After~~ *For those applications requiring HDRB review, following public notification and the scheduling of a public hearing, the ~~HPRB~~ HDRB shall conduct a public hearing on the application. At the public hearing, the ~~HPRB~~ HDRB shall consider the application, the relevant support materials, the staff report, and the public testimony and evidence given at the hearing. After the close of the public hearing, the ~~HRPB~~ HDRB shall either approve or disapprove the application based on the standards in section 78-60.3(gf), development within the heritage preservation historic district overlay district as follows and the following standards:*

1. If the ~~HRPB~~ **HDRB** finds the application complies with the standards in section 78-60.3(~~g~~); ~~development within the heritage preservation overlay district and the applicable guidelines found in the Herndon Heritage Preservation Handbook,~~ **and the Historic District Guidelines** the ~~HRPB~~ **HDRB** shall approve a certificate of appropriateness.
 2. If the ~~HRPB~~ **HDRB** determines the application fails to comply with the standards in section 78-60.3(~~g~~), ~~development within the Heritage Preservation Overlay District, and the applicable guidelines found in the Herndon Heritage Preservation Handbook,~~ **and the Historic District Guidelines**, it may either disapprove the application or continue the public hearing. In either case, it shall explain why the application fails to comply with the review standards. It shall recommend revisions to the plans and specifications that would bring the application into conformance with section 78-60.3(~~g~~), ~~development within the heritage preservation overlay district and the applicable guidelines found in the Herndon Heritage Preservation Handbook~~ **Historic District Guidelines**. The applicant may request or agree to a continuation of the public hearing in accordance with section 78-152.6, deferral of application and section 78-153.2(i)(2), continuation of public hearing.
- (5) *Certificate of appropriateness for minor improvements.* At its discretion, the ~~HRPB~~ **HDRB** may adopt a certificate of appropriateness providing design guidance for certain minor improvements such as changes in color of materials or fences, dumpster enclosures, and similar screening. The staff may review applications for eligible minor improvements addressed in the certificate of appropriateness for compliance with the certificate of appropriateness. The staff shall then notify the applicant in writing whether or not the application successfully complies with the certificate of appropriateness and the improvements shall be authorized under that certificate of appropriateness, without a public hearing before the ~~HRPB~~ **HDRB**.
- (6) *Certificate of appropriateness review standards.* Development located within a ~~preservation district~~ **the historic district overlay** shall be completed in accordance with the ~~Herndon Heritage Preservation Handbook~~ **Historic District Overlay Guidelines** and the standards set forth in section 78-60.3(f), ~~development within the heritage preservation overlay district~~ **historic district overlay**.
- (7) *Appeal of COA administrative decision to the historic district review board. The applicant may appeal the final decision of an administrative COA to the HDRB.*

(a) *An appeal shall be initiated by filing a written notice of appeal with the zoning administrator specifying the grounds for the appeal within 30 days of the final decision.*

(b) *If a written notice of appeal on an administrative certificate of appropriateness is received by the zoning administrator then anything on the administrative COA application shall be stayed.*

(78) *Appeal of COA decision to town council.* The applicant or any person aggrieved by the decision with a property interest in land abutting or across the street from property which is the subject of a final decision of the ~~HPRB~~ *HDRB* on a certificate of appropriateness, may appeal the decision to the town council, as follows.

(a) An appeal shall be initiated by filing a written notice of appeal with the zoning administrator specifying the grounds for the appeal within 14 days of the final decision of the ~~HPRB~~ *HDRB*.

(b) No action shall be taken until 15 days after the final decision of the ~~HPRB~~ *HDRB* on a certificate of appropriateness. If a written notice of appeal on a certificate of appropriateness is initiated pursuant to this section, action on the certificate of appropriateness shall be stayed pending the final decision by town council.

(e) After the conclusion of the hearing, the town council may affirm, modify, or reverse the decision of the ~~HPRB~~ *HDRB*, in whole or in part, or may remand the case to the ~~HPRB~~ *HDRB*. The decision shall be based on the standards in section 78-60.3(f), development within the ~~Historic Preservation Overlay District~~ *historic district overlay*. The town council decision shall be subject to the following standards:

(1.) A decision shall not be reversed or modified unless there is evidence in the record that the decision of the ~~HPRB~~ *HDRB* is not correct, based on the review standards for a certificate of appropriateness.

(2.) In determining whether or not to remand a case to the ~~HPRB~~ *HDRB*, the town council shall be guided by the following factors: the completeness of the record; the appropriateness of further review by the ~~HPRB~~ *HDRB* of certain points or facts; and any amendments to the application after the decision of the ~~HPRB~~ *HDRB*. Town council recognizes that revisions to an application for the purpose of clarifying issues, or addressing concerns raised during the public hearing are positive and will not necessarily

result in a remand, except that significant and substantive revisions to the application may serve as a basis for remand.

- (89) *Appeal of town council decision to circuit court.* The applicant, any person jointly or severally aggrieved with a property interest in land abutting or across the street from property which is the subject of a final decision of the town council pursuant to subsection (78) above, any person with a property interest in land in the ~~Heritage Preservation District~~ *historic district overlay*, who is aggrieved by a final decision of the town council, pursuant to subsection (78) above, or the town, may appeal the decision to the Circuit Court of Fairfax County pursuant to Code of Virginia § 15.2-2306. If appealed, a petition at law shall be filed setting forth the alleged illegality of the action by the town council, provided that such petition shall be filed within 30 days after the final decision is rendered by the town council. The filing of the petition shall stay the decision of the town council pending the outcome of the appeal to the court, except that the filing of the petition shall not stay a decision of the town council denying the right to raze or demolish a historic landmark, building or structure.
- (910) *Submittal of new COA application after disapproval.* If the ~~HPRB~~ *HDRB* disapproves a certificate of appropriateness, the applicant may, at any time, submit a new application with new information addressing the written reasons for disapproval.
- (1011) *Transfer of certificate of appropriateness.* A certificate of appropriateness shall be transferable to subsequent owners of the property for which the certificate is issued.
- (1112) *Expiration of certificate of appropriateness.* Development activity or demolition approved pursuant to a certificate of appropriateness must begin within ~~one~~ *five* years of the issuance of the certificate *of appropriateness, unless a shorter timeframe is included as a condition of approval on the certificate of appropriateness.* Failure to begin the activity within ~~one~~ *five* years, *or the timeframe conditioned on the approval,* shall render the certificate of appropriateness void.
- (1213) *Extension of approved certificate of appropriateness.* Upon written application submitted to the zoning administrator by the applicant at least ~~60~~ *30* days prior to the expiration of the certificate, ~~the HRPB~~ *staff* shall consider and may grant one extension not to exceed ~~one~~ *five* years upon a showing of good cause. In determining good cause, ~~the HRPB~~ *staff* shall take into consideration the scope of the proposed work and the laws, ordinances, and regulations in effect at the time of the request for extension. ~~The approval shall be deemed extended until the HRPB has acted upon the request.~~ *An administrative decision to disapprove a certificate of appropriateness may be appealed to the HDRB by the applicant pursuant to section 78-60.3(g)(7).* Failure to apply for an extension within the

time limits established by this section shall render the certificate of appropriateness void.

- (h) *Demolition, relocation and alteration of structures in the ~~heritage preservation overlay district~~ historic district overlay.* As provided in the Code of Virginia § 15.2-2306, in addition to the right of appeal outlined in this section, the owner of any building or structure shall be permitted to demolish, alter or relocate a building, structure or historic landmark in the ~~heritage preservation overlay district~~ historic district overlay provided that:

- (5) *Hazardous properties.* A contributing landmark, building or structure, or historic landmarks, shall not be razed, demolished or moved until the razing, demolition or moving thereof is approved by the ~~heritage preservation review board (HPRB)~~ historic district review board (HDRB) or, on appeal, by the town council after consultation with the ~~HPRB~~ HDRB, unless the building official consistent with the Uniform Statewide Building Code, Part III Maintenance, determines that the contributing structure constitutes such a hazard that it shall be razed, demolished or moved.

Section 78-60.4 – Chesapeake Bay Preservation Area Overlay ~~district~~ (CBPAO).

Section 78-71.13 – Commercial utilities use category.

- (d) *Commercial utilities category specific use standards.* In addition to the applicable requirements in this chapter, the following standards apply:

- (3) *Small cell facilities on a new utility distribution or transmission pole less than 50 feet.* Any new utility distribution or transmission pole of less than 50 feet in height above grade and designed to support small cell facilities is an administrative review-eligible project (AREP) as defined by the Code of Virginia § 15.2-2316.3. An AREP is subject to approval by the zoning administrator and shall comply with the following standards:

- (a.) ~~Heritage preservation~~ Historic district overlay review. Small cell facilities in the ~~heritage preservation overlay~~ historic district overlay are subject to the following:

- (1.) *Certificate of appropriateness.* A certificate of appropriateness must be obtained from the ~~heritage preservation~~ *historic district* review board unless all of the following conditions are met.

- (b.) *Architectural review.* Small cell facilities outside of the ~~heritage preservation~~ *historic district* overlay must receive approval by the architectural review board unless the following conditions are met:

Section 78-80.3 – Accessory structure standards.

- (b) *Accessory structures in multi-family and nonresidential districts.* Accessory structures in multi-family and nonresidential districts shall meet the following standards:

- (1) *General requirements.* Structures accessory to multi-family and nonresidential uses shall be subject to the approval of a site plan and approved through the site plan review process, section 78-155.6. and shall be subject to approval by the architectural review board under Chapter 58 of the Code of Ordinances or the ~~heritage preservation~~ *historic district* review board under section 78-155.7**60.3**.

- (c) *Accessory features (such as fences, walls, retaining walls, gate houses, trash enclosures, refuse containers, screening enclosures, storage sheds, and swimming pools) in all zoning districts.* Standards stated elsewhere in this chapter shall govern for specific accessory structures or uses. The following standards shall apply to features such as fences, walls, retaining walls, gate houses, trash enclosures, refuse containers and screening enclosures:

- (1) *Within ~~heritage preservation overlay district~~ **historic district overlay**.* A certificate of appropriateness may be required in the ~~heritage preservation overlay district~~ *historic district overlay*.
- (2) *ARB review.* Approval by the architectural review board may be required for multi-family and nonresidential properties outside of the ~~heritage preservation overlay district~~ *historic district overlay*.

Section 78-80.4 – Standards for specific accessory uses and structures by type.

- (c) *Antenna of all kinds, except commercial communication towers, freestanding.* The following standards are adopted to comply with applicable state and federal law, including the Federal Telecommunications Act of 1996 and the "Spectrum Act", and to control the location and screening of antennae to mitigate impact on surrounding properties.

- (2) *Large satellite dish antennae.* Satellite dish antennae measuring one meter or more are permitted accessory uses in nonresidential districts. Such dishes are subject to the standards set forth below to the maximum extent feasible, but only where there is no impairment of acceptable signal quality. These regulations are not intended to impose unreasonable delays or impose unreasonable costs on the installation, maintenance, or use of satellite dishes, and shall not be interpreted or enforced in any manner contrary to federal or state law.

- (a) Within the ~~heritage preservation overlay district~~ *historic district overlay*, satellite dishes shall be screened or located so as to not be visible from any public streets.

- (3) *Commercial antennae.* Antennae may be located on existing structures provided the following standards are met:

- (c) Must receive a certificate of appropriateness when located within the ~~heritage preservation overlay~~ *historic district overlay* and visible from a public right-of-way.

- (d) *Bed and breakfast establishment.* Bed and breakfast establishments are permitted by special exception in accordance with the provisions of section 78-155.3, special exceptions and Article VIII, Accessory Use Regulations, as follows:

- (1) *Limited to certain housing types and zoning districts .* Bed and breakfast establishments may be established in owner- or operator-occupied single-family detached homes, including normal residential accessory structures existing as of March 1, 2007, in the R-15 and R-10 zoning districts; and in the ~~heritage preservation overlay district~~ *historic district overlay*.

- (n) *Outdoor serving areas accessory to an enclosed use providing food or beverage for sale or tasting.* Outdoor serving areas providing or allowing outdoor consumption of food or

beverage accessory to an established enclosed use food or beverages for sale or tasting shall comply with the following standards:

- (10) *Limit on outdoor kitchen/bar equipment.* No exterior kitchen or bar service equipment shall be permitted abutting a public right-of-way unless permitted in association with, and for the duration of, a permitted temporary use permit. If such equipment, when not associated with a permitted temporary use permit, is visible from the adjacent right-of-way, landscaping or other screening as approved by either the ~~HPRB~~ **HDRB** or ARB, shall be installed to screen the equipment from the right-of-way.

Section 78-110.3 – Site landscaping (not contained in perimeter buffer strips and vehicular use areas).

