



BOARD OF ZONING APPEALS REGULAR MEETING AGENDA

Town Council Chambers Building
765 Lynn Street, Herndon, VA 20170

Thursday, July 23, 2026 | 7:00 PM

1. Call to Order

2. Approval of Minutes

- a. June 25, 2026, Board of Zoning Appeals Meeting Minutes

3. Comments

- a. Comments from the Board Members
- b. Comments from the Staff Members
- c. Comments from the Public

Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

4. Public Hearing

- a. BOARD OF ZONING APPEALS, BZA #26-003, 598 Elden Street, to seek a variance from Section 78-141.4(b), Standards for Projecting, Parapet, Internal, Light Pole Banner, and Drive-Through Related Signs in Commercial Districts, to allow two primary drive-through signs that exceed the 24 square-foot maximum.

5. Adjournment

Agenda Item: June 25, 2026, Board of Zoning Appeals Meeting Minutes

Meeting Date: July 23, 2026

Category: Approval of Minutes

Prepared by: Becky Skillin, Deputy Town Clerk

Description:

This is a request to approve the June 25, 2026, Board of Zoning Appeals Meeting Minutes.

Background/Timing Impact:

Board of Zoning Appeals minutes are typically presented for approval in chronological order. Action on the minutes is an important function of the Board of Zoning Appeals.

Fiscal Impact:

N/A

Legal Impact:

Code of Virginia Section 2.2-3707 outlines the requirements for the recording of minutes for all public bodies.

Staff Recommendation/Next Steps:

Recommend approval as presented.

Attachments:

1. Draft Minutes



HERNDON BOARD OF ZONING APPEALS
Regular Meeting Minutes
Thursday, June 25, 2026

1. Call to Order

Pursuant to the Town Code and the Board of Zoning Appeals by-laws, as the most senior member of the Board, Mr. Frank Donadio served as Chair Pro Tem for this meeting. Chair Pro Tem Donadio called the Board of Zoning Appeals Regular Meeting to order on Thursday, June 25, 2026, at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon. In attendance were: Board Members Barry Clendenin, Nicholas Hohman, and Chair Pro Tem Frank Donadio.

Vice Chair Stevan Porter and Chair Cari Lyn Pierce were absent.

Staff present during the meeting: Lauri Sigler, Deputy Town Attorney; David Stromberg, Zoning Administrator; and Becky Skillin, Deputy Town Clerk.

Chair Pro Tem Donadio stated that three Board of Zoning Appeals Members were present, which constituted a quorum.

2. Approval of Minutes

a. January 22, 2026, Board of Zoning Appeals Meeting Minutes

Board Member Clendenin moved to approve the January 22, 2026, Board of Zoning Appeals Meeting Minutes. Motion seconded by Board Member Hohman.

Chair Pro Tem Donadio moved to the Board level for discussion and action. The question was called on the motion, which was carried by a 3-0 roll call vote. The vote was: Board Members Clendenin, Donadio, and Hohman voting "Aye." Vice Chair Porter and Chair Pierce were absent.

3. Comments

a. Comments from the Staff Members

Chair Pro Tem Donadio recognized staff members for comments.

David Stromberg, Zoning Administrator, welcomed Board Member Nicolas Hohman

to his first meeting as a member of the Board of Zoning Appeals.

b. Comments from the Board Members

No comments were provided.

c. Comments from the Public

No members of the public provided comments.

4. Public Hearings

a. BOARD OF ZONING APPEALS, BZA #26-001, 1018 Grant Street, to seek a variance from Section 78-30.1(g), R-15-Dimensional Standards, to allow an addition to encroach into the required 45-foot setback along 2nd Street

Certificates of Publication from the Editor of the *Fairfax County Times* newspaper were filed, showing that notice of said public hearing item had been duly advertised in the June 5 and June 12, 2026, issues.

Chair Pro Tem Donadio opened the public hearing and called on the Deputy Town Clerk to administer the oath for David Stromberg, Zoning Administrator. Becky Skillin, Deputy Town Clerk, administered the oath to Mr. Stromberg.

Chair Pro Tem Donadio recognized David Stromberg, Zoning Administrator, for the staff report. Mr. Stromberg delivered the staff report and presentation of BZA #26-001, dated June 25, 2026, and stated that the request is for approval of a variance at 1018 Grant Street. He outlined the location of the house and stated the proposal includes a request to renovate and expand the existing dwelling, along with a rear addition extending approximately six-and-a-half feet, and a covered porch extending an additional seven feet. He stated that a previous variance was granted for the property in 1997 and that 2nd Street, along one side of the property, is an unimproved road. He stated that staff recommends approval of the variance in lieu of an amendment to the zoning district, as the expansion into a setback is not a common issue across the R-15 zoning district. He further explained that if BZA #26-001 is approved, this variance would continue to allow the footprint of the house to be located within the 45-foot setback, similar to another house along the same road. Mr. Stromberg clarified that the wording of condition number one is to maintain compliance with the parameters within the Historic District Overlay.

There was discussion among the Board and staff on the application, including:

1. Board Member Clendenin asked if the Historic District Review Board (HDRB) would require a separate hearing following this hearing. Mr. Stromberg confirmed the next step in the process is to seek approval from

the HDRB.

2. Board Member Hohman asked if the case would need to return to the BZA following the HDRB hearing. Mr. Stromberg stated condition number one is worded to preclude the necessity of another BZA hearing.

Chair Pro Tem Donadio invited a representative of the applicant, Michael Wijdoogen, 761C Monroe Street, Suite 100, Herndon, Virginia, for comment. Deputy Town Clerk Skillin administered the oath to Mr. Wijdoogen.

Mr. Wijdoogen provided comments, stating that he appreciated the package that staff had prepared and looked forward to seeing the project move forward.

There was discussion among the Board Members, staff, and the applicant, including:

1. Board Member Clendenin stated that work seems to be underway at the address. Mr. Wijdoogen commented that exterior landscaping had commenced, but he has not been informed that any work on the house has begun.
2. Board Member Hohman asked if other design options had been considered. Mr. Wijdoogen answered that other options were evaluated, but, to keep the kitchen and mud room in their original location and maintain the maximum yard space and walking path around the house, the proposed design seemed most appropriate.
3. Board Member Donadio asked if original construction occurred in the 1920s, and Mr. Wijdoogen agreed.

Chair Pro Tem Donadio called for comments from the audience. Seeing no comments from the audience, Chair Pro Tem Donadio closed the public hearing and moved to board-level discussion and possible action.

Board Member Hohman moved to approve BZA #26-001, as proposed, finding that granting the variance will alleviate an undue hardship due to a physical condition relating to the property or improvements thereon and in accordance with the proposed resolution for approval provided with the June 25, 2026, staff report. Motion seconded by Board Member Clendenin.

Chair Pro Tem Donadio called for any discussion on the motion. Board Member Hohman noted that given the choice of options, approving BZA #26-001, as proposed, was the better choice based on the findings presented.

The question was called on the motion, which was carried by a 3-0 roll call vote. Board Members Clendenin, Hohman, and Chair Pro Tem Donadio voted "Aye." Vice Chair Porter and Chair Pierce were absent.

5. Adjournment

There being no further business, and without objection, Chair Pro Tem Donadio adjourned the June 25, 2026, Board of Zoning Appeals Meeting at 7:25 p.m.

Becky Skillin
Deputy Town Clerk

Minutes approved by the Board of Zoning Appeals: _____

[Note: Approved resolutions are on file in the Department of Community Development.]

DRAFT



**Board of Zoning Appeals
Regular Meeting
Agenda Item 4.a.**

Agenda Item: BOARD OF ZONING APPEALS, BZA #26-003, 598 Elden Street, to seek a variance from Section 78-141.4(b), Standards for Projecting, Parapet, Internal, Light Pole Banner, and Drive-Through Related Signs in Commercial Districts, to allow two primary drive-through signs that exceed the 24 square-foot maximum.