- (c) *Certain exemptions for downtown.* Properties zoned PD-D and PD-TD shall be exempt from section 78-110.4(c) except as follows:

- (3) *Nonresidential development and mixed-use residential development located in the PD-D and PD-TD.* Nonresidential development and mixed-use residential development located in the PD-D and PD-TD shall provide:

- a. Commercial grade planting containers designed to complement (as determined by the ~~heritage preservation review board~~ **historic district review board** using recognized standards) the architecture of the building, or planting beds, planted and maintained with evergreen shrubs or live plants affording seasonal color. Such containers or planting beds shall not extend into the required 12-foot public streetscape.

Section 78-114.1 – Additional screening requirements.

- (b) *Review .* In addition to review as part of a site plan or subdivision plan application, all screening structures shall be subject to review and decision by the architectural review board or ~~heritage review board~~ **historic district review board**, as appropriate.

Section 78-115.1 – Retaining walls.

- (c) *Review and approval of retaining walls.* Retaining walls shall be reviewed and approved, if they are approved, in accordance with the following provisions, as applicable:

(1) *Properties within the ~~heritage preservation overlay district~~ historic district overlay.* The ~~heritage preservation~~ historic district review board shall be the reviewing authority for retaining walls on any property within the ~~heritage preservation overlay district~~ historic district overlay.

(2) *Townhouse, multifamily or commercial uses outside the ~~heritage preservation overlay district~~ historic district overlay.* The architectural review board shall be the reviewing authority for walls on property developed with townhouses, multifamily uses, or commercial uses outside of the ~~heritage preservation overlay district~~ historic district overlay.

Section 78-115.2 – Fencing, walls (except retaining walls) and hedges.

- (c) *Approvals.* A certificate of appropriateness may be required for fencing or walls in the ~~heritage preservation overlay district~~ historic district overlay. (~~see "certificate of appropriateness in the heritage preservation overlay district" in Article II, Administration).~~ Approval may be required from the architectural review board for fencing, walls or hedges associated with all uses under the purview of the architectural review board (~~see Chapter 58 of the Herndon Town Code, section 58-62, approval of construction, reconstructions and alterations in architectural control districts required).~~

- (e) *Fencing, wall and hedge standards.* The following standards shall apply within all zoning districts throughout the town unless otherwise stated.

- (6) *Fencing and wall materials.* The following provisions shall apply to wall and fence materials:

a. Fences or walls shall be constructed of customary fencing or wall materials, including solid wood, masonry, stone, brick, wrought iron, decorative metal materials, or products designed to resemble these materials. Any fence or wall material may be further restricted in the ~~heritage preservation district~~ historic district overlay. ~~by the heritage preservation review board.~~

b. Chain link fencing is permitted only for the following purposes:

1. To surround tennis courts, ball fields, playgrounds, other recreational facilities not located on a lot with a single-family detached or single-family attached dwelling, and schools not associated with a home-based child care business subject to the following:

(a) Chain link fencing used for recreational use within the ~~heritage preservation district~~ *historic district overlay* shall be coated with black or dark green vinyl and shall be screened from public rights-of-way and abutting properties by landscaping with a growth habit adequate to screen the fencing.

(b) Installation of the screening and fencing shall be dependent upon review and approval by the ~~heritage preservation~~ *historic district* review board.

Section 78-140.4 – Prohibited Signs.

- (a) *General prohibitions.* In addition to signs prohibited elsewhere in this Code or by applicable state or federal law, the following signs are prohibited:

- (7) Signs painted directly on a building, except in the ~~Heritage Preservation Districts~~ *historic district overlay* when approved by the ~~HPRB~~ *HDRB*.

Section 78-140.5 – Sign license required.

- (b) *License types and approving authorities.* Sign licenses shall be approved by either the zoning administrator or the appropriate review board as follows:

- (1) *Administrative approvals.* Following approval by the ~~HPRB~~ *HDRB* or ARB, the zoning administrator or designee conducts final review of applications for all sign licenses other than those provided for in section 78-140.5(n). The following administratively approvable signs, not requiring review by the ~~HPRB~~ *HDRB* or ARB, are subject to review by the zoning administrator or designee, temporary sign licenses, master sign plan conformance licenses (after approval of a master sign plan license) and any sign which complies with uniform standards adopted by the ~~HPRB~~ *HDRB* and ARB for administratively approved signs. Signs for all arts businesses, as defined in section 7-2 of the Herndon Town Code and licensed to operate as a business in the Herndon Arts District may receive administrative

approval of the sign license if the signs comply with the ~~HPRB~~ **HDRB** and ARB approved uniform design standards.

- (2) *Review Board Approvals.* The architectural review board or ~~Heritage Preservation Review Board~~ **historic district review board** also conducts final review of sign licenses that do not conform to the adopted uniform standards, as determined by the zoning administrator, within their respective overlay districts. ~~(Architectural Control District for the ARB and Heritage Preservation Overlay District for the HPRB).~~

- (e) ~~Heritage District Overlay zoning district regulations.~~ Herndon overlay zoning districts may require overlay specific sign standards and regulations in addition to the general requirements and district specific standards detailed in this article. **Reserved.**

- (f) ~~Heritage Preservation District~~ **Historic district overlay.** Permanent signs installed within the ~~Heritage Preservation Districts~~ **historic district overlay** shall comply with the relevant design guidelines, as interpreted by the ~~HPRB~~ **HDRB**, and the uniform standards for administrative approval of signs as approved by the ~~HPRB~~ **HDRB** and interpreted by the zoning administrator, or adopted superseding documents.

- (g) ~~Arts district.~~ Permanent signs installed within the arts districts shall comply with the relevant design guidelines, as interpreted by the ~~HPRB~~ and ARB, and the uniform standards for administrative approval of signs as approved by the ~~HPRB~~ and ARB and interpreted by the zoning administrator, or adopted superseding documents. **Reserved.**

Section 78-141.6 – Sign standards for downtown mixed-use districts.

- (c) *Compliance with design guidelines.* Signs installed within the central commercial (CC), planned development-downtown (PD-D), planned development-traditional downtown (PD-TD) zoning districts shall comply with the relevant design guidelines of the ~~Herndon Heritage Preservation Handbook~~ **Historic District Overlay Guidelines** and Downtown Herndon Pattern Book, or adopted superseding documents.

Section 78-150.1 – Town Council

- (a) *Powers and duties.* The town council shall have the powers and duties specified in Code of Virginia ~~tit. 15.2, ch. 22~~ **Title 15.2, ch. Chapter 22** and the Town Charter, as well as the following powers and duties under this chapter

(2) Appeals. The town council shall review and decide appeals from:

- c. Final decisions of the ~~Heritage Preservation Review Board (HPRB)~~ *historic district review board (HDRB)* on certificates of appropriateness (section 78-60.6~~3(g)~~);

(3) *Historic designation.* The town council shall review and decide whether or not to designate any site, building or structure as an historic landmark or an area as a ~~heritage preservation overlay district.~~ *historic district overlay.*

(4) *Implementation authority not otherwise delegated.* The town council shall have the authority to take any other action not delegated to the planning commission, board of zoning appeals, architectural review board, ~~heritage preservation review board~~ *historic district review board*, town manager, town attorney, zoning administrator, or heads of town departments, as the town council may deem desirable and necessary to implement the provisions of this chapter.

Section 78-150.2 – Planning Commission

(a) *Powers and duties.* The planning commission shall have the powers and duties specified in Code of Virginia ~~tit. Title~~ 15.2, ~~ch. Chapter~~ 22, as well as the powers and duties under this chapter.

(1) *Application review.* The planning commission shall review and make recommendations to the town council to approve or disapprove applications for:

- f. Designation of any site, building or structure as an historic landmark or an area as a ~~heritage preservation overlay district~~ *historic district overlay.*

Section 78-150.4 – ~~Heritage preservation~~ *Historic district review board.*

(a) *Establishment.* There hereby is established a ~~heritage preservation~~ *historic district* review board (~~HPRB~~ *HDRB*).

(b) *Powers and duties.* The ~~HPRB~~ *HDRB* shall have the following powers and duties under this chapter:

(1) *Recommendations.* The ~~HPRB~~ *HDRB* shall provide recommendations to the planning commission and the town council on the establishment, expansion,

reduction, or elimination of ~~heritage preservation overlay districts~~ *the historic district overlay*.

- (2) *Application review.* The ~~HPRB~~ *HDRB* shall review and decide applications for properties within the ~~heritage preservation overlay district~~ *historic district overlay* for:

(e) *Appeals of administratively approved certificates of appropriateness.*

- (3) *Special knowledge and expertise.* The ~~HPRB~~ *HDRB* shall make its special knowledge and expertise available upon its own initiative or upon request by the town council or any official, department, board, commission or agency of the town.

(c) *Membership.* The membership of the ~~HPRB~~ *HDRB* shall be established as follows:

- (1) *Number.* The ~~HPRB~~ *HDRB* shall consist of seven members. It shall be comprised of the five members of the town's architectural review board (ARB), along with two additional members.

- (2) *Qualifications.* The two additional members of the ~~HPRB~~ *HDRB* who are not on the ARB shall meet the following minimum qualifications:

- (3) *Residency.* No more than two of the members on the combined ARB/~~HPRB~~ *HDRB* with the required professional qualifications for an architect or an architectural historian may be nonresidents of the town. The other members on the combined ARB/~~HPRB~~ *HDRB* shall be town residents.

- (4) *Appointment.* The ARB members serving on the ~~HPRB~~ *HDRB* shall be appointed pursuant to Part I, Charter, of the Code of Ordinances, section 7.4:1(b). The two additional members shall be appointed by a majority of the town council.

- (5) *Term.* The term of office of the ARB members serving on the ~~HPRB~~ *HDRB* shall be concurrent with their membership on the ARB. The terms of the two additional ~~HPRB~~ *HDRB* members shall be three years.

- (6) *Removal.* Any member of the ~~HPRB~~ *HDRB* may be removed from office by the town council for malfeasance, misfeasance or nonfeasance in office.

- (9) *Training.* Newly appointed members of the ~~HPRB~~ *HDRB* shall be offered training ~~and certification by the Citizens Planning Education Association of~~

886 ~~Virginia or similar certification to be completed~~ *by the Virginia Department of*
 887 *Historic Resources* within two years of appointment.

888 (d) Officers. Officers of the ~~HPRB~~ *HDRB* shall be established as follows:

889 (1) *Chair and vice-chair.* The ~~HPRB~~ *HDRB* shall elect from its members a chair and
 890 a vice-chair.

891 ***

892 (3) *General duties of officers.* The duties of the chair and vice-chair of the ~~HPRB~~
 893 *HDRB* shall be as follows:

894 a. The chair shall preside at meetings of the ~~HPRB~~ *HDRB*, decide points of
 895 order on procedure, and take such action as shall be necessary to preserve
 896 the order and integrity of proceedings before the ~~HPRB~~ *HDRB*.

897 ***

898 c. In the absence of the chair and vice-chair, the most senior ~~HPRB~~ *HDRB*
 899 member shall act as chair and shall have powers of the chair.

900 (e) *Staff.* The zoning administrator or the zoning administrator's designee shall serve as the
 901 professional staff to the ~~HPRB~~ *HDRB* and provide it with administrative support.

902 (f) *Meetings, hearings and procedures.* Meetings of the ~~HPRB~~ *HDRB* ordinarily shall be
 903 held monthly and at such other times as a quorum of the ~~HPRB~~ *HDRB* may determine
 904 subject to the following:

905 (1) *Open meetings.* All meetings of the ~~HPRB~~ *HDRB* shall be open to the public.

906 (2) *Quorum and necessary vote.* Four members of the ~~HPRB~~ *HDRB* shall constitute
 907 a quorum, and no action of the ~~HPRB~~ *HDRB* shall be valid unless authorized by a
 908 majority vote of those present and voting.

909 (3) *Rules and records of proceedings.* The ~~HPRB~~ *HDRB* shall document proceedings
 910 as follows:

911 a. The ~~HPRB~~ *HDRB* shall keep minutes of its proceedings, showing the vote
 912 of each member upon each question or, if absent or abstaining from a
 913 vote, indicating that fact.

914 b. The ~~HPRB~~ *HDRB* shall keep records of its official actions, which shall be
 915 immediately filed in the office of the zoning administrator and shall be a
 916 public record.

917 c. The ~~HPRB~~ *HDRB* may, by a majority vote of the entire membership, draft
 918 and approve such additional bylaws governing its procedure as it may
 919 deem necessary or advisable.

Section 78-150.5 – Architectural review board.

(b) *Powers and duties.* The ARB shall have the following powers and duties under this chapter:

- (1) *Review and approval.* Generally, the ARB is empowered by the Town Charter and the town council to review and approve structures, buildings, signs, major landscape features and other improvements for development excluding: (i) the ~~heritage preservation overlay district~~ *historic district overlay*, (ii) single-family detached residences in the R-15 and R-10 zoning districts, and (iii) single-family detached residences in planned development districts after initial construction.