Meeting Date: July 23, 2026

Category: Public Hearing

Prepared by: Aaron Zoellick, Zoning Services Specialist

Description:

Requested Variance(s)	To seek a variance from Sec. 78-141.4(b), Standards for Projecting, Parapet, Internal, Light Pole Banner, and Drive-Through Related Signs in Commercial Districts, to allow two primary drive through-signs that exceed the 24 square-foot maximum.	
Address	598 Elden Street	
Fairfax County Tax Map Number	0162 02 0218	
Applicant	Ross McArthur, Allen Industries	
Property Owners	King of Northern Virginia	
Zoning	CS, Commercial Services	
Lot Area	40,324 square-feet	
Property Use	Restaurant with Drive Through Accessory Use	
Adjacent Zoning	North: RTC	East: CS

	South: CS	West: CS	
Building Type	Commercial	Date of Construction:	1997

Background/Timing Impact:

The Herndon zoning ordinance limits primary drive-through signs to 24 square feet. Sec. 78-141.4(b). The applicant received administrative approval for five internally lit wall signs, two primary drive-through signs, one secondary drive-through sign, and one internally lit freestanding sign. The approved primary drive-through signs measured approximately 19.9 square feet. In June 2026, the applicant contacted staff regarding the need for a spread base on one of the primary drive-through signs. Staff requested additional information on the spread base. The plans submitted by the applicant showed a primary drive-through sign that measured approximately 28.75 square feet.

Fiscal Impact:

N/A

Legal Impact:

Code of Virginia Sec. 15.2-2309 and Herndon Town Code Sec. 78-155.4(d) outline the requirements for reviewing a variance application.

Staff Recommendation/Next Steps:

Staff is recommending denial of variance request BZA #26-003.

Attachments:

1. BZA #26-003 Staff Report
2. Variance Criteria Matrix
3. Resolution A for Denial (Proposed)
4. Resolution B for Approval (Menu Board Only) (Proposed)
5. Resolution C for Approval (Menu Board and OCU) (Proposed)
6. Exhibit 1 - PSL #25-015 Result Letter
7. Exhibit 2 - Approved Primary Drive-Through Design
8. Exhibit 3 - Email re Renewal of PSL 25-015
9. Exhibit 4 - Installed Primary Drive-Through Sign
10. Exhibit 5 - Variance Application and Supporting Materials
11. Legal Ad
12. Presentation

STAFF REPORT

Agenda Item: BZA #26-003 – 598 Elden Street Variance

Meeting Date: July 23, 2026

Staff Contact: Aaron Zoellick, Zoning Services Specialist
aaron.zoellick@herndon-va.gov, (703) 787-7380

Background & Site Description:

The 40,324 square-foot lot is located on the northeast corner of Elden Street and Van Buren Street. The structure was built in 1997. The lot was the former location of a Burger King. Condition Use Permit (CU) #03-01 was approved in 2003 to permit the addition of a drive-through lane at the Burger King. CU #03-01 runs with the land.

In 2023, Zoning Ordinance Text Amendment (ZOTA) #22-01 updated the zoning ordinance for drive-through signs and set the permitted area for primary drive-through signs at 24 square feet. Sec. 78-141.4(b).



The applicant received Architectural Review Board (ARB) approval in 2024 for an addition and alterations to the structure. ARB #24-004. The ARB approval did not include signage. The applicant received administrative approval in June 2025 for five internally lit wall signs, two primary drive-through signs (menu boards), one secondary drive-through sign, and one internally lit freestanding sign. Ex. 1. The approved primary drive-through signs measured approximately 19.9 square feet. Ex. 2. Staff determined that the proposed drive-through Order Confirmation Unit (OCU) and clearance bar

included in the application for PSL #25-015 were site elements, therefore not included as part of the approval.

The zoning ordinance states that “[i]f a sign is not installed within six months following the issuance of a sign license or within 30 days in the case of a temporary sign license, the license shall be void.” Sec. 78-140.5(k). In March 2026, the applicant requested to renew the sign permits. Staff informed the applicant that PSL #25-015 would remain active until September 2026, but if there were any changes to the previously approved signs, a new PSL would need to be submitted. Ex. 3.

Case Details & Proposal:

In June 2026, the applicant contacted staff regarding the need for a spread base on one of the primary drive-through signs. Staff requested additional information on the spread base. The plans submitted by the applicant showed a primary drive-through sign larger than that approved in PSL #25-015 and larger than permitted by the zoning ordinance. Ex. 4. The applicant confirmed that the installed primary drive-through signs each measure 28.75 square feet. The installed signs also had the Order Confirmation Units (OCU) attached to the side of menu boards. The OCUs measure approximately 8.56 square feet. The OCUs are considered a part of the menu board as attached. The total area of each primary drive-through sign, as installed, is 37.31 square feet.

The applicant is requesting a variance to permit two 37.31 square-foot primary drive-through signs.

Staff Analysis:

A variance may be granted when, either “[s]trict application of the terms of the ordinance would unreasonably restrict the utilization of the property,” or “granting the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon.” Code of Virginia Sec. 15.2-2309. Herndon Town Code Sec. 78-155.4(d). The applicant holds the burden of proof to show by a preponderance of the evidence that their application meets the standards for a variance. Code of Virginia Sec. 15.2-2309. The applicant claims that the single-lane layout of the drive-through prevents the menu board and OCU from being installed in parallel. Ex. 5. This condition was not raised during the sign review process that led to approval of PSL #25-015. This condition was not raised when the applicant inquired about renewal of PSL #25-015. Ex. 3. The installation of two signs measuring 37.31 square feet contradicts the applicant’s

claim of the infeasibility of installing two signs measuring 19.9 square feet and the separate OCUs.

Virginia and Town of Herndon code establish further criteria for reviewing variance requests. Code of Virginia Sec. 15.2-2309. Herndon Town Code Sec. 78-155.4(d). Staff used these criteria to evaluate the applicant's request. All criteria must be met to grant a variance. The applicant does not meet four of the six criteria. Full analysis of the criteria is included in the Variance Criteria Matrix.

Board of Zoning Appeals Alternatives:

The following alternatives are available to the Board of Zoning Appeals for its decision on BZA #26-003:

1. Approve the variance request without conditions.
2. Approve the variance request with the staff recommended conditions.
3. Deny the variance request.
4. Continue the application to the August 27, 2026, regular meeting.

Staff Recommendation:

Staff recommend denial of the variance in accordance with the prepared resolution for denial, based on the application's inability to meet the standards for a variance.

If the Board votes to deny the variance request, a zoning violation will be issued, and the applicant will be required to remove the existing primary drive-through signs and replace them with the signs approved under PSL #25-015.

Staff prepared two alternative resolutions for approval. One would permit the primary drive-through signs measuring 37.31 square feet, as installed. The other would permit the existing menu boards as primary drive-through signs measuring 28.75 square feet and require the applicant to install OCUs that conform with zoning ordinance requirements for secondary drive-through signs.

Sec. 78-155.4(d) Variance Criteria Matrix
BZA #26-03
598 Elden Street

Section 78-155.4(d) – Variance Criteria		
(1)	Strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon.	
	Assessment	Does Not Meet
	Reasoning	Nothing about the property restricts the applicant from installing a 24 square-foot primary drive-through sign. The installation of a 28 square-foot sign demonstrates the feasibility.
a.	The property interest for which the variance is requested was acquired in good faith and any hardship was not created by the applicant for the variance.	
	Assessment	Does Not Meet
	Reasoning	The applicant installed two different signs than what was submitted and approved by the town.
b.	The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.	
	Assessment	Does Not Meet
	Reasoning	The maximum sizes for drive-through signs were determined during the public hearing and adoption process for ZOTA #22-01. The reason for having maximum sign sizes is to not cause adverse impacts on adjacent properties.
c.	The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.	
	Assessment	Does Not Meet
	Reasoning	Without a demonstrated hardship specific to the property, the condition must be of such a general nature that an amendment to the ordinance would be a more suitable remedy.
d.	The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property	
	Assessment	Meets
	Reasoning	Drive-through lanes are permitted as an accessory to a principal commercial use through a special exception.
e.	The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of variance application.	
	Assessment	Meets
	Reasoning	Neither a special exception nor a modification of the zoning ordinance were available to the applicant.

Resolution A

**TOWN OF HERNDON, VIRGINIA
BOARD OF ZONING APPEALS**

RESOLUTION

JULY 23, 2026

Resolution – to deny Variance Application BZA #26-003, 598 Elden Street, to seek a variance from Section 78-141.4(b), Standards for Projecting, Parapet, Internal, Light Pole Banner, and Drive-Through Related Signs in Commercial Districts, to allow two primary drive-through signs that exceed the 24 square-foot maximum.

RECITALS

The applicant, Ross McArthur, and property owner, King of Northern Virginia, have submitted an application for a variance to allow two primary drive-through signs that exceed the 24 square-foot maximum to remain. The applicant previously received administrative approval for two primary drive-through signs that each measured 19.9 square feet.

The Board of Zoning Appeals has reviewed this application and has held a public hearing in accordance with the provisions of §15.2-2204 of the State Code on July 23, 2026, and reviewed the application against the criteria of Section 78-155.4(d)(1).

THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the Town of Herndon, Virginia, that:

1. The Board **denies** the requested variance based on the findings set out below and identified in the staff report:

The strict application of the ordinance does not unreasonably restrict the utilization of the property.

OR

Granting the variance does not alleviate an undue hardship due to a physical condition relating to the property or improvements thereon.

2. The Board did not find that all of the following apply:

- a. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- b. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- c. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- d. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and,
- e. The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.

In favor:

Against:

Attest:

Recording Secretary

July 23, 2026
Date

Resolution B

**TOWN OF HERNDON, VIRGINIA
BOARD OF ZONING APPEALS**

RESOLUTION

JULY 23, 2026

Resolution – to approve BZA #26-003, 598 Elden Street, to seek a variance from Section 78-141.4(b), Standards for Projecting, Parapet, Internal, Light Pole Banner, and Drive-Through Related Signs in Commercial Districts, to allow two primary drive-through signs that exceed the 24 square-foot maximum.

RECITALS

The applicant, Ross McArthur, and property owner, King of Northern Virginia, have submitted an application for a variance to allow two primary drive-through signs that exceed the 24 square-foot maximum. The applicant previously received administrative approval for two primary drive-through signs that each measured 19.9 square feet.

The Board of Zoning Appeals reviewed this application, held a public hearing in accordance with the provisions of §15.2-2204 of the State Code on July 23, 2026, and reviewed the application against the criteria of Section 78-155.4(d)(1).

THEREFORE, BE IT RESOLVED, by the Board of Zoning Appeals of the Town of Herndon, Virginia, that:

1. The Board **grants, in part**, the requested variance based on the findings set out below and identified in the staff report:

The strict application of the ordinance would unreasonably restrict the utilization of the property.

OR

Granting the variance would alleviate an undue hardship due to a physical condition relating to the property or improvements thereon.

2. The Board finds that all of the following apply:
 - a. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;

- b. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
 - c. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
 - d. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and,
 - e. The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.
3. The Board further finds that:
- a. The menu boards, with an area of approximately 28.75 square feet, may remain as installed.
 - b. The Order Confirmation Units (OCU), with an area of approximately 8.56 square feet, must be removed.
4. The Board imposes the following conditions on the granting of the variance:
- a. The applicant shall submit an application for the replacement of the OCUs that conforms with the standards for secondary drive-through signs in Sec. 78-141.4(b) and CU #03-01
 - b. The variance shall become null and void if the existing signs are replaced.

In favor:

Against:

Attest:

Recording Secretary

July 23, 2026
Date

**TOWN OF HERNDON, VIRGINIA
BOARD OF ZONING APPEALS**

RESOLUTION

JULY 23, 2026

Resolution – to approve BZA #26-003, 598 Elden Street, to seek a variance from Section 78-141.4(b), Standards for Projecting, Parapet, Internal, Light Pole Banner, and Drive-Through Related Signs in Commercial Districts, to allow two primary drive-through signs that exceed the 24 square-foot maximum.

RECITALS

The applicant, Ross McArthur, and property owner, King of Northern Virginia, have submitted an application for a variance to allow two primary drive-through signs that exceed the 24 square-foot maximum. The applicant previously received administrative approval for two primary drive-through signs that each measured 19.9 square feet.

The Board of Zoning Appeals reviewed this application, held a public hearing in accordance with the provisions of §15.2-2204 of the State Code on July 23, 2026, and reviewed the application against the criteria of Section 78-155.4(d)(1).

THEREFORE, BE IT RESOLVED, by the Board of Zoning Appeals of the Town of Herndon, Virginia, that:

1. The Board **grants** the requested variance based on the findings set out below and identified in the staff report:

The strict application of the ordinance would unreasonably restrict the utilization of the property.

OR

Granting the variance would alleviate an undue hardship due to a physical condition relating to the property or improvements thereon.

2. The Board finds that all of the following apply:
 - a. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;

- b. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
 - c. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
 - d. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and,
 - e. The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.
3. The Board further finds that:
- a. The menu boards and Order Confirmation Units (OCU), with an area of approximately 37.31 square feet, may remain as installed.
4. The Board imposes the following conditions on the granting of the variance:
- a. The variance shall become null and void if the existing signs are replaced.

In favor:

Against:

Attest:

Recording Secretary

July 23, 2026

Date

June 25, 2025

Mr. Ross McArthur
321 Elk Lane
McGaheysville, VA 22840

RE: Administrative Sign Approval, PSL #25-015, 598 Elden Street, Panda Express

Dear Mr. McArthur,

This is to notify you that the Town of Herndon, Community Development department, has received and reviewed your application for a sign license. Based on the type of sign proposed, this case was eligible for administrative review. The following decision has been rendered in the review of this case:

Application PSL #25-015, proposed sign located at 598 Elden Street, has been approved with the following comments:

- **Approved for five internally lit wall signs, two primary drive-through signs, one secondary drive-through sign, and one internally lit freestanding sign (signs 2 sf and under do not require a sign license).**
- **The drive-through order canopy and clearance bar detailed in the application submission are site elements rather than signage and are therefore not included as part of the sign license approval.**

No other modifications, other than those described in the application form, are permitted under this approval. For questions concerning this approval, I can be contacted at angelina.jones@herndon-va.gov or (703) 787-7380.

This letter serves as the official approval for the sign, and it is encouraged that a copy is retained for your records.

Pursuant to Section 15.2-2311 of the Code of Virginia (1950), as amended, you have the right to appeal this decision to the Board of Zoning Appeals within thirty (30) days after receipt of this letter. The decision(s) set forth in this letter shall be final and not appealable if not appealed within the thirty-day period. If you wish to appeal this decision, you must do so in the specified time by submitting a completed application and \$152.00 fee to the Community Development Department at 777 Lynn Street, Herndon, Virginia.

If you have questions about the application or process, please contact the Zoning staff at 777 Lynn Street, Herndon, Virginia, 20170 or call (703) 787-7380.

Please note that a Commercial Sign Permit and/or Electrical Permit, as issued by the Town of Herndon Building Inspections Office, may also be required. That office can be reached at buildinginspections@herndon-va.gov or (703) 435-6850.

Respectfully,

A handwritten signature in black ink that reads "Angelina R Jones". The signature is written in a cursive, flowing style.