Section 78-150.6 – Zoning Administrator.

(b) *Powers and duties.* The zoning administrator or an appropriate designee acting as zoning administrator shall have the following jurisdiction, powers, and duties under this chapter:

- (1) *Application review.* The zoning administrator shall review and decide applications for:

- d. Administrative sign conformance permit for signs that are part of an approved master sign plan or that conform to the adopted requirements of the ARB or ~~HPRB~~ *HDRB*, whichever applies (section 78-140.5(b)).

- j. *Administrative certificates of appropriateness pursuant to Section 78-60.3(3)(g).*

- (3) *Application.* The zoning administrator shall establish application requirements and schedules for review of applications and appeals, to review and make recommendations to the town council, planning commission, ~~HPRB~~ *HDRB*, and ARB on applications for development permits and approvals, and take any other action necessary to administer the provisions of this chapter.

- (6) *Expertise and technical assistance.* The zoning administrator shall provide expertise and technical assistance to the town council, planning commission, BZA, ~~HPRB~~ **HDRB**, and ARB, upon request.

Section 78-151 – Summary table of development review responsibilities.

TABLE 78-151: DEVELOPMENT PERMIT REVIEW PROCEDURES (S = Staff Review, R = Review and Advise, D = Final Decision, A = Appeal)							
PROCESS	ZONING ADMINISTRATOR	ARCHITECTURAL REVIEW BOARD (ARB)	HERITAGE PRESERVATION Historic District REVIEW BOARD (HPRB) (HDRB)	PLANNING COMMISSION	TOWN COUNCIL	BOARD OF ZONING APPEALS (BZA)	CIRCUIT COURT

OUTSIDE THE HERITAGE PRESERVATION OVERLAY DISTRICT HISTORIC DISTRICT OVERLAY:							

INSIDE THE HERITAGE PRESERVATION OVERLAY DISTRICT HISTORIC DISTRICT OVERLAY:							
ADMINISTRATIVE ELIGIBLE CERTIFICATE OF APPROPRIATENESS	D		A				

- ¹ Appeals are limited to technical determinations. Appeals to the uniform standards shall be heard by the ~~HPRB~~ **HDRB**/ARB.

Section 78-152.2 – Pre-application procedures.

- (b) *Neighborhood meeting.* A neighborhood meeting is strongly encouraged prior to filing certain types of development applications, as follows.

- (3) *Timing of meeting for other applications requiring public hearings.* Neighborhood meetings generally are encouraged prior to, or shortly after, submittal of other applications requiring a public hearing. The town council, planning commission, architectural review board or ~~heritage preservation~~

historic district review board may encourage an applicant to conduct a neighborhood meeting on an application if, in the determination of the review board, the proposed development could affect neighboring properties

Section 78-152.2 – Application submission, requirements and acceptance.

TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS	
TYPE OF FEE	AMOUNT

HERITAGE PRESERVATION <i>HISTORIC DISTRICT</i> REVIEW BOARD	

Section 78-153.2 – Review process for applications requiring a public hearing (approval by decision making body).

(f) *Staff report.* The staff shall prepare a report for the reviewing body or bodies as follows:

(2) *Staff report availability.* The staff report shall be available to the applicant and the public a minimum of five days before the first scheduled work session for applications to the architectural review board, ~~heritage preservation~~ *historic district* review board, planning commission and town council. For the board of zoning appeals, the staff report shall be available to the applicant and the public a minimum of five days before the first scheduled public hearing.

(g) *Public hearing requirements.* The appropriate decision-making authority shall hold a minimum of one public hearing for a development application as follows:

- (2) *Certificate of appropriateness.* The ~~heritage preservation~~ *historic district* review board shall conduct at least one public hearing for applications for certificates of appropriateness.

- (h) *Public hearing notification.* All applications requiring public hearing(s), in addition to major site plans and subdivision plans, shall comply with the Code of Virginia and the other provisions of this section with regard to public notification.

- (2) *Written/mailed notice.* When the provisions of this chapter (see section 78-153.2(h)(5)) require that written or mailed notice be provided, the preparation and transmittal of the written notice shall comply with this section, unless expressly stated otherwise.

- b. Notice shall be mailed to:

6. The zoning administrator shall be responsible for providing written notice when the public hearing is before the board of zoning appeals, the ~~heritage preservation~~ *historic district* review board, or the architectural review board. The zoning administrator shall prepare a list of property owners and registrants to whom notice was mailed via first class mail and an affidavit affirming that notice meeting the content requirements of section 78-153.2(h)(1) was mailed pursuant to this section. The affidavit shall be conclusive that notice has been given pursuant to the terms of this section. A copy of the mailed notice shall be maintained in the office of the zoning administrator for public inspection during normal business hours.

- (4) *Posted/placard notice.* When the provisions of section 78-153.2(h)(5), require that notice be posted on the land subject to the application, notice for applications other than those pertaining to the architectural review board or the ~~heritage preservation~~ *historic district* review board (which do not require placard notice) shall comply with the following requirements:

- (5) *Required notice and timing.* Notice shall be provided as required in the Code of Virginia, § 15.2-2204. Such notice shall not be required for sign permit

1026 applications before the architectural review board or ~~heritage preservation~~
 1027 *historic district* review board.

1028 ***

1029 **Section 78-155.1 – Zoning map amendment (ZMA).**

1030 ***

1031 (h) *Procedures for zoning map amendments.*

1032 ***

1033 (2) *Proffer review by ARB or ~~HPRB~~ HDRB prior to planning commission public*
 1034 *hearing (if applicable) . If an application for a zoning map amendment includes a*
 1035 *proffer or proffers dealing with a building's exterior appearance or materials, the*
 1036 *application and proffers shall be reviewed by the architectural review board, or*
 1037 *~~heritage preservation~~ historic district review board if in a ~~heritage preservation~~*
 1038 *~~overlay district~~ within the historic district overlay, as follows:*

1039 ***

1040 ***Section 78-155.10 – Certificates of Appropriateness***

1041 (a) *Intent. The purpose of a certificate of appropriateness is to ensure proposed changes to*
 1042 *a building or site within the historic district overlay comply with the Historic District*
 1043 *Guidelines and this chapter.*

1044 (b) *Applicability. A certificate of appropriateness is required for any development within*
 1045 *the historic district overlay unless exempted pursuant to Section 78-60.3(g)(2).*

1046 **Section 78-160.1 – Generally**

1047 ***

1048 (c) *Adaptive reuse.* The town council intends to allow the adaptive reuse and convenient
 1049 and efficient utilization of structures in the ~~heritage preservation districts~~ *historic*
 1050 *district overlay* and other older areas that may have been developed under different
 1051 standards, by allowing some flexibility in the treatment of nonconformities where the
 1052 specific nonconformity is not increased.

1053 ***

1054 **Section 78-160.3 – Nonconforming Structures.**

1055 ***

1056 (e) *Specific provisions for changes to nonconforming structures.* Permitted changes to
 1057 nonconforming structures shall be subject to the following specific provisions:

- (4) *Restoration of a nonconforming structure damaged by casualty (excluding "Acts of God" or natural disaster).* A nonconforming structure damaged by casualty (as distinguished from ordinary wear and tear) may be restored in accordance with the following provisions:

- (c) A nonconforming structure that is damaged by any casualty to an extent more than 50 percent of its assessed value (exclusive of foundations) at the time of the casualty according to the records maintained by the county department of tax administration shall not be restored except as follows:

2. If the nonconforming structure is within the ~~heritage preservation district~~ *historic district overlay*, or is designed and used as a single-family detached or single-family attached dwelling and such single-family detached or single-family attached use is allowed in the zoning district in which the nonconforming structure exists, restoration of such structures shall be permitted. The restoration shall begin within 12 months of the date of the casualty and shall be completed within 24 months of the casualty. The structure shall occupy the same space that it occupied prior to such casualty. In no instance shall any residential structure covered by this subsection 78-160.3(e)(4) be used to accommodate a greater number of dwelling units than such structure accommodated prior to any such work.

Section 170.3 – Types of violations.

- (a) *Violations, generally.* The following constitute general violations of this chapter.

- (2) *Noncompliance with permit.* Permits issued on the basis of plans and applications approved by the town council, planning commission, board of zoning appeals, ~~heritage preservation~~ *historic district* review board, zoning administrator, or other officials or agencies where additional approval is required, authorize the use, arrangement, alteration, location, and construction set forth in such permits and development approvals, and no other use, arrangement, alteration, location, or construction.

(b) *Specific violations.* In addition to the offenses listed in Table 78-170.4(a)(5), it shall be a violation of this chapter to do any of the following:

- (7) *Failure to comply with terms of approval.* Fail to comply with any terms, conditions, or limitations placed by the town council, planning commission, board of zoning appeals, ~~heritage preservation~~ *historic district* review board, or zoning administrator upon any development approval, including designation of a planned development (PD) zoning district classification and preliminary PD plan, special exception, variance, administrative adjustment, certificate of appropriateness, sign permit, temporary use permit, zoning inspection permit, zoning appropriateness permit, site plan, single lot development plan, building location plan, final PD plan, final plat for minor subdivision, preliminary plat for subdivision, final plat for subdivision, site grading permit, excavation permit, street name or name change, or other form of authorization.

Section 78-170.4 – Penalties, fines and remedies for violations.

(a) *Penalties, fines and remedies for civil violations.*

(5) *Summary table of common violations and fines.*

TABLE 78-170.4(a)(5): SUMMARY OF COMMON CIVIL VIOLATIONS AND PENALTIES		
OFFENSE	Penalty for Initial Summons (in \$)	Penalty for Each Additional Summons (in \$)

Erecting, reconstructing, demolishing, altering or restoring a building or structure in a Heritage Preservation District <i>historic district overlay</i> without obtaining a current, valid Certificate of Appropriateness	200.00	500.00

Section 78-180 – Definitions

Board. May refer to the board of zoning appeals, the architectural review board, or the ~~heritage preservation~~ *historic district* review board of the town, where the context so indicates.

Certificate of appropriateness. A certificate issued by the ~~heritage preservation~~ *zoning administrator, historic district* review board, or on appeal by the town council, indicating its approval of plans for alterations, *new* construction, removal or demolition of a landmark or of a building or structure within a ~~preservation district~~ *the historic district overlay*.

Construction, new.

- (1) For ~~Heritage preservation~~ *historic district overlay* purposes: Any construction *of a building or structure* within a ~~preservation district~~ *the historic district overlay* which is independent and exclusive of an existing building or structure, or part thereof, in the ~~preservation district~~ *historic district overlay*.

~~Heritage preservation district~~ *Historic district overlay*. ~~Preservation districts~~ *the historic district overlay* shall be designated by town council. ~~Preservation district~~ *B* ~~Boundaries~~ shall encompass and may include areas adjacent to historic landmarks.

Sign related terms. The following definitions pertain to signs and signage in all zoning districts:

- (8) *Design guidelines.* Design guidelines mean the guidelines found in either the ~~Herndon Heritage Preservation Handbook~~ *Historic District Overlay Guidelines*, the Downtown Herndon Pattern Book or the Urban Design & Architectural Guidelines for the Herndon Transit-Oriented Core.

- (26) *Review board.* Review board means either the ~~A~~ *Architectural R* ~~review~~ *B* ~~board~~ or the ~~Heritage Preservation~~ *historic district R* ~~review~~ *B* ~~board~~.

2. This ordinance shall be effective on and after the date of its adoption.

Town of Herndon, Virginia
~~Heritage Preservation~~Historic District Review Board

By-Laws

Introduction

This ~~Heritage Preservation~~Historic District Review Board is established pursuant to §78-150.4 of the Herndon Town Code.

ARTICLE I.
BOARD MEMBERS

- a. COMPOSITION/QUALIFICATIONS OF MEMBERS. The ~~Historic District~~ Heritage Preservation Review Board (“~~HDRB~~HPRB”) shall consist of SEVEN (7) members, five (5) of whom shall be members of the Town’s Architectural Review Board (ARB), along with two (2) additional members. At least one of the two members of the ~~HPRB~~ HDRB who is not on the ARB shall have a demonstrated interest, competence, or knowledge in historic preservation and at least one member shall be an architect or an architectural historian and have appropriate professional qualifications to qualify as an expert in the area of historic preservation. No more than two of the members on the combined ARB/ ~~HDRB~~HPRB with professional qualifications to qualify as an expert in the area of historic preservation may be non-residents of the Town. The other members on the combined ARB/ ~~HDRB~~HPRB shall be Town residents. The ARB members serving on the ~~HDRB~~HPRB shall be appointed pursuant to section 7.4:1(b) of the Town’s Charter. The two additional members shall be appointed by Town Council pursuant to §78-150.4 of the Herndon Town Code.
- b. TERM. The term of office of the ARB members serving on the ~~HDRB~~HPRB shall be concurrent with their membership on the ARB. The terms of the two additional ~~HDRB~~HPRB members shall be three (3) years.

c. RESIGNATION. Any member who resigns from the ~~HDRB~~~~HPRB~~ prior to the end of their term shall do so in writing to the chair. The effective date of such resignation shall be the date of the letter to the chair unless another date is stated within the letter of resignation.

d. VACANCIES. Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term by appointment by the Town Council for the unexpired term only. Any member is eligible for reappointment.

e. REMOVAL. Any member may be removed by the Town Council for malfeasance, misfeasance or nonfeasance in office

f. COMPENSATION. All members of the ~~HDRB~~~~HPRB~~ shall receive monthly compensation in an amount approved by the Town Council.