Angelina Jones
Lead Planner-Design & Development

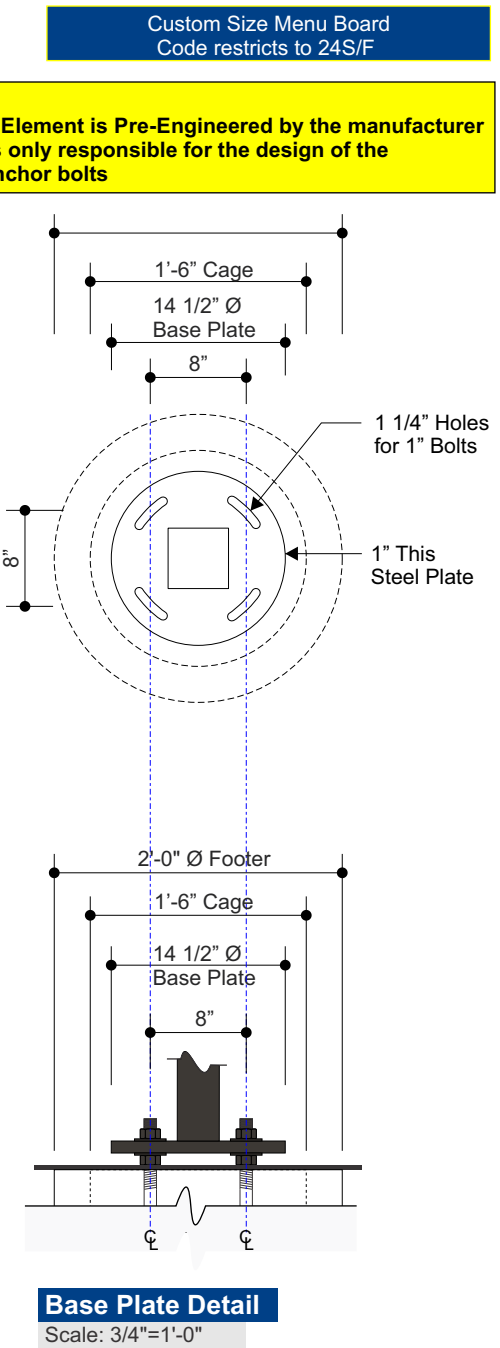
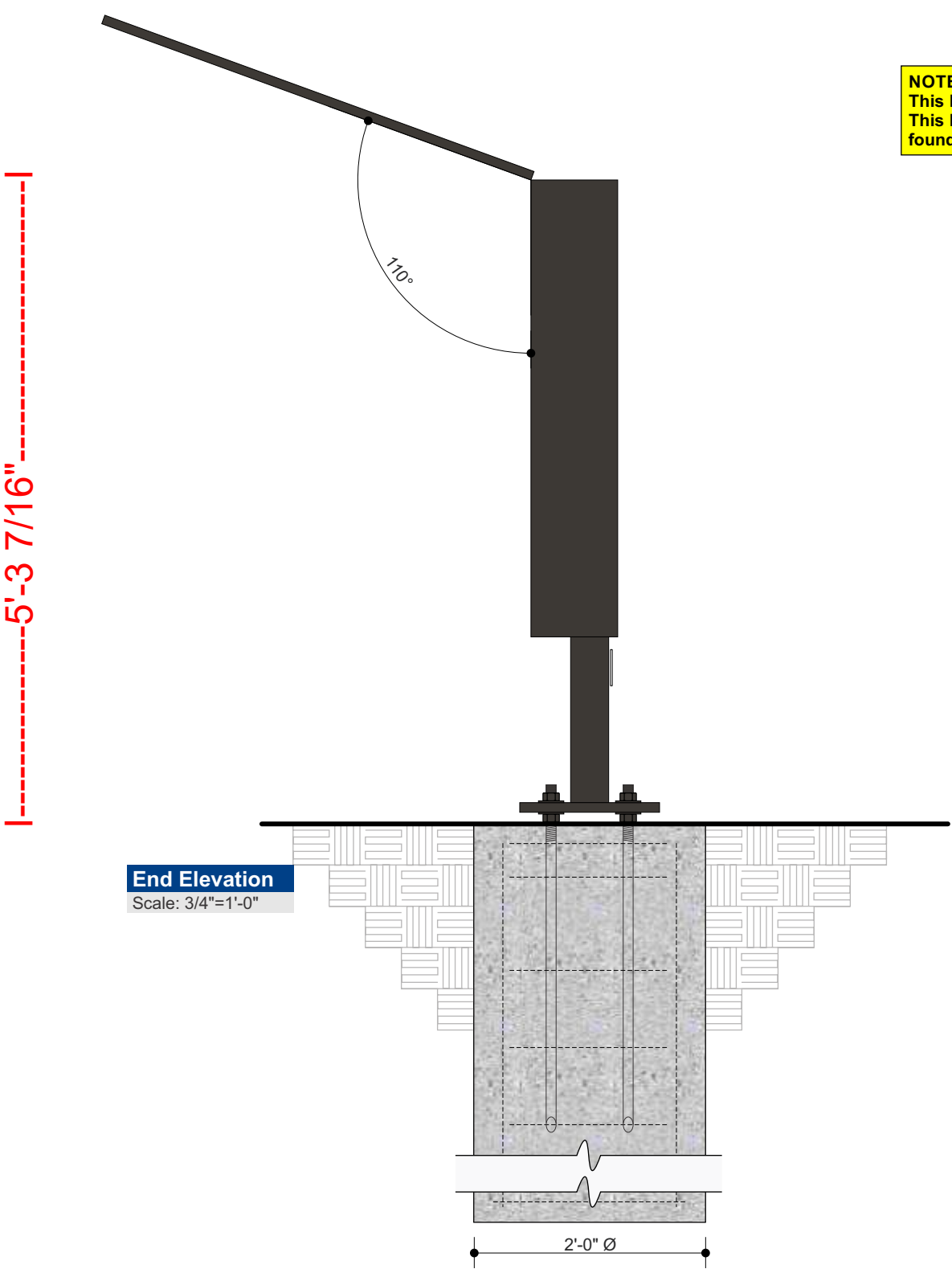
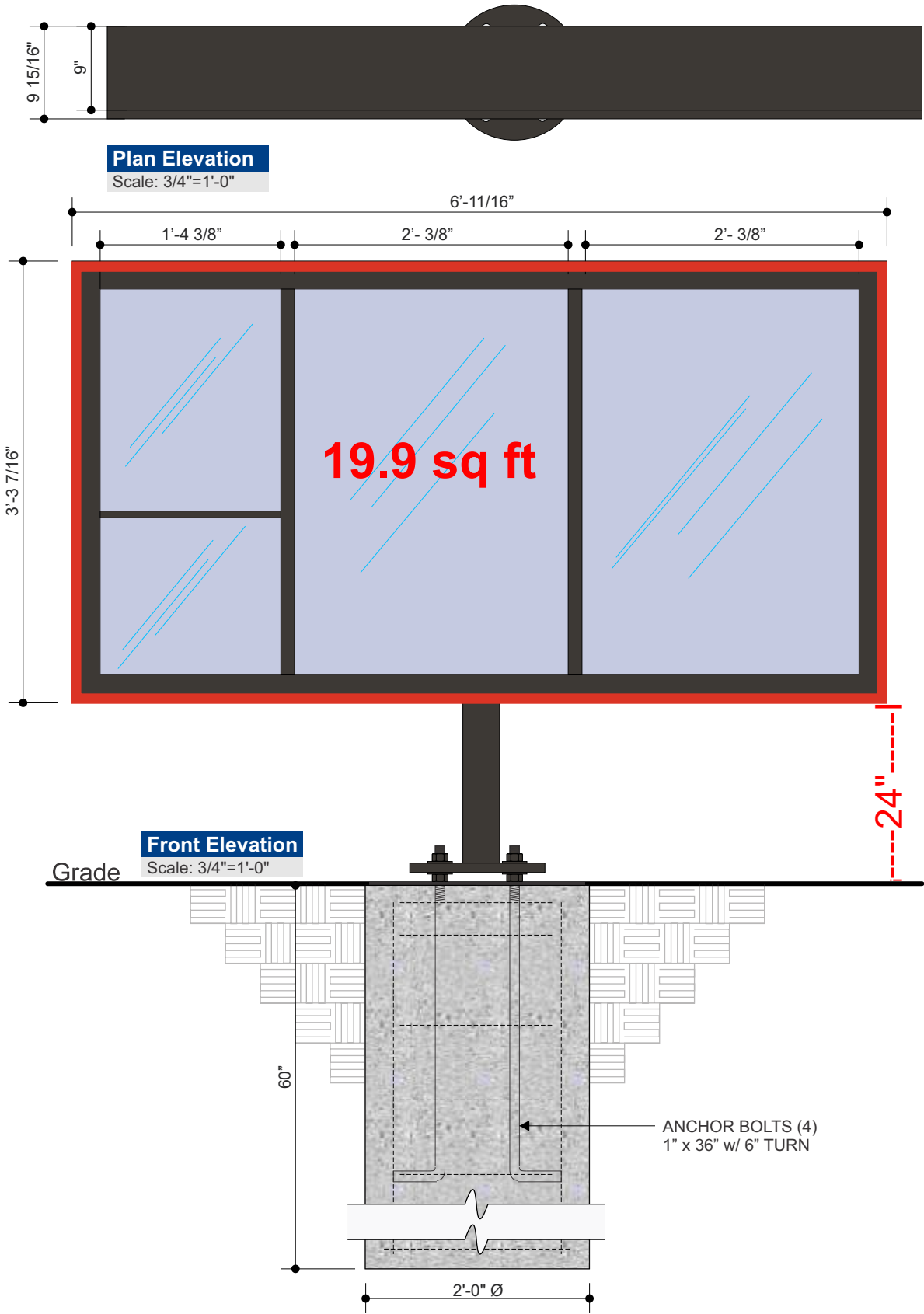
c: CFT NV Developments, LLC
598 Elden Street
Herndon, VA 20170