ARTICLE II.

ELECTION AND DUTIES OF OFFICERS OF THE ~~HPRB~~~~HDRB~~

a. ELECTION OF CHAIR/VICE-CHAIR. The ~~HDRB~~~~HPRB~~ shall annually at its first public hearing in January, elect from its appointed members a Chair and a Vice Chair whose terms shall be for one year or until a successor takes office. If the office of Chair becomes vacant, the Vice Chair automatically becomes Chair and the office of Vice Chair becomes vacant. The ~~HDRB~~~~HPRB~~ shall then, after a new member has been appointed elect from its appointed members a new Vice Chair. If the office of Chair becomes vacant at a time when there is no Vice Chair, the ~~HDRB~~~~HPRB~~ shall elect from its current members both a Chair and a Vice Chair.

b. DUTIES OF CHAIR. The Chair shall preside over all hearings and meetings of the ~~HDRB~~~~HPRB~~, with the same powers and duties as the other members, with vote but no veto power. He shall be the official head of the ~~HDRB~~~~HPRB~~ and shall perform such other duties not inconsistent with his office including being informed of any official communication and

reporting about such to the ~~HDRB~~~~HPRB~~ at the next regular ~~HDRB~~~~HPRB~~ meeting.

c. DUTIES OF VICE-CHAIR. The Vice-Chair shall act in the absence or inability of the Chair to act, serve as aide to the Chair and represent the Chair upon request.

d. CHAIR PRO TEM. In the absence of both the Chairman and Vice-Chairmen, the most senior member of the ~~HDRB~~ ~~HPRB~~ shall act as Chair and shall have powers of the chair.

ARTICLE III. DESIGNATION AND DUTIES OF STAFF

The Zoning Administrator or his designee shall serve as the professional staff to the ~~HDRB~~~~HPRB~~. The duties of such staff shall include the preparation and presentation of applications before the ~~HDRB~~~~HPRB~~, preparation of draft minutes, preparation and compilation of a written record of the official actions of the ~~HDRB~~~~HPRB~~ (minutes) which shall be posted on the Town's website and filed in the office of the Zoning Administrator at 777 Lynn Street and preparation of official correspondence to and from the ~~HDRB~~~~HPRB~~ as directed by the Chair.

ARTICLE IV. MEETINGS

a. REGULAR MEETINGS. The ~~HDRB~~~~HPRB~~ shall meet in regular session on the third Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the fourth Wednesday of the month unless otherwise provided by resolution of the ~~HDRB~~~~HPRB~~. The ~~HDRB~~~~HPRB~~ may also meet at such other times or places within the boundaries of the Town of Herndon that the ~~HDRB~~~~HPRB~~ designates by duly adopted resolution.

Should the conduct of a regular meeting be impossible due to the inability to obtain a quorum, or due to weather or other conditions such that it is hazardous for members to attend the regular meeting, as declared in writing by the chair, the regular meeting shall

be continued to the next regular meeting day at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. The press shall be notified as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

b. REGULAR WORK SESSIONS AND SPECIAL MEETINGS. The ~~HDRB~~~~HPRB~~ shall meet in regular work session on the first Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the second Wednesday unless otherwise provided by the resolution of the ~~HDRB~~~~HPRB~~. Special meetings or additional work sessions of the ~~HDRB~~ ~~HPRB~~ may be called when necessary by the Chair and notice shall be provided at least five business days in advance to members, the public and the press.

c. PUBLIC HEARINGS. Public hearings are open to the public and citizens are encouraged to speak. Members of the ~~HDRB~~~~HPRB~~ are not expected to respond to general questions. Response to questions shall be made at the discretion of the Chair.

Notice of public hearing shall be provided in accordance with Code of Virginia and the Herndon Town Code and may be supplemented with additional notices as deemed appropriate by the ~~HDRB~~~~HPRB~~ or staff.

Sign-in forms, if deemed necessary by the Chair, shall be completed by persons desiring to speak, listing printed name, phone number, and address of the person desiring to speak, and application number of the issue to be addressed.

Members of the public or their representatives desiring to address the ~~HDRB~~~~HPRB~~ shall proceed to the appointed place, clearly state their names and addresses, and shall be subject to the following time limitations: 10 minutes total for the applicant and any of the applicant's representatives; 3 minutes per individual for all others. The Chair may, at personal discretion, allow additional time for speakers.

Members of the ~~HDRB~~~~HPRB~~ shall limit their comments to ensure public participation

without ~~HDRB~~~~HPRB~~ interference. At the completion of each presentation, members of the ~~HDRB~~~~HPRB~~ shall have an opportunity to ask questions or clarify points made during the speaker's presentation.

(d) ORDER OF PUBLIC HEARING

- Presentation by staff summarizing the item.
- Presentation by the applicant.
- Testimony of citizens desiring to speak.
- Concluding comments by the applicant, if the Chair determines such are necessary; questions by ~~HDRB~~ ~~HPRB~~ members.
- Concluding comments by staff, if the Chair determines such are necessary; questions by ~~HDRB~~~~HPRB~~ members.
- Public hearing closed by the Chair.
- Motion
- Discussion by ~~HDRB~~~~HPRB~~ members.
- Vote (roll call vote if deemed necessary by the Chair)

(e) ELECTRONIC PARTICIPATION IN MEETINGS. A member of the ~~HDRB~~~~HPRB~~ may participate in a meeting that is not a public hearing from a remote location only pursuant to the requirements set forth in Sec. 2-4 of the Code of the Town of Herndon.

ARTICLE V.

**CONDUCT OF THE MEMBERS OF THE ~~HERITAGE PRESERVATION~~HISTORIC
DISTRICT REVIEW BOARD**

Section 2-5 of the Code of the Town of Herndon, "Code of Ethics for the Members of the Town Council and Council Appointed Board and Commission Members" is hereby incorporated by reference and members of the ~~HDRB~~~~HPRB~~ shall so govern their actions.

ARTICLE VI. CONDUCT OF PERSONS

**APPEARING BEFORE THE ~~HERITAGE PRESERVATION~~HISTORIC DISTRICT
REVIEW BOARD**

During all public hearings and other regular meetings of the HDRBHPRB, the public may be present, and a specific time shall be reserved for receipt of public comments. At other times, the public shall remain silent unless specifically invited by a member of the HDRBHPRB and permitted by the Chair to provide comment.

Comments should be addressed to the item before the HDRBHPRB. If a comment is irrelevant, inflammatory, or prejudicial, the Chair may instruct the members to "disregard" the comment, which nevertheless remains in the public record.

ARTICLE VII. VOTING AND TRANSACTION OF BUSINESS

a. **PARLIAMENTARY AUTHORITY.** Parliamentary procedure at HDRBHPRB meetings shall be governed by the most recent edition of Robert's Rules of Order, newly revised, as applicable to boards, except to the extent set out otherwise in these bylaws or the Code of Virginia. The Town Attorney is Parliamentarian of the HDRBHPRB.

b. **QUORUM.** A quorum shall consist of four members of the HDRBHPRB and no action of the HDRBHPRB shall be valid unless authorized by a majority vote of those present and voting. Unless otherwise specified by the Chair, actions shall be by oral vote with the vote of each member recorded in the minutes.

c. **SUSPENSION OF THE RULES.** No rule of the HDRBHPRB shall be suspended without the concurrence of three-fourths of the members present and such suspension shall be limited to the meeting then in progress.

d. **AGENDA.** The activities at any regular meeting of the HDRBHPRB shall be in accordance with a formal agenda. Such agenda shall be distributed to the HDRBHPRB and made available to the public prior to each meeting.

e. **ORDER OF BUSINESS (Regular Meeting).** At regular meetings of the HDRBHPRB,

business shall be conducted in the following manner:

- Call to order and roll call
- Approval of minutes of the last meeting(s)
- Board comment period
- Staff comment period
- Citizen comment period
- Public hearings
- Special items deferred from previous meetings
- Old Business
- New Business
- Staff Reports
- Committee Reports
- HDRBHPRB Reports and requests
- Future Business
- Adjournment

f. ORDER OF BUSINESS (Special Meetings). The order of business at special meetings shall be in accordance with the agenda set by the Chair for such special meetings.

g. AMENDMENTS TO AGENDA. Agendas may be amended and/or items added or deleted from the agenda by majority concurrence of the members.

ARTICLE VIII. SEPARABILITY

Should any article of the HDRBHPRB bylaws be found to be void, the remaining articles shall remain in effect.

ARTICLE IX. MODIFICATION OF BYLAWS

Modification of these bylaws shall be approved by the HDRBHPRB in regular session. Proposals for modification shall be submitted to the HDRBHPRB at a regular meeting and shall be scheduled for consideration and action at the next regular meeting. An affirmative vote of a majority of the entire HDRBHPRB shall be required to modify the bylaws.

DRAFT

**Town of Herndon, Virginia
Historic District Review Board**

By-Laws

Introduction

This Historic District Review Board is established pursuant to §78-150.4 of the Herndon Town Code.

ARTICLE I.

BOARD MEMBERS

- a. COMPOSITION/QUALIFICATIONS OF MEMBERS. The Historic District Review Board (“HDRB”) shall consist of SEVEN (7) members, five (5) of whom shall be members of the Town’s Architectural Review Board (ARB), along with two (2) additional members. At least one of the two members of the HDRB who is not on the ARB shall have a demonstrated interest, competence, or knowledge in historic preservation and at least one member shall be an architect or an architectural historian and have appropriate professional qualifications to qualify as an expert in the area of historic preservation. No more than two of the members on the combined ARB/ HDRB with professional qualifications to qualify as an expert in the area of historic preservation may be non-residents of the Town. The other members on the combined ARB/ HDRB shall be Town residents. The ARB members serving on the HDRB shall be appointed pursuant to section 7.4:1(b) of the Town’s Charter. The two additional members shall be appointed by Town Council pursuant to §78-150.4 of the Herndon Town Code.
- b. TERM. The term of office of the ARB members serving on the HDRB shall be concurrent with their membership on the ARB. The terms of the two additional HDRB members shall be three (3) years.
- c. RESIGNATION. Any member who resigns from the HDRB prior to the end of their term shall do so in writing to the chair. The effective date of such resignation shall be the date of the letter to the chair unless another date is stated within the letter of resignation.

- d. VACANCIES. Vacancies occurring for reasons other than expiration of terms shall be filled for the period of the unexpired term by appointment by the Town Council for the unexpired term only. Any member is eligible for reappointment.
- e. REMOVAL. Any member may be removed by the Town Council for malfeasance, misfeasance or nonfeasance in office
- f. COMPENSATION. All members of the HDRB shall receive monthly compensation in an amount approved by the Town Council.

ARTICLE II.

ELECTION AND DUTIES OF OFFICERS OF THE HDRB

- a. ELECTION OF CHAIR/VICE-CHAIR. The HDRB shall annually at its first public hearing in January, elect from its appointed members a Chair and a Vice Chair whose terms shall be for one year or until a successor takes office. If the office of Chair becomes vacant, the Vice Chair automatically becomes Chair and the office of Vice Chair becomes vacant. The HDRB shall then, after a new member has been appointed elect from its appointed members a new Vice Chair. If the office of Chair becomes vacant at a time when there is no Vice Chair, the HDRB shall elect from its current members both a Chair and a Vice Chair.
- b. DUTIES OF CHAIR. The Chair shall preside over all hearings and meetings of the HDRB, with the same powers and duties as the other members, with vote but no veto power. He shall be the official head of the HDRB and shall perform such other duties not inconsistent with his office including being informed of any official communication and reporting about such to the HDRB at the next regular HDRB meeting.
- c. DUTIES OF VICE-CHAIR. The Vice-Chair shall act in the absence or inability of the Chair to act, serve as aide to the Chair and represent the Chair upon request.
- d. CHAIR PRO TEM. In the absence of both the Chairman and Vice-Chairmen, the most senior member of the HDRB shall act as Chair and shall have powers of the chair.

ARTICLE III.

DESIGNATION AND DUTIES OF STAFF

The Zoning Administrator or his designee shall serve as the professional staff to the HDRB. The duties of such staff shall include the preparation and presentation of applications before the HDRB, preparation of draft minutes, preparation and compilation of a written record of the official actions of the HDRB (minutes) which shall be posted on the Town's website and filed in the office of the Zoning Administrator at 777 Lynn Street and preparation of official correspondence to and from the HDRB as directed by the Chair.