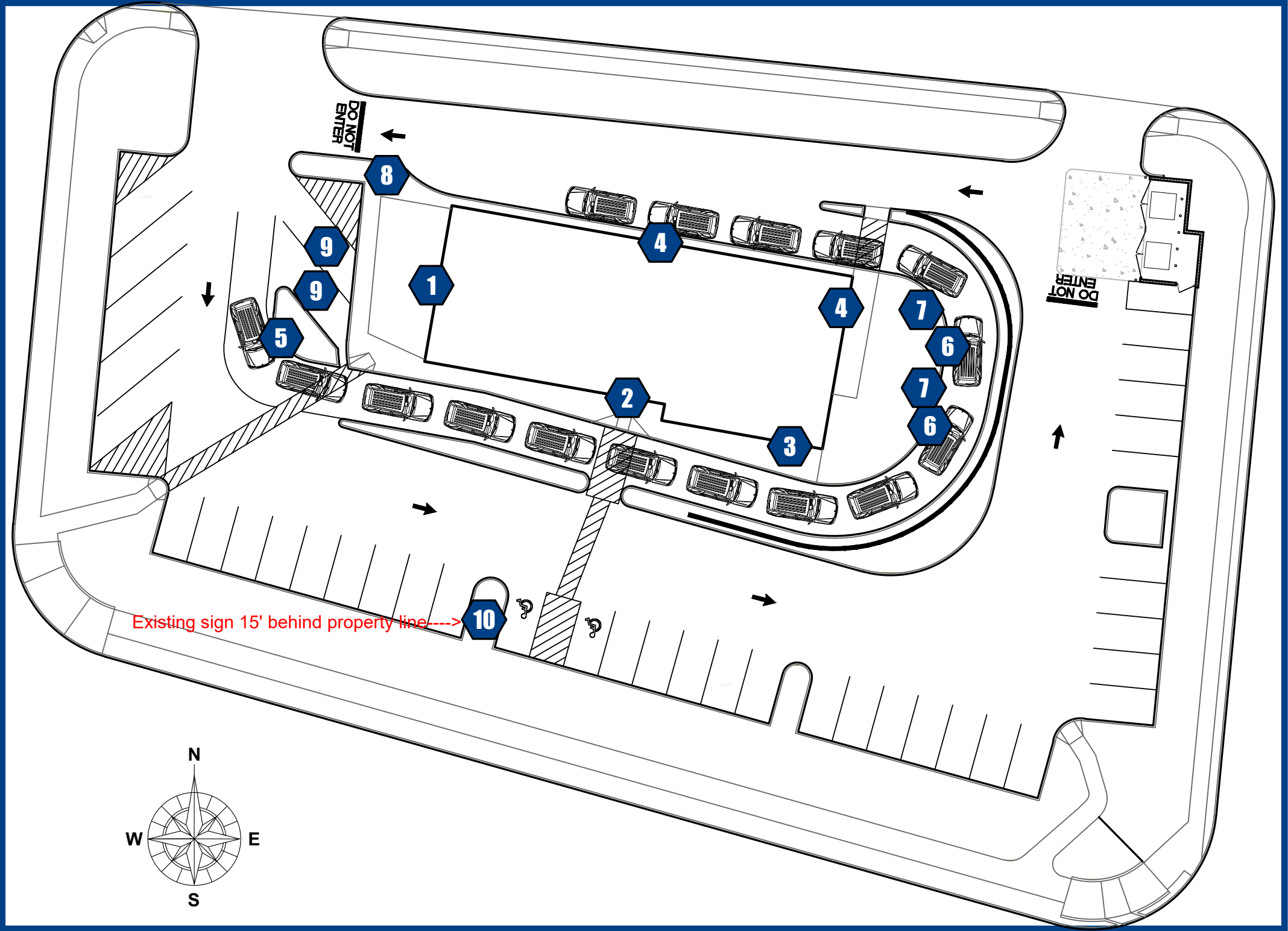
Sign 7

QTY: 2 **NON-STANDARD**

Panda Express Drive Thru Menu Board

Supplied by Vendor





SITE PLAN LEGEND

- 1

2'-0" Stacked Letterset
- 2

7'-0" Lockup
- 3

Red Vertical Letterset
- 4

A & B 6'-0" Lockup
- 5

Clearance Bar -45' from property line
- 6

OCU 45' from side property line
- 7

Menu Board 47' from property line
- 8

'Thank You' Directional 45' from property line
- 9

'Online Order Pick-Up' Parking Sign 45' from property line
- 10

Face Replacement 15' from property line

Site Plan

Scale: NTS

Allen Industries
FILE NUMBER: E212503

Listed

MET
E212503

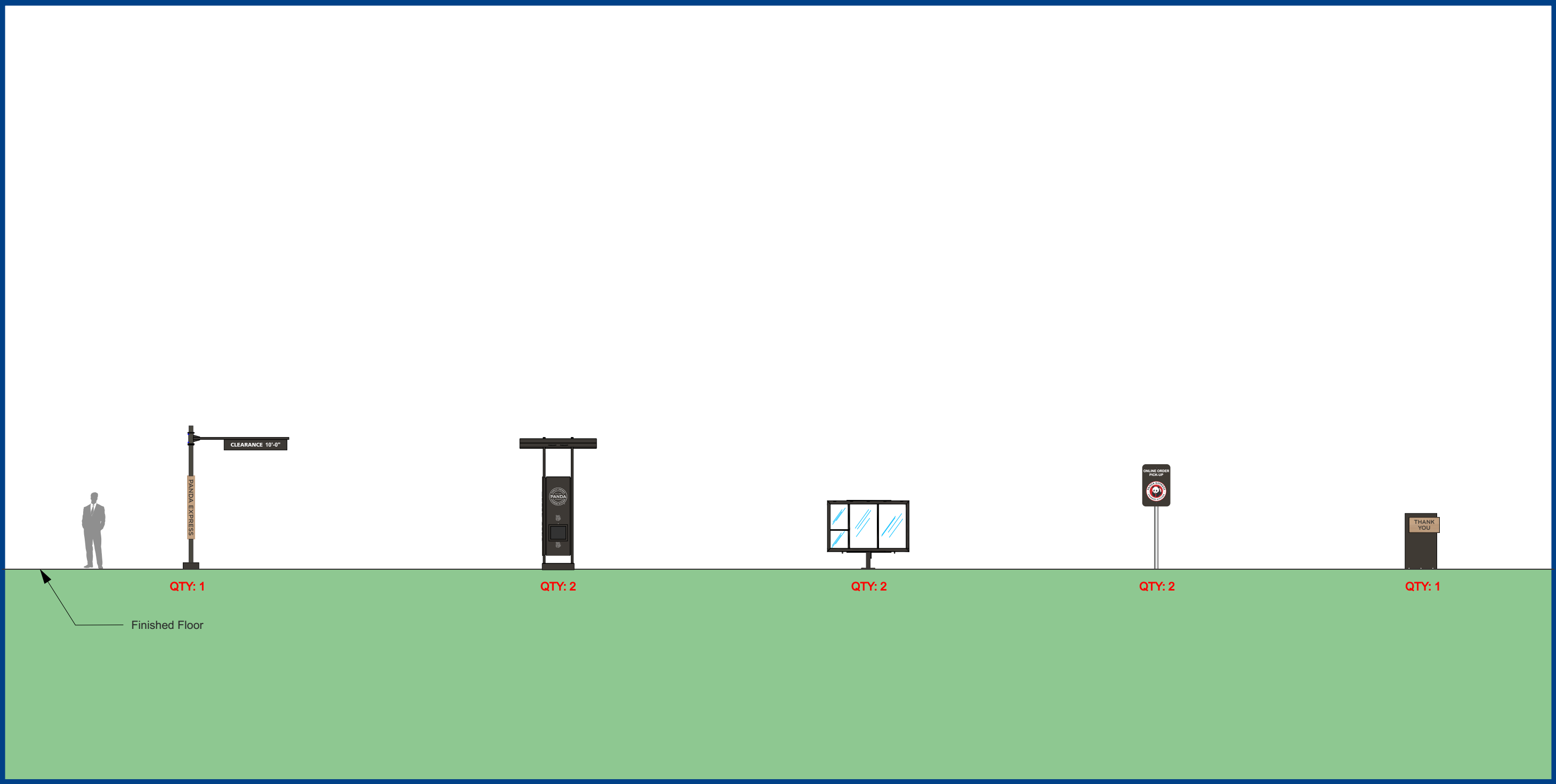
Electric Sign

Complies with

UL48

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

GROUNDED ELECTRICAL CONNECTIONS



Signage Options
Scale: 1/8"=1'-0"



FILE NUMBER: E212503

Listed
MET
E212503

Electric Sign
Complies with
UL48

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



GROUNDING
ELECTRICAL
CONNECTIONS

#	Date	Description	Initial
1	12/09/24	Updated OCU	JK
2	04/23/25	Current updates	JC
3	04/24/25	Revised site plan and elevations	JC
4	-	-	-
5	-	-	-
6	-	-	-



Outlook

Re: Renewed Sign Permits: Panda Express Sign Permit PSL #25-015, 598 Elden Street

From Zoellick, Aaron <aaron.zoellick@herndon va.gov>**Date** Fri 3/20/2026 9:57 AM**To** ross mcarthur [REDACTED]**Cc** Community Development <community.development@herndon-va.gov>

Good morning:

The permit, PSL #25-015, is still active and does not need to be renewed. It will remain active until September 19, 2026. If the approved signs are not installed by that date, a new application will need to be submitted.