ARTICLE IV. MEETINGS

a. **REGULAR MEETINGS.** The HDRB shall meet in regular session on the third Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the fourth Wednesday of the month unless otherwise provided by resolution of the HDRB. The HDRB may also meet at such other times or places within the boundaries of the Town of Herndon that the HDRB designates by duly adopted resolution.

Should the conduct of a regular meeting be impossible due to the inability to obtain a quorum, or due to weather or other conditions such that it is hazardous for members to attend the regular meeting, as declared in writing by the chair, the regular meeting shall be continued to the next regular meeting day at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. The press shall be notified as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

b. **REGULAR WORK SESSIONS AND SPECIAL MEETINGS.** The HDRB shall meet in regular work session on the first Wednesday of each month at 7:00 p.m. at 765 Lynn Street, Herndon, Virginia. In the event such date falls on a legal holiday, the meeting shall be held on the second Wednesday unless otherwise provided by the resolution of the HDRB. Special meetings or additional work sessions of the HDRB may be called when necessary by the Chair and notice shall be provided at least five business days in advance to members, the public and the press.

c. PUBLIC HEARINGS. Public hearings are open to the public and citizens are encouraged to speak. Members of the HDRB are not expected to respond to general questions. Response to questions shall be made at the discretion of the Chair.

Notice of public hearing shall be provided in accordance with Code of Virginia and the Herndon Town Code and may be supplemented with additional notices as deemed appropriate by the HDRB or staff.

Sign-in forms, if deemed necessary by the Chair, shall be completed by persons desiring to speak, listing printed name, phone number, and address of the person desiring to speak, and application number of the issue to be addressed.

Members of the public or their representatives desiring to address the HDRB shall proceed to the appointed place, clearly state their names and addresses, and shall be subject to the following time limitations: 10 minutes total for the applicant and any of the applicant's representatives; 3 minutes per individual for all others. The Chair may, at personal discretion, allow additional time for speakers.

Members of the HDRB shall limit their comments to ensure public participation without HDRB interference. At the completion of each presentation, members of the HDRB shall have an opportunity to ask questions or clarify points made during the speaker's presentation.

(d) ORDER OF PUBLIC HEARING

- Presentation by staff summarizing the item.
- Presentation by the applicant.
- Testimony of citizens desiring to speak.
- Concluding comments by the applicant, if the Chair determines such are necessary; questions by HDRB members.
- Concluding comments by staff, if the Chair determines such are necessary; questions by HDRB members.
- Public hearing closed by the Chair.
- Motion
- Discussion by HDRB members.
- Vote (roll call vote if deemed necessary by the Chair)

(e) **ELECTRONIC PARTICIPATION IN MEETINGS.** A member of the HDRB may participate in a meeting that is not a public hearing from a remote location only pursuant to the requirements set forth in Sec. 2-4 of the Code of the Town of Herndon.

ARTICLE V.

CONDUCT OF THE MEMBERS OF THE HISTORIC DISTRICT REVIEW BOARD

Section 2-5 of the Code of the Town of Herndon, "Code of Ethics for the Members of the Town Council and Council Appointed Board and Commission Members" is hereby incorporated by reference and members of the HDRB shall so govern their actions.

ARTICLE VI. CONDUCT OF PERSONS

APPEARING BEFORE THE HISTORIC DISTRICT REVIEW BOARD

During all public hearings and other regular meetings of the HDRB, the public may be present, and a specific time shall be reserved for receipt of public comments. At other times, the public shall remain silent unless specifically invited by a member of the HDRB and permitted by the Chair to provide comment.

Comments should be addressed to the item before the HDRB. If a comment is irrelevant, inflammatory, or prejudicial, the Chair may instruct the members to "disregard" the comment, which nevertheless remains in the public record.

ARTICLE VII. VOTING AND TRANSACTION OF BUSINESS

a. **PARLIAMENTARY AUTHORITY.** Parliamentary procedure at HDRB meetings shall be governed by the most recent edition of Robert's Rules of Order, newly revised, as applicable to boards, except to the extent set out otherwise in these bylaws or the Code of Virginia. The Town Attorney is Parliamentarian of the HDRB.

b. **QUORUM.** A quorum shall consist of four members of the HDRB and no action of the HDRB shall be valid unless authorized by a majority vote of those present and voting. Unless otherwise specified by the Chair, actions shall be by oral vote with the vote of each member recorded in the minutes.

c. **SUSPENSION OF THE RULES.** No rule of the HDRB shall be suspended without the concurrence of three-fourths of the members present and such suspension shall be limited to the meeting then in progress.

d. **AGENDA.** The activities at any regular meeting of the HDRB shall be in accordance with a formal agenda. Such agenda shall be distributed to the HDRB and made available to the public prior to each meeting.

e. **ORDER OF BUSINESS (Regular Meeting).** At regular meetings of the HDRB, business shall be conducted in the following manner:

- Call to order and roll call
- Approval of minutes of the last meeting(s)
- Board comment period
- Staff comment period
- Citizen comment period
- Public hearings
- Special items deferred from previous meetings
- Old Business
- New Business
- Staff Reports
- Committee Reports
- HDRB Reports and requests
- Future Business
- Adjournment

f. **ORDER OF BUSINESS (Special Meetings).** The order of business at special meetings shall be in accordance with the agenda set by the Chair for such special meetings.

g. **AMENDMENTS TO AGENDA.** Agendas may be amended and/or items added or deleted from the agenda by majority concurrence of the members.

ARTICLE VIII. SEPARABILITY

Should any article of the HDRB bylaws be found to be void, the remaining articles shall remain in effect.

ARTICLE IX. MODIFICATION OF BYLAWS

Modification of these bylaws shall be approved by the HDRB in regular session. Proposals for modification shall be submitted to the HDRB at a regular meeting and shall be scheduled for consideration and action at the next regular meeting. An affirmative vote of a majority of the entire HDRB shall be required to modify the bylaws.

TOWN OF HERNDON, VIRGINIA

RESOLUTION

February 17, 2021

Resolution-Resolution, to approve revisions to the by-laws for the Historic District Review Board (HDRB) formerly the Heritage Preservation Review Board (HPRB)

WHEREAS, On November 17, 2020 the Herndon Town Council approved Ordinance 20-O-61, for a Zoning Ordinance Text Amendment ZOTA #20-01, that amended multiple sections of Chapter 78 (ZONING) of the Herndon Town Code, to include changing the name of the Heritage Preservation Overlay district to the Historic District Overlay, changing the name of the Heritage Preservation Review Board to the Historic District Review Board; and

WHEREAS, The by-laws for the Historic District Review Board (HDRB) formerly the Heritage Preservation Review Board (HPRB) must now be amended to reflect the new name of this Board.

NOW THEREFORE, BE IT RESOLVED by the Historic District Review Board of the Town of Herndon, Virginia, that:

1. The Historic District Review Board hereby adopts the amended by-laws of the Town of Herndon Historic District Review Board presented with the staff report dated February 17, 2021.
4. This resolution shall be effective on and after the date of its adoption.



MEMORANDUM

To: Chair Walker & Members of the Heritage Preservation Review Board

From: Christopher J. Garcia, AICP, Community Design Planner/Deputy Zoning Administrator 

Date: January 15, 2021

Subject: HPRB #21-001, 647 Jefferson Street, New Construction Update

This memo serves as an update for the referenced case, HPRB #21-001, scheduled for the January 20, 2021 HPRB Public Hearing.

As stated in the staff report for HDRB #21-001, published on December 30, 2020, staff have several design features and details with missing, unclear or contradictory information provided in the original submission materials. The applicant has since resubmitted some limited information concerning several of the mentioned design features and addressing some of design issues in the staff report dated January 6, 2021.

The following discrepancies and revised submission materials include (Attachment #1):

- a. Windows are described in writing as six-over-one light division while the elevations indicate a two-over-two patterns.

The applicant has resubmitted the window product selection to be a Jeld® Wen Sitrine® Collection wood windows with aluminum clad exterior, (simulated) semi-divided lite 6-over-1 grill pattern and prefinished black exterior.

- b. Porch columns are described in writing as square double posts while the elevations indicate one large square post.

The applicant has resubmitted product information specifying 40" high, 14" square pedestal made of PVC (Polyvinyl Chloride) with a 56" tall PVC tapered PVC column with an 8" box cap.

- c. Front porch roof material is described in writing as standing seam metal while the elevations indicate asphalt shingle.

The applicant has revised the porch roof design (only) to be covered with a standing seam metal roof material with 21" wide panels, 1" seams, and finished in a Matte Black color.

- d. Window and door specification with multiple options, but no specific notation of identification of the window and door selections intended.

As noted, the applicant has provided additional information about the window products specific to the main operable windows, however, has not provided any

additional information related smaller casement windows found on side and rear elevations. However, the following doors have been specified:

Front door will be Therma Tru Classic Craft American Style™ – Artissa Collection Oak Grain, fiberglass door painted with 4-block dentil shelf. Simulated divided lites with clear glass configuration are proposed to be a 6-lite pattern to more closely match the 6-over-1 pattern on windows.

The rear door will be Therma Tru *Smooth Star*® S262-SDLLE, smooth finished fiberglass door, with nine(9) simulated divided lites using clear glass. It is not clear what the painted color will be in the revised submission materials.

The garage & basement area doors will be Therma Tru Traditions® TS262SDL, smooth steel doors, with nine(9) simulated lite divisions. It is not clear what the painted color will be in the revised submission materials.

- e. Lack of details of sizes and profiles of window trim boards, corner trim boards, rake boards, porch columns, and railing/balustrade.

The applicant has detailed that the primary trim features will be made of cementitious fiber board materials made by James Hardie®, specifically Hardie Trim® boards with a smooth finish, but provides no details as to sizes and dimensions for these features. The porch railing and balustrade has detailed as being made of wood, painted to match the porch columns, but are present as an option if required by building code. This makes this feature unclear as to whether or not the front elevation will include this feature.

- f. The stone veneer of the foundation is only shown on two elevations.

The applicant has revised this feature to be an unpainted brick veneer around the exposed foundation on all sides of the house.

In addition, the applicant has submitted new information for the front elevation indicating that a second-floor window will be resized to match the size of the first-floor windows. However, overall size information has been provided in either the original submission or the updated materials. The fish-scaled or scalloped cladding underneath the front-facing gable has been proposed to be replaced with a board and batten configuration made by James Hardie®, HardiePanel® vertical siding with a smooth finish. The board and batten panels are specified as having 48" wide panels and 16" between batten strips on each panel. Given the time necessary for the applicant to update corresponding elevations and renderings to reflect the proposed design changes, revision of these graphics and illustrations have not been completed / submitted for review.

Staff Analysis:

In general, the proposed changes address much of the missing and unclear design information. Additionally, staff finds that some of the revised/updated product information and details are more in keeping with the Craftsman style of architecture. Though discussed with the applicant, staff review of the board and batten cladding underneath the front facing gable appears equally incongruous as the fish scale /

scalloped form (previously presented) to the architectural style desired. Staff has found that the selected manufacturer of exterior cladding produces shingle siding patterns in 48” panels that would more appropriately express a Craftsman-styled feature.

However, several issues still remain unclear or have not been addressed in the revised submission, which include:

Lack of sizing and profile information of trim features as noted previously in this memo and the staff report dated January 6, 2021.

Board members expressly discussed desiring a better understanding the window alignments, sizes, shapes and arrangements, particularly on the side elevations where inconsistent window sizes, alignments dominate the elevation composition. While a minor update to increase the size of the second-floor window on the front elevation have been submitted, there is no window size information in any of the submission materials received to-date. No explanation of the window size selection and arrangements on the side elevations has been provided as discussed by the Board at the work session.

The revised materials also so are not clear as to whether or not the porch railing and balustrade will or will not be included in the design. Other detailing recommendations provided in the original staff report were not addressed, such as roof line detailing reflecting the proposed architectural style.

If the intent is to pursue a Craftsman style, the use of shutters, especially Colonial-style louvered shutters is inconsistent as is the use of a standing seam roof for the porch. If standing seam is used, it should have a panel width not to exceed 14” to be appropriate at the residential scale. These issues in addition to the design recommendations made in the original staff report are directly related to the New Construction design guidelines which state:

- a. *A new house should specifically reflect one of these architectural styles and that style should be carried through the design of the house from basic form to specific details.*
- b. *A modern interpretation of a single historic architectural style can be used; however, the forms should remain consistent with the historic architectural style chosen.*
- c. *Mixing of architectural styles or the inclusion of forms and elements that are not consistent with the selected architectural style is inappropriate and should not be done.*

In summation, a number of unaddressed design concerns remain. Coupled with a lack of up-to-date drawings with comprehensive details and revised design features depicted, the Board is not in an optimal position to determine the entirety of the design it is considering and potentially approving as a substantial building being added to the Town’s Historic District Overlay.

Staff finds it prudent to resolve the outstanding design issues noted in this memorandum and complete revised building elevations and renderings. Staff also finds that the resultant design is still not clearly indicative of the Craftsman architectural style, even with the revisions. Further, revised drawings and illustration are necessary so that the Board can complete a thorough review with staff commentary and potentially approve an

appropriately designed residential building compatible and distinct within the Historic District Overlay.

Staff is recommending a continuance to the February 17, 2021 HDRB Public Hearing to allow the applicant additional time to address the remaining design issues related to:

- 1. Window sizing and arrangements,**
- 2. Provide detailed information about the various trim board sizes and profiles,**
- 3. Provide clarity as to whether the front porch railing will or will not be provided in the front elevation, and**
- 4. Provide comprehensive updates to the elevations and renderings to include the revised design features with notes and dimensioning of features critical to this design review.**
- 5. Address additional stylistic details that would more clearly indicate a Craftsman styled home.**

Should the Board opt to move on this item at the public hearing and provide staff with direction on how to address the unresolved matters, staff also offers the following recommendation:

Approval of HDRB #21-001 for a Certificate of Appropriateness to construct a new residential structure and a new attached accessory garage at 647 Jefferson Street in Herndon, VA in accordance with the draft resolution, Attachment #2, with the following conditions:

1. The standing seam roof panels width shall be reduced to not exceed 14”; and
2. A shake or shingle style decorative wall treatment shall be added to top half of the gable end on the front façade; and
3. The applicant shall be required to provide details of all window and shutter sizes and dimensions on final elevations and/or renderings for staff review of appropriateness and inclusion in file prior to approval of a building permit; and
4. The applicant shall be required to provide details of all trim board types with sizes and dimensions for staff review of appropriateness and inclusion in file prior to approval of a building permit; and
5. The applicant shall be required to submit final elevations and renderings meeting these conditions for staff review of appropriateness and inclusion in file prior to approval of a building permit.

Thank you.

Attachments:

1. HDRB #21-001 Revised Materials Information
2. HDRB #21-001 Draft Resolution

Clarification and Materials description Insert for 647 Jefferson Street

- **Board and Batten under gable** – Delete “fish scale” siding under front gable and replace with “board and batten.” The board and batten siding will be above the band board and underneath the front and rear gables (similar to pic shown). The board and batten siding will be cementitious, the same as the lap siding used on the rest of the exterior (product brochure provided).



- The board material will be James Hardie brand, HardiePanel® Vertical Smooth siding and primed for paint.

THICKNESS: 0.312"

LENGTH: 96" boards

WIDTHS: 48" (16" between each batten strip)

EXPOSURES: 48"

- The “batten strip” material will be James Hardie brand, HardieTrim® Boards, Smooth Batten Boards and primed for paint.

THICKNESS: 0.75"

LENGTH: 144" boards

WIDTHS: 2.5"

EXPOSURES: 2.5"

- **Tapered Columns** on front porch – Delete square columns on front porch and change to tapered columns (product brochure provided)
 - Tapered column will be made of pvc (brochure included). Column will be approximately 56" tall and will set on top of square pedestal base approximately 40" tall.

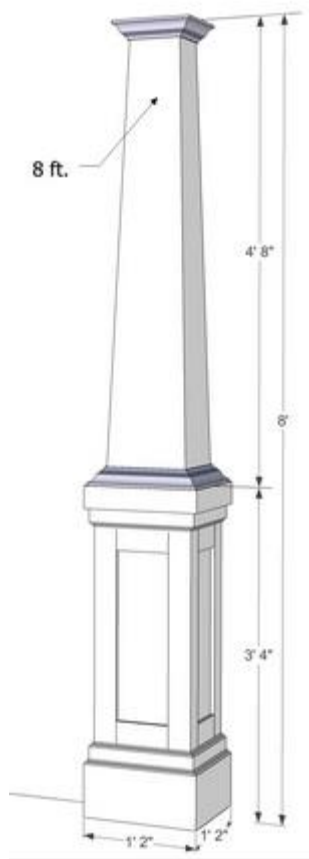
Material – PVC

Product Texture – Smooth

8ft Combination - 40" High Pedestal, combined with a 56" Tapered PVC Column Wrap

Top of the column, with the box cap is 8"

Footprint is 14" at the bottom.



- Pedestal (base) 14" PVC Shaker Panel Pedestal, 40" tall.

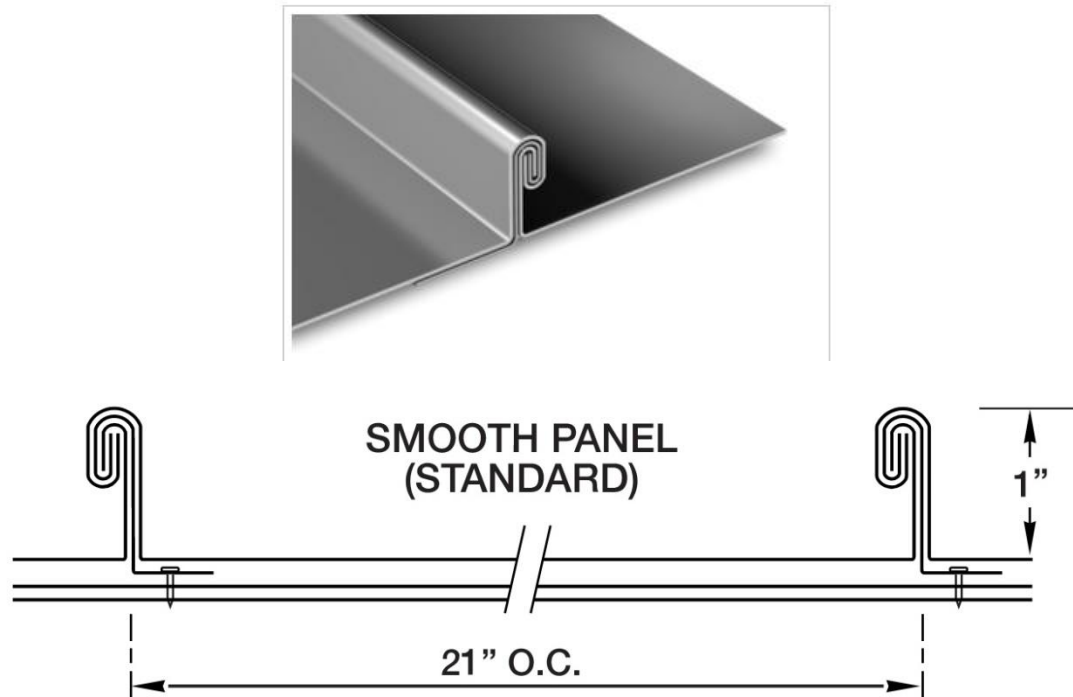


- **Porch railing** – *Front porch railings are optional unless required by code due to height of porch). If railings are required, the handrail, **square** balusters and posts will be made of treated wood and all painted to match trim.



(illustrative picture only)

- **Porch roof (front)** – Delete asphalt shingle front porch roof and replace with standing seam metal. The front porch material will be made of aluminum and prefinished Matte Black. Each panel will be approximately 21” between seams. Each seam will be approximately 1” in height (product brochure provided).



- **Exterior Doors** – Exterior doors will be made of either fiberglass or steel depending on location (product brochures provided).
 - **Front Door** – Therma Tru Classic Craft American Style – Artissa Collection Oak Grain, painted with 4-block dentil shelf. Semi-Divided Lite clear glass configuration changed to 6-lite to more closely match the 6-over-1 pattern on windows.

American Style Collection™ fiberglass entry doors were inspired by early 1900s residential architecture. The collection complements many popular home designs, including Arts and Crafts, Bungalow, Cottage and Colonial Revival styles.

Made with our patented AccuGrain™ technology, you get the look of high-grade wood with all of the durability of fiberglass. The exterior doors in this collection have the look and feel of a real wood front door — with solid wood square edges, architecturally correct stiles, rails and panels. Unlike genuine wood doors, they resist splitting, cracking and rotting.



Classic Craft® Artíssa Collection™

Fir Grain

CCA260-SDL



Craftsman Lite 2 Panel Flush-
Glazed w/Craftsman 6 Lite
3Wx2H Simulated Divided Lites
Glass

Glass Privacy Rating



Glass Options



+5
other

Available in **1** size

Dentil Shelves

Complete the look with a dentil shelf for true Craftsman
appeal or to complement other architectural elements
around the house. Includes 4- and 16-block options.



Classic-Craft American Style Collection, 4-Block Dentil Shelf

- **Rear Door** – Therma Tru “Smooth Star” S262-SDLLE, smooth **FIBERGLASS**, Semi-divided 9-lite clear ½ glass, painted.

Smooth-Star®

Looking to add a splash of color to your entryway? Smooth-Star is the answer if the best look for your home is a smooth, paintable surface. The more attractive and durable alternative to steel, Smooth-Star fiberglass doors are ready-to-paint (no need to prime!) with crisp, clean contours.



- **Garage & Basement Areaway door** – Therma Tru “Traditions” TS262SDL, smooth **STEEL**, semi-divided 9-lite clear ½ glass, painted.

Profiles™ and Traditions

Coupling distinctive styling with affordability, our Profiles steel doors offer versatile front entry and house-to-garage options. If you're looking for the durability and security of steel with maximum style versatility, look no further. Designed to suit multiple home styles, these doors feature 24-gauge steel and triple-shadowed panel embossments for greater detail. Because they come with a smooth, ready-to-paint surface, you can customize them in any color to suit your personal expression. And fire-rated options are available, making them a great choice for your house-to-garage door.



- **Windows** – Delete Marvin Integrity fiberglass windows and replace with Jeld Wen Sitaline. Jeld Wen Sitaline wood windows with aluminum clad exterior, semi-divided lite 6-over-1 grill pattern and prefinished black exterior (product brochure provided).



SITELINE® COLLECTION

- Made with AuraLast® pine
- Nine standard and 12 optional aluminum exterior clad colors (extruded clad frame and sash) as well as seven anodized clad finishes
- AAMA 2605 finish available
- Pine, Alder or Fir species with fourteen interior finishes (natural, primed, prefinished or stained interiors)
- Eight exterior trims
- Concealed jamb liners
- PG35 and PG50 ratings for double-hung, casement and awning
- Wind zone 3 available
- Standard LoE³-366® and Neat® glass
- Limited Lifetime Warranty*



Integral Nailing Fin

For New Construction and Replacement. Our windows come standard with a 1-1/4" pre-punched nailing fin for easy installation into new construction applications. The nailing fin is integral to the frame. It surrounds the full perimeter of the frame and helps make installations weathertight. It is appropriate for homes with siding, stucco or brick exteriors.



SIMULATED DIVIDED LITES

AuraLast® Pine

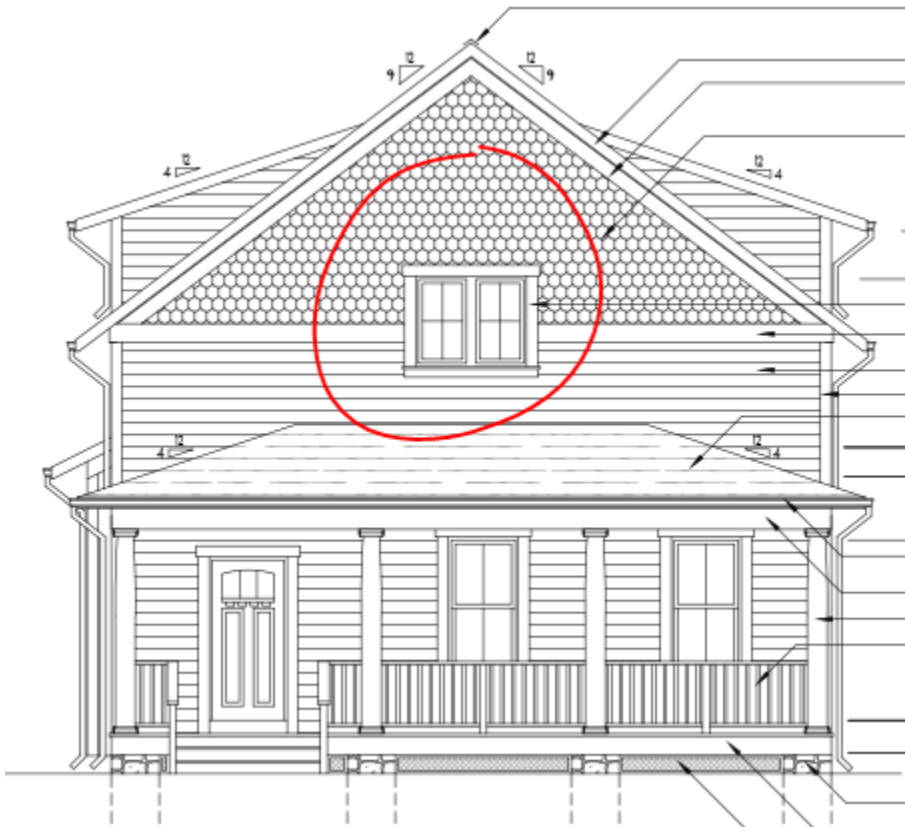
AuraLast® pine is a patented wood product that provides protection against wood rot, water damage and termites. This water-based process fortifies wood all the way to the core, providing an exclusive level of protection you'll only find through JELD-WEN and backed by our limited lifetime warranty. Distinct color variations occur and the grain can appear straight or erratic depending on how it is cut from the log. The wood will darken and yellow with age, adding character and charm. It machines to a fine, smooth finish and easily accepts lighter stains and paint. Staining is recommended to achieve a uniform appearance because pine naturally contains resins that can affect penetration. Knots should be sealed before painting.