If you want to make changes from what was approved in PSL #25-015, then a new application is needed. If not, then you may proceed with installation as approved.

Best regards,

Aaron Zoellick, MPA, CZA*Zoning Services Specialist*

Community Development

703-787-7380



From: ross mcarthur [REDACTED]**Sent:** Friday, March 20, 2026 9:48 AM**To:** Zoellick, Aaron <aaron.zoellick@herndon-va.gov>**Cc:** Community Development <community.development@herndon-va.gov>**Subject:** Renewed Sign Permits: Panda Express Sign Permit PSL #25-015, 598 Elden Street

Caution: This is an external email that originated outside the Town of Herndon. Please take care when clicking links or opening attachments. When in doubt, contact the IT Department.

Morning Arron,

We are trying to renew the attached permit only.

Please advise.

Ross, [REDACTED]

Sent: Thursday, March 19, 2026 at 3:36 PM**From:** "Zoellick, Aaron" <aaron.zoellick@herndon-va.gov>

To: "ross mcarthur" [REDACTED]
Cc: "Jones, Angelina" <angelina.jones@herndon-va.gov>
Subject: Re: Renew Sign Permits?: Panda Express Sign Permit PSL #25-015, 598 Elden Street

Good afternoon:

Did you want to move forward with the signs as previously approved?

If so, the Permanent Sign License, PSL #25-015, for Panda Express at 598 Elden Street is active. You can install the signs as approved in the attached result letter dated June 25, 2025.

PSL#25-015 will become void six months from today on September 19, 2026. If the signs are not installed by that date, you will need to apply for a new Permanent Sign License.

If you are looking to update the signs from what was previously approved, you would need to submit a new Permanent Sign License.

Best regards,

Aaron Zoellick, MPA, CZA
Zoning Services Specialist
Community Development
703-787-7380



From: Jones, Angelina <angelina.jones@herndon-va.gov>
Sent: Wednesday, March 18, 2026 11:05 AM
To: ross mcarthur [REDACTED]
Cc: Zoellick, Aaron <aaron.zoellick@herndon-va.gov>
Subject: Re: Renew Sign Permits?: Panda Express Sign Permit PSL #25-015, 598 Elden Street

Good morning,

I am no longer the point of contact on sign review. I've cc'd Aaron who has taken over this role and will be able to follow up with you on next steps.

Sincerely,
Angelina

Angelina R. Jones
Lead Planner - Design & Development
Town of Herndon, VA
703-787-7380



From: ross mcarthur [REDACTED]
Sent: Wednesday, March 18, 2026 9:09 AM
To: Jones, Angelina <angelina.jones@herndon-va.gov>
Subject: Renew Sign Permits?: Panda Express Sign Permit PSL #25-015, 598 Elden Street

Good morning Angelina,

Caution: This is an external email that originated outside the Town of Herndon. Please take care when clicking links or opening attachments. When in doubt, contact the IT Department.

We would like to renew our sign permits for the above address.

Can you please tell me the process?

Thank you,

Ross [REDACTED]

Sent: Friday, June 06, 2025 at 8:26 AM
From: "Jones, Angelina" <angelina.jones@herndon-va.gov>
To: "ross mcarthur" [REDACTED]
Subject: Re: Attached: Panda Express Sign Application

Good morning,

I have received your application and will follow up with you next week with any questions.

Sincerely,
Angelina

Angelina R. Jones
Lead Planner - Design & Development
Town of Herndon, VA
703-787-7380



From: ross mcarthur [REDACTED]
Sent: Friday, June 6, 2025 8:25 AM
To: Jones, Angelina <angelina.jones@herndon-va.gov>
Subject: Attached: Panda Express Sign Application

Caution: This is an external email that originated outside the Town of Herndon. Please take care when clicking links or opening attachments. When in doubt, contact the IT Department.

Good Morning Angelina,

Please see attached Sign Permit application and drawings.

If you have any questions, please do not hesitate to call.

Thank you,

Ross [REDACTED]

Sent: Thursday, June 05, 2025 at 2:40 PM
From: "Jones, Angelina" <angelina.jones@herndon-va.gov>
To: "[REDACTED]" [REDACTED]
Cc: "Community Development" <community.development@herndon-va.gov>
Subject: Panda Express Sign Application

Good Afternoon,

I am following up from our phone call earlier today so that you have my email address. My phone number is in my email signature below. I have confirmed that there is no additional sign license process you will need to go through with Fairfax County. You only need to receive permitting for the Panda Express signage from the Town of Herndon. You will find all the relevant information we discussed over the phone on the Town's website here: [Signs | Town of Herndon, VA](#)

Please let me know if you have any questions.

-Angelina

Angelina R. Jones

Lead Planner - Design & Development
Town of Herndon, VA
703-787-7380

CONFIDENTIALITY NOTE: The information transmitted, including attachments, is intended only for the person(s) or entity to which it is addressed and may contain confidential and/or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and destroy any copies of this information.

This e-mail and all attachments are confidential and may contain legally privileged information intended solely for the use of the addressee. If you have received this email in error, please notify the sender immediately. If you are not the intended recipient, you are hereby notified that reading, disseminating, distributing, copying, or any other use of this message is unauthorized. Any views or opinions expressed in this message are solely those of the author and do not necessarily reflect those of Allen Industries, Inc.

Board of Zoning Appeals Application for Variance

Instructions: Complete this form and submit to community.development@herndon-va.gov. Typed signatures will be accepted. Please see the reverse side for application submission requirements.

The undersigned hereby applies for a Variance under the provisions of § 78-155.4 of the Herndon Town Code. The undersigned certifies that all information in this application is true and correct and that the requirements of this application have been read and are understood.

Variance Information

Request for a Variance from Town Code Section: Sec. 78-141.4.

Variance will permit: An additional 4.78 sq ft to menu board in drive thru lanes

Address of Subject Property: Panda Express 598 Elden St. Herndon, VA 20170

Lot Area: 1.1 ac. **SF**

Are any site alterations or any alterations to the building's exterior or interior planned or underway in connection with this use (or were any alterations done)? If yes, please describe below.

Site and building are part of a new Panda Express development.

Applicant Information

Applicant Name and Title/Role: Ross McArthur CBW

Mailing Address:

Signature of Applicant:

Date: 6/17/26

Property Owner Information

Property Owner: CFT NV Developments

Mailing Address: 1120 N Town Center Dr #150, Las Vegas, NV 89144

Signature of Property Owner:

Date: 5/17/26

Intake Notes—Office Use Only

Application Received By:

Date:

Fee Paid:

Case Number:

Zoning District:

Tax Map Number:

APPLICATION REQUIREMENTS

To be Submitted with this Application

- ☒ Name and title of all Co-Applicants (Property Owner(s), Contract Purchasers, and Agents Authorized to Act on Behalf of the Property Owner) with respective mailing addresses, telephone numbers, and e-mail addresses
- ☒ A letter signed by the owner or owner's agent consenting to the application for the variance (if applicable)
- ☒ A statement of support demonstrating that:
 - Owing to special circumstances or conditions beyond the property owner's control (such as exceptional topographical conditions, narrowness, shallowness, or the shape of a specific parcel of land), the strict application of the terms of the Zoning Ordinance would result in unnecessary or unreasonable hardship;
 - Such need would not be shared generally by other properties;
 - The deviation would not be contrary to the public interest or intent of the Zoning Ordinance;
 - the application does not involve a change in use from those permitted in Article IV of the Zoning Ordinance;
- ☒ A copy of the Site Plan or Plat of the property, drawn to scale, showing all existing buildings including accessory buildings and any proposed structure or alteration. Requests for variances to height, setbacks or other architectural provisions must be accompanied with a dimensional drawing showing the features desired (electronically if available)
- ☒ Copies of any other drawings, pictures, plans and information that might assist the Board in making its decision (electronically if available)
- ☒ Application fee in accordance with the fee schedule on our forms and fees page or TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS in the Town Code
- ☒ A receipt or other documentation indicating that taxes have been paid on lands subject to the application (may be obtained when application is filed); and
- ☒ If a pre-application conference took place, a statement indicating the date and time a pre-application conference was held with the Town, as well as a list of participants in the conference.