Simulated Divided Lites

Add architectural interest to your windows with our divided lite options. These options include simulated divided lites (SDL) for an authentic look. They feature grilles that are permanently attached to both the interior and exterior glass (aluminum for clad exteriors, wood for wood exteriors), metal bars placed between the panes of insulating glass to provide design detail.

- **Second story double window on front elevation** – Delete and replace with larger to match size of windows on first floor.



- **Exterior Trim** – Exterior trim material (band boards, window and door casings, fascia/rake/frieze/corner boards, soffit) will be James Hardie brand HardieTrim® Boards made of cementitious material, smooth and primed (product brochure provided).
- **Porch Floor** – Front porch and stair treads will be made of a composite material. Trex brand Select® Composite Decking with wood grain utilizing one of the five prefinished colors. We would prefer to allow the future purchaser the opportunity to select the color.

TrexSelect®
EARTH TONES

SHOWN IN PEBBLE GREY

Built for living,
not maintaining



Wide range
of traditional,
complementary
colors

BOARD PROFILES

SQUARE
EDGE



Square board
also usable as a
cocktail railing
surface

GROOVED
EDGE



Use Trex Hideaway® Hidden
Fastening System for a clean,
fastener-free appearance



- **Foundation Veneer** – Thin brick veneer will be placed on exterior of exposed foundation that is above grade level on all four sides of home and at base of columns on front porch as shown on plans. Material is

Townsquare Thin Brick Flats 2-1/4" H x 1/2" W x 7-5/8" L

Townsquare thin brick is like a sunrise or sunset on the horizon, Townsquare's charismatic color and beauty, rich color pallet of dark coffee, ripened mangos and toasted crimson is a truly inspiring thin brick product.



**TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD**

DRAFT RESOLUTION

January 20, 2021

Resolution to consider HDRB #21-001, for new construction of a residential structure and an attached accessory garage at 647 Jefferson Street, Fairfax County Tax Map Number 0162-53-0002.

WHEREAS, the applicant has submitted an application for new construction of a residential structure and an attached accessory garage at the above referenced address; and

WHEREAS, the proposed residential structure complies with the applicable zoning ordinance regulations as specified in the Town of Herndon Zoning Ordinance; and

WHEREAS, the proposed residential structure was the subject an approved Zoning Map Amendment, ZMA #14-103 and an approved Site Plan, TP #17-10; and

WHEREAS, the proposed sign generally complies with the applicable Design Criteria as stated in the Town of Herndon Code of Ordinances, Zoning Ordinance Section 78-60.3; and

WHEREAS, the proposed residential structure generally complies with the applicable design guidelines of the Town of Herndon Historic District Overlay Guidelines; and

WHEREAS, the Town of Herndon Historic District Review Board has reviewed this application and has held a public hearing on January 20, 2021.

NOW THEREFORE, BE IT RESOLVED that the Historic District Review Board of the Town of Herndon, Virginia, HEREBY:

Approves HDRB #21-001 for a Certificate of Appropriateness to construct a new residential structure and a new attached accessory garage at 647 Jefferson Street in Herndon, VA with the following conditions:

1. The standing seam roof panels width shall be reduced to not exceed 14"; and
2. A shake or shingle style decorative wall treatment shall be added to top half of the gable end on the front façade; and

3. The applicant shall be required to provide details of all window and shutter sizes and dimensions on final elevations and/or renderings for staff review of appropriateness and inclusion in file prior to approval of a building permit; and
4. The applicant shall be required to provide details of all trim board types with sizes and dimensions for staff review of appropriateness and inclusion in file prior to approval of a building permit; and
5. The applicant shall be required to submit final elevations and renderings meeting these conditions for staff review of appropriateness and inclusion in file prior to approval of a building permit.



MEMORANDUM

To: Chair Walker & Members of the Heritage Preservation Review Board

From: Christopher J. Garcia, AICP, Community Design Planner/Deputy Zoning Administrator 

Date: January 15, 2021

Subject: HPRB #21-002, 649 Jefferson Street, New Construction Update

This memo serves as an update for the referenced case, HPRB #21-002, scheduled for the January 20, 2021 HPRB Public Hearing.

As stated in the staff report for HDRB #21-002, published on December 30, 2020, staff have several design features and details with missing, unclear or contradictory information provided in the original submission materials. The applicant has since resubmitted some limited information concerning several of the mentioned design features and addressing some of design issues in the staff report dated January 6, 2021.

The following discrepancies and revised submission materials include (Attachment #1):

- a. Windows are described in writing as six-over-one light division while the elevations indicate a two-over-two patterns.

The applicant has resubmitted the window product selection to be a Jeld® Wen Sitaline® Collection wood windows with aluminum clad exterior, (simulated) semi-divided lite 2-over-2 grill pattern and prefinished black exterior.

- b. Porch columns are described in writing as square double posts while the elevations indicate one large square post.

The applicant has resubmitted product information specifying 40" high, 14" square pedestal made of PVC (Polyvinyl Chloride) with a 56" tall PVC tapered PVC column with an 8" box cap.

- c. Front porch roof material is described in writing as standing seam metal while the elevations indicate asphalt shingle.

The applicant has revised the porch roof design (only) to be covered with a standing seam metal roof material with 21" wide panels, 1" seams, and finished in a Matte Black color.

- d. Window and door specification with multiple options, but no specific notation of identification of the window and door selections intended.

As noted, the applicant has provided additional information about the window products specific to the main operable windows, however, has not provided any

additional information related smaller casement windows found on side and rear elevations. However, the following doors have been specified:

Front door will be Therma Tru Classic Craft American Style™ – Founders Collection Oak Grain, fiberglass door painted with 4-block dentil shelf. Clear glass with no lite divisions is proposed with this door selection.

The rear door will be Therma Tru Smooth Star® S262-SDLLE, smooth finished fiberglass door, with no lite divisions using clear glass. It is not clear what the painted color will be in the revised submission materials.

The garage & basement area doors will be Therma Tru Traditions® TS262SDL, smooth steel doors, with no lite divisions using clear glass. It is not clear what the painted color will be in the revised submission materials.

- e. Lack of details of sizes and profiles of window trim boards, corner trim boards, rake boards, porch columns, and railing/balustrade.

The applicant has detailed that the primary trim features will be made of cementitious fiber board materials made by James Hardie®, specifically Hardie Trim® boards with a smooth finish, but provides no details as to sizes and dimensions for these features. The porch railing and balustrade has detailed as being made of wood, painted to match the porch columns, but are present as an option if required by building code. This make this feature unclear as to whether or not the front elevation will include this feature.

- f. The stone veneer of the foundation is only shown on two elevations.

The applicant has revised this feature to be an unpainted brick veneer around the exposed foundation on all sides of the house.

In addition, the applicant as submitted new information for the front and rear elevations that are to be made of wood (cedar) and are to be operable. However, overall size information has not been provided in either the original submission or the updated materials. Given the time necessary for the applicant to update corresponding elevations and renderings to reflect the proposed design changes, revision of these graphics and illustrations have not been completed / submitted for review.

Staff Analysis:

In general, the proposed changes address much of the missing and unclear design information. Additionally, staff finds that some of the revised/updated product information and details are more in keeping with the Craftsman style of architecture. Conversely, shutters are not intrinsically a Craftsman styled detail and are more associated with Colonial styled architecture.

However, several issues still remain unclear or have not been addressed in the revised submission, which include:

Lack of sizing and profile information of trim features as noted previously in this memo and the staff report dated January 6, 2021.

Board members expressly discussed desiring a better understanding of the window alignments, sizes, shapes and arrangements, particularly on the side elevations where inconsistent window sizes, alignments dominate the elevation composition. While a minor update to increase the size of the second-floor window on the front elevation have been submitted, there is no window size information in any of the submission materials received to-date. No explanation of the window size selection and arrangements on the side elevations has been provided as discussed by the Board at the work session.

The revised materials also are not clear as to whether or not the porch railing and balustrade will or will not be included in the design.

Staff and the Board had discussed a timber frame reveal under the front-facing and rear-facing gable to add visual interest and an architectural feature not uncommon to Craftsman styled homes in the Town's Historic District. This can also better balance the façade design by reducing the clapboard siding within the gable end. This design concern was not addressed in the revised submission materials. Other detailing recommendations provided in the original staff report were not addressed, such as roof line detailing reflecting the proposed architectural style.

If the intent is to pursue a Craftsman style, the use of shutters, especially Colonial-style louvered shutters is inconsistent as is the use of a standing seam roof for the porch. If standing seam is used, it should have a panel width not to exceed 14" to be appropriate at the residential scale. These issues in addition to the design recommendations made in the original staff report are directly related to the New Construction design guidelines which state:

- a. *A new house should specifically reflect one of these architectural styles and that style should be carried through the design of the house from basic form to specific details.*
- b. *A modern interpretation of a single historic architectural style can be used, however the forms should remain consistent with the historic architectural style chosen.*
- c. *Mixing of architectural styles or the inclusion of forms and elements that are not consistent with the selected architectural style is inappropriate and should not be done.*

In summation, a number of unaddressed design concerns remain. Coupled with a lack of up-to-date drawings with comprehensive details and revised design features depicted, the Board is not in an optimal position to determine the entirety of the design it is considering and potentially approving as a substantial building being added to the Town's Historic District Overlay.

Staff finds it prudent to resolve the outstanding design issues noted in this memorandum and complete revised building elevations and renderings. Staff also finds that the resultant design is still not clearly indicative of the Craftsman architectural style, even with the revisions. Further, revised drawings and illustration are necessary so that the Board can complete a thorough review with staff commentary and potentially approve an appropriately designed residential building compatible and distinct within the Historic District Overlay.

Staff is recommending a continuance of HDRB #21-002 to the February 17, 2021 HDRB Public Hearing to allow the applicant additional time to address the remaining design issues related to:

- 1. Window sizing and arrangements,**
- 2. Provide detailed information about the various trim board sizes and profiles,**
- 3. Provide clarity as to whether the front porch railing will or will not be provided in the front elevation, and**
- 4. Provide comprehensive updates to the elevations and renderings to include the revised design features with notes and dimensioning of features critical to this design review.**
- 5. Address additional stylistic details that would more clearly indicate a Craftsman styled home.**

Should the Board opt to move on this item at the public hearing and provide staff with direction on how to address the unresolved matters, staff also offers the following recommendation:

Approval of HDRB #21-002 for a Certificate of Appropriateness to construct a new residential structure and a new attached accessory garage at 649 Jefferson Street in Herndon, VA in accordance with the draft resolution, Attachment #2, with the following conditions:

1. The standing seam roof panels width shall be reduced to not exceed 14”; and
2. A half-timber or similar style decorative wall treatment shall be added to top half of the gable end on the front façade; and
3. The applicant shall be required to provide details of all window and shutter sizes and dimensions on final elevations and/or renderings for staff review of appropriateness and inclusion in file prior to approval of a building permit; and
4. The applicant shall be required to provide details of all trim board types with sizes and dimensions for staff review of appropriateness and inclusion in file prior to approval of a building permit; and
5. The applicant shall be required to submit final elevations and renderings meeting these conditions for staff review of appropriateness and inclusion in file prior to approval of a building permit.

Thank you.

Attachments:

1. HDRB #21-002 Revised Materials Information
2. HDRB #21-002 Draft Resolution

Clarification and Materials description Insert for 649 Jefferson Street

- **Fixed Louver Shutters with working pintels (hinges)** – Timberlane fixed louver operable shutters made of cedar and painted. Shutters will be operable with black hinges and tie backs (product brochures provided).

Timberlane's fixed louver shutters are a simple, well-constructed shutter style that combines looks and functionality. Each available fixed louver shutter features stationary louver blades that are perfect for adding privacy, sunlight, and even ventilation when paired with functional shutter hardware.



WL1: 1-3/4" Fixed Louver Shutter

Deeply textured and dramatic. The wide louvers, set at a 30-degree pitch on 1-1/2" centers, make the magic of the play of light. From morning until evening, there is constant visual interest as light and shadow play across the surface of each shutter.