AUTHORIZATION AND CONSENT FORM

Owner: King of Northern Virginia

Premises: 3035 Centreville Road,

Herndon, VA 20171

Contact: Ben Jarratt

Telephone Number: [REDACTED]

Re: Signage

To Whom It May Concern:

I am a duly authorized representative of King of Northern Virginia; the Owner at the referenced leased premises. In my capacity as owner's official representative, I do hereby approve the signage drawings submitted to me for approval. I further authorize Ross McArthur of Allen Industries to Project Manage the erection of signs at the above-named location and to sign and notarize documents associated with the sign conversion program hereby consented to by Owner.

Owner Signature: Ben Jarratt

Print Name Here: Ben Jarratt

Date: _____

Panda Express

Hardship Narrative

598 Elden St.
Herndon, VA 20170

6.16.26

Town of Herndon:

1-Panda Express is asking for relief from the current sign standard Section. 78-141.4. The maximum allowable cumulative area permitted of 24 sf in a Drive Thru as set forth in the various sections of this article.

2-The single lane layout of the properties Drive-thru does not allow for the additional of both the Menu Boards and our standard Order Canopies to run parallel to one another. The combination of a Menu-Board with a speaker is the only solution to the space restriction problem.



Page 1 of 2



4-Panda Express customer demographic pulls from customers 5 to 10 miles away from this site, there are 9 other restaurants within a 7-mile radius, one right across. If it is too hazardous or inconvenient for a new customer to find us, they will go to another storage provider.

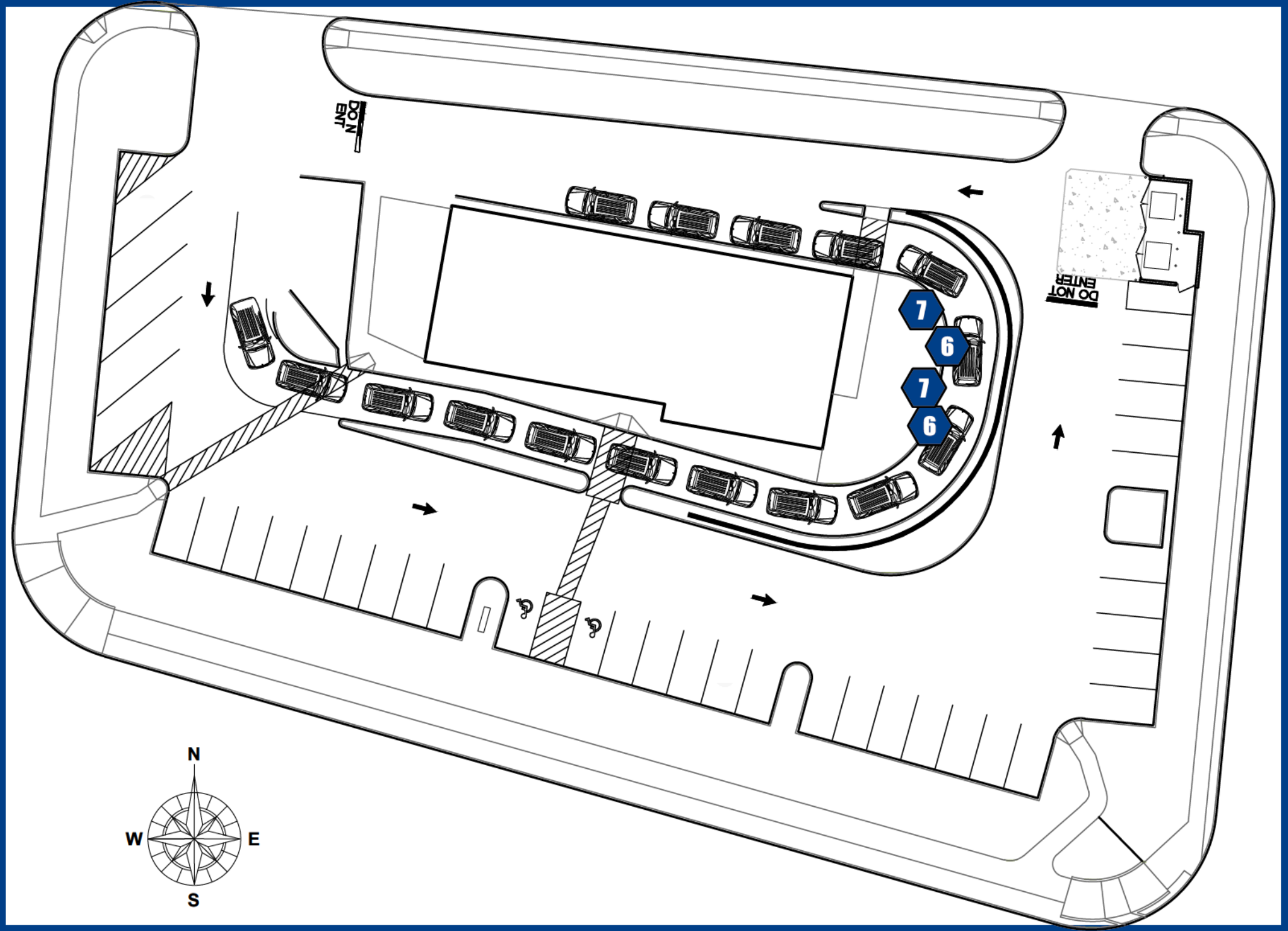
Your approval of this request will not be materially detrimental to persons residing or working in the vicinity or the adjacent property. It will improve traffic flow for vehicles and pedestrians adding to public welfare in general.

We are asking for a favorable decision in approving our request.

If you have any further questions, please do not hesitate to call.

Ross McArthur
Executive Director
Harrisonburg VA
[REDACTED]

Page 3 of 3



SITE PLAN LEGEND

- 6

OCU 45' from side property line
- 7

Menu Board 47' from property line

Site Plan

Scale: NTS

Allen Industries
FILE NUMBER: E212503

Listed

MET

E212503

Electric Sign
Complies with
UL48

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

GROUND
ELECTRICAL
CONNECTIONS

Allen Industries
YOUR BRAND AT ITS BEST™
1-800-967-2553
www.allenindustries.com

Copyright © 2025 Allen Industries, Inc.
This is an original, unpublished drawing, created by Allen Industries, Inc. This drawing is submitted to you in confidence for your use solely in connection with the project being planned for you by Allen Industries, Inc. and is not to be shown to anyone outside your organization, nor used, reproduced, copied or exhibited in any fashion whatsoever. The designs shown on the drawing (except for any registered trademarks that may belong to a client of Allen Industries, Inc.) remain the property of Allen Industries, Inc.