Cross Section:



Available In:

Endurian (Premium PVC), Premium Wood

[Shutter Specifications](#)



- Shutter pintels work along with a hinge to allow for proper functional installation. Shutter pintels sit inside the hinge, allowing it to swing open and closed freely. Timberlane's pintels are available in a variety of weights and widths to work with the hinge that best fits your window's needs.



- Rat Tail Shutter Tiebacks - Shutter tiebacks, also called shutter dogs, are available in both historical and whimsical designs. Functionally, tiebacks hold shutters in place while open. However, they are also an excellent way to add some extra flair.
- **Square Columns** on front porch – Change columns on front porch to square columns with pedestal base. (product brochure provided)
 - Square column will be made of pvc (brochure included). Column will be approximately 56" tall and will set on top of square pedestal base approximately 40" tall.

Material – PVC

Product Texture – Smooth

8ft Combination - 40" High Pedestal, combined with a 56" Tapered PVC Column Wrap
Columns with the box cap is 10"x10"



- Pedestal (base) 14" PVC Shaker Panel Pedestal, 40" tall.

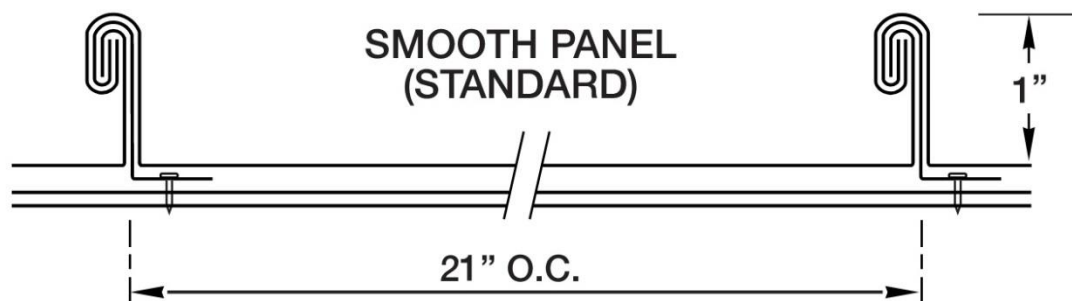


- **Porch railing** – *Front porch railings are optional unless required by code due to height of porch). If railings are required, the handrail, **square** balusters and posts will be made of treated wood and all painted to match trim.



(illustrative picture only)

- **Porch roof (front)** – Delete asphalt shingle front porch roof and replace with standing seam metal. The front porch material will be made of aluminum and prefinished Matte Black. Each panel will be approximately 21" between seams. Each seam will be approximately 1" in height (product brochure provided).



- **Exterior Doors** – Exterior doors will be made of either fiberglass or steel depending on location (product brochures provided).

- **Front Door** – Therma Tru Classic Craft American Style – Founders Collection
Oak Grain, painted with 4-block dentil shelf below glass. Clear or etched glass configuration.

American Style Collection™ fiberglass entry doors were inspired by early 1900s residential architecture. The collection complements many popular home designs, including Arts and Crafts, Bungalow, Cottage and Colonial Revival styles.

Made with our patented AccuGrain™ technology, you get the look of high-grade wood with all of the durability of fiberglass. The exterior doors in this collection have the look and feel of a real wood front door — with solid wood square edges, architecturally correct stiles, rails and panels. Unlike genuine wood doors, they resist splitting, cracking and rotting.



Classic Craft® Founders Collection™ in Oak Grain



Half Lite 2 Panel | Style No. CC48 

★★★★★ 3.5 (2) [Write a review](#)

2 Available Sizes ›

Dentil Shelves

Complete the look with a dentil shelf for true Craftsman appeal or to complement other architectural elements around the house. Includes 4- and 16-block options.



Classic-Craft, American Style Collection, 4-Block Dentil Shelf

- **Rear Door** – Therma Tru “Smooth Star” S206XJ, smooth **FIBERGLASS** 2 panel, half-lite clear ½ glass, painted.

Smooth-Star®

Looking to add a splash of color to your entryway? Smooth-Star is the answer if the best look for your home is a smooth, paintable surface. The more attractive and durable alternative to steel, Smooth-Star fiberglass doors are ready-to-paint (no need to prime!) with crisp, clean contours.



- **Garage & Basement Areaway door** – Therma Tru “Traditions” 206HD, smooth **STEEL**, 2 panel, half-lite clear ½ glass, painted.

Profiles™ and Traditions

Coupling distinctive styling with affordability, our Profiles steel doors offer versatile front entry and house-to-garage options. If you're looking for the durability and security of steel with maximum style versatility, look no further. Designed to suit multiple home styles, these doors feature 24-gauge steel and triple-shadowed panel embossments for greater detail. Because they come with a smooth, ready-to-paint surface, you can customize them in any color to suit your personal expression. And fire-rated options are available, making them a great choice for your house-to-garage door.



- **Windows** – Delete Marvin Integrity fiberglass windows and replace with Jeld Wen Siteline. Jeld Wen Siteline wood windows with aluminum clad exterior, semi-divided lite 2-over-2 grill pattern and prefinished black exterior (product brochure provided).



SITELINE® COLLECTION

- Made with AuraLast® pine
- Nine standard and 12 optional aluminum exterior clad colors (extruded clad frame and sash) as well as seven anodized clad finishes
- AAMA 2605 finish available
- Pine, Alder or Fir species with fourteen interior finishes (natural, primed, prefinished or stained interiors)
- Eight exterior trims
- Concealed jamb liners
- PG35 and PG50 ratings for double-hung, casement and awning
- Wind zone 3 available
- Standard LoE³-366® and Neat® glass
- Limited Lifetime Warranty*



Integral Nailing Fin

For New Construction and Replacement. Our windows come standard with a 1-1/4" pre-punched nailing fin for easy installation into new construction applications. The nailing fin is integral to the frame. It surrounds the full perimeter of the frame and helps make installations weathertight. It is appropriate for homes with siding, stucco or brick exteriors.



SIMULATED DIVIDED LITES

AuraLast® Pine

AuraLast® pine is a patented wood product that provides protection against wood rot, water damage and termites. This water-based process fortifies wood all the way to the core, providing an exclusive level of protection you'll only find through JELD-WEN and backed by our limited lifetime warranty. Distinct color variations occur and the grain can appear straight or erratic depending on how it is cut from the log. The wood will darken and yellow with age, adding character and charm. It machines to a fine, smooth finish and easily accepts lighter stains and paint. Staining is recommended to achieve a uniform appearance because pine naturally contains resins that can affect penetration. Knots should be sealed before painting.



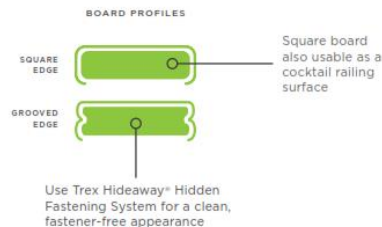
Simulated Divided Lites

Add architectural interest to your windows with our divided lite options. These options include simulated divided lites (SDL) for an authentic look. They feature grilles that are permanently attached to both the interior and exterior glass (aluminum for clad exteriors, wood for wood exteriors), metal bars placed between the panes of insulating glass to provide design detail.

- **Exterior Trim** – Exterior trim material (band boards, window and door casings, fascia/rake/frieze/corner boards, soffit) will be James Hardie brand HardieTrim® Boards made of cementitious material, smooth and primed (product brochure provided).
- **Porch Floor** – Front porch and stair treads will be made of a composite material. Trex brand Select® Composite Decking with wood grain utilizing one of the five prefinished colors. We would prefer to allow the future purchaser the opportunity to select the color.



TrexSelect®
EARTH TONES



- **Foundation Veneer** – Thin brick veneer will be placed on exterior of exposed foundation that is above grade level on all four sides of home and at base of columns on front porch as shown on plans. Material is

CARRIAGEHOUSE Thin Brick Flats 2-1/4" H x 1/2" W x 7-5/8" L

Carriagehouse thin brick is brimming with dashing sophistication and elegance. It adds a fresh natural expression with a look of stone due to the blending of rich golden brown color hues and cavernous surface textures.



**TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD**

DRAFT RESOLUTION

January 20, 2021

Resolution to consider HDRB #21-002, for new construction of a residential structure and an attached accessory garage at 649 Jefferson Street, Fairfax County Tax Map Number 0162-53-0001.

WHEREAS, the applicant has submitted an application for new construction of a residential structure and an attached accessory garage at the above referenced address; and

WHEREAS, the proposed residential structure complies with the applicable zoning ordinance regulations as specified in the Town of Herndon Zoning Ordinance; and

WHEREAS, the proposed residential structure was the subject an approved Zoning Map Amendment, ZMA #14-103 and an approved Site Plan, TP #17-10; and

WHEREAS, the proposed sign generally complies with the applicable Design Criteria as stated in the Town of Herndon Code of Ordinances, Zoning Ordinance Section 78-60.3; and

WHEREAS, the proposed residential structure generally complies with the applicable design guidelines of the Town of Herndon Historic District Overlay Guidelines; and

WHEREAS, the Town of Herndon Historic District Review Board has reviewed this application and has held a public hearing on January 20, 2021.

NOW THEREFORE, BE IT RESOLVED that the Historic District Review Board of the Town of Herndon, Virginia, HEREBY:

Approves HDRB #21-002 for a Certificate of Appropriateness to construct a new residential structure and a new attached accessory garage at 649 Jefferson Street in Herndon, VA with the following conditions:

1. The standing seam roof panels width shall be reduced to not exceed 14"; and
2. A half-timber or similar style decorative wall treatment shall be added to top half of the gable end on the front façade; and

3. The applicant shall be required to provide details of all window and shutter sizes and dimensions on final elevations and/or renderings for staff review of appropriateness and inclusion in file prior to approval of a building permit; and
4. The applicant shall be required to provide details of all trim board types with sizes and dimensions for staff review of appropriateness and inclusion in file prior to approval of a building permit; and
5. The applicant shall be required to submit final elevations and renderings meeting these conditions for staff review of appropriateness and inclusion in file prior to approval of a building permit.



MEMORANDUM

To: Chair Walker & Members of the Heritage Preservation Review Board

From: Christopher J. Garcia, AICP, Community Design Planner/Deputy Zoning Administrator 

Date: January 15, 2021

Subject: HDRB #21-004 757 Grace Street, New Construction Update

This memo serves as an update for the referenced case, HDRB #21-004, scheduled for the January 20, 2021 HDRB Public Hearing.

As stated in the staff report for HDRB #21-004, published on December 30, 2020, staff did not have any concerns related to the design of the completed accessory structure. However, staff did note that due to the overall size of the new accessory building, exceeding 256 square feet in building footprint area, a Building Location Survey application would need to be submitted by the applicant and approved by Town staff prior Board action approving the design. Since the work session on January 6, 2021, the applicant submitted a Building Location Survey application which was approved by staff through BLS #21-001. The building location survey was found to be compliance with Town Zoning Ordinance Section 78-155.6. - *Site Plans, Subdivision Plans, Single Lot Development Plans and Building Location Surveys* and relevant zoning standards for accessory structures in residential zoning districts.

As stated in the HDRB #21-004 staff report dated January 6, 2021, staff recommends approval of the case in accordance with the attached resolution (Attachment #1).

Thank you.

Attachment:

1. HDRB #21-004 Draft Resolution

**TOWN OF HERNDON, VIRGINIA
HISTORIC DISTRICT REVIEW BOARD**

DRAFT RESOLUTION

January 20, 2021

Resolution to consider HDRB #21-004, for new construction of a storage shed located at 757 Grace Street, Fairfax County Tax Map Number 0162-02-0007B.

WHEREAS, the applicant has submitted an application for a storage shed at the above referenced address; and

WHEREAS, the proposed shed complies with the applicable zoning ordinance regulations as specified in the Town of Herndon Zoning Ordinance; and

WHEREAS, the proposed shed received an approved Building Location Survey in accordance with Town Zoning Ordinance Section 78-155.6. - *Site Plans, Subdivision Plans, Single Lot Development Plans and Building Location Surveys* and relevant zoning standards for accessory structures in residential zoning districts ; and

WHEREAS, the proposed sign generally complies with the applicable Design Criteria as stated in the Town of Herndon Code of Ordinances, Zoning Ordinance Section 78-60.3; and

WHEREAS, the proposed shed generally complies with the applicable design guidelines of the Town of Herndon Historic District Overlay Guidelines; and

WHEREAS, the Town of Herndon Historic District Review Board has reviewed this application and has held a public hearing on January 20, 2021.

NOW THEREFORE, BE IT RESOLVED that the Historic District Review Board of the Town of Herndon, Virginia, HEREBY:

Approves HDRB #21-004, for new construction of a storage shed at 757 Grace Street in Herndon, VA.