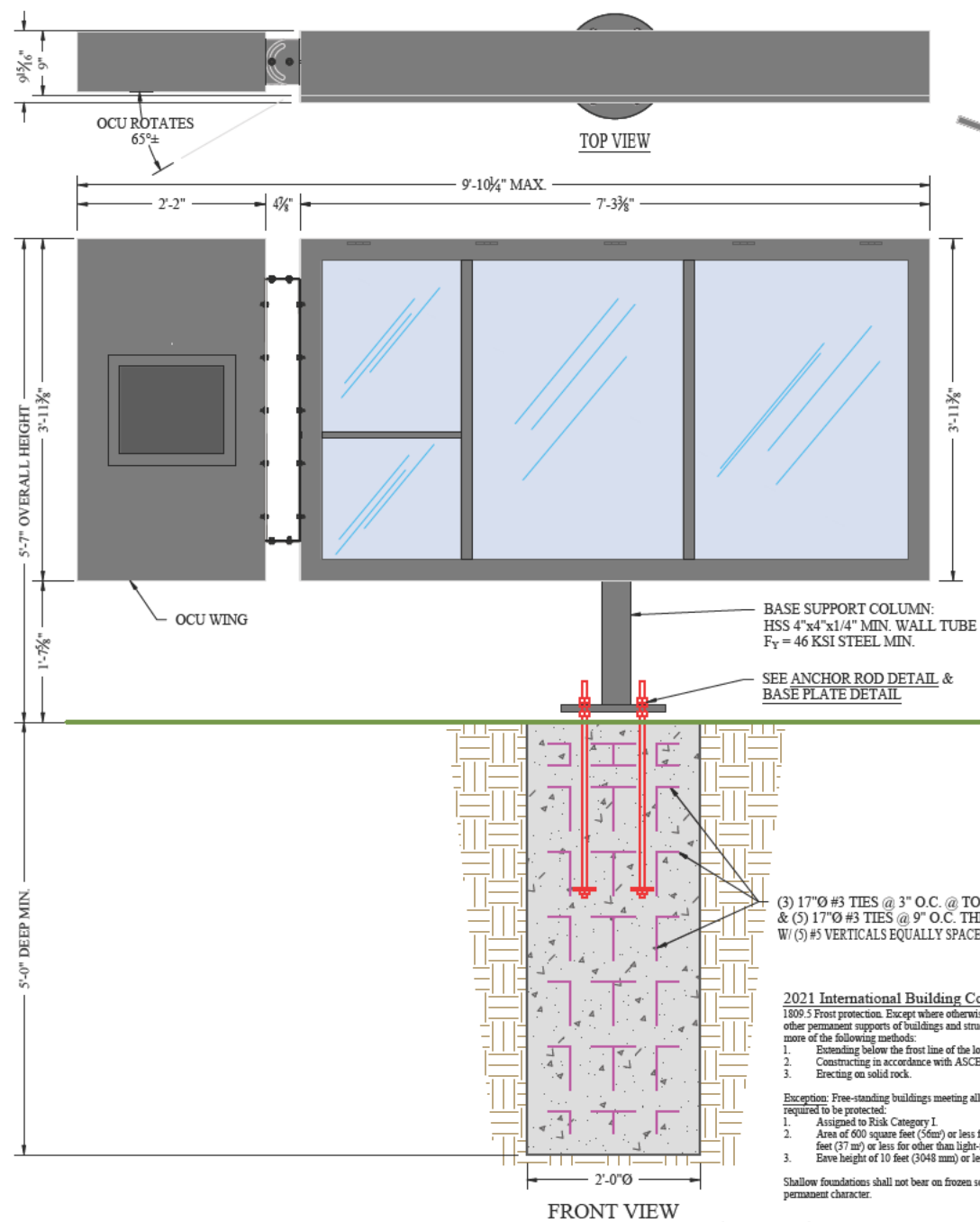
Client:
Panda Express

Address:
598 Elden St.
Herndon, VA 20170

Date:	Estimate #:	Job #:	Page #:
02/28/24	E11280	N/A	3 of 36
File Name:			
PAN-E11280_Herndon, VA_204			
Sales:	Design:	PM:	
House	JC	CC	

#	Date	Description
1	12/09/24	Updated OCU
2	04/23/25	Current updates
3	04/24/25	Revised site plan and elevations
4	-	-
5	-	-
6	-	-

Initial	Client Review Status
JK	Allen Industries, Inc. requires that an approved drawing be obtained from the client prior to any production release or production release revision.
JC	
JC	
-	Client Signature:
-	Approval Date:

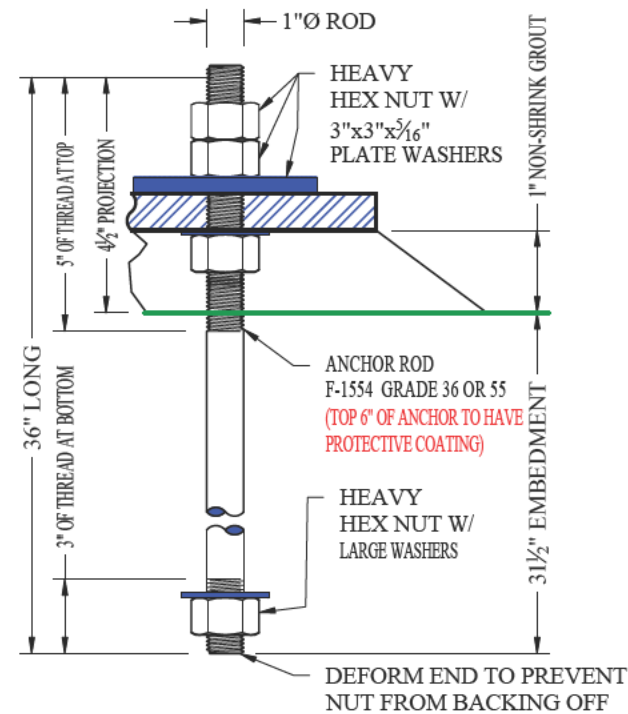


QTY: 2 Panda Express OCU/Menu Board

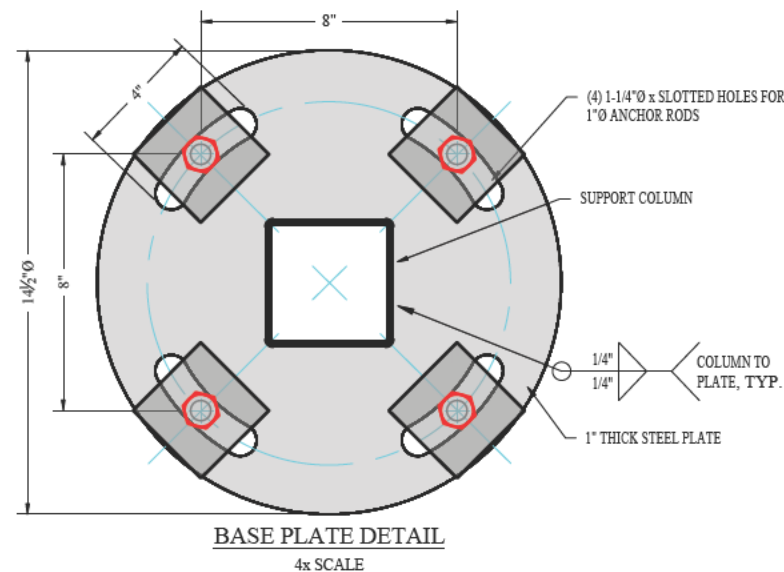
Drive Thru Elements - Production

Pre-Engineering Note

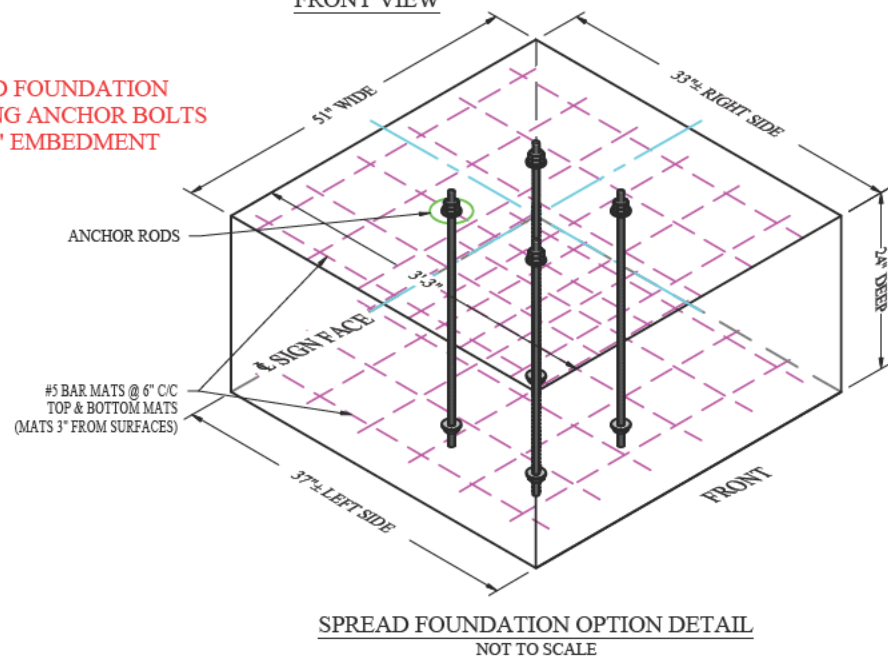
This Drive Thru Element is Pre-Engineered by the manufacturer. This Engineer is only responsible for the design of the foundation w/ anchor bolts.



ANCHOR ROD DETAIL
NOT TO SCALE



NOTICE:
FOR SPREAD FOUNDATION
USE 18" LONG ANCHOR BOLTS
WITH 13-1/2" EMBEDMENT



Electric Sign
Complies with
UL48



THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

VIEW	Layout & Details
DESCRIPTION	Panda Express OCU/Menuboard 3'-11 1/8" x 7'-3 3/8" @ 5'-7" O.A.H.
INSTALLATION ADDRESS	Panda Express D30883, 598 Elden Street, Herndon, VA 20170
CLIENT P.O.#:	58166

CARL E. THOMPSON, JR., P.E.

Mailing Address: P.O. Box 305, Athens, TN 37371

Phone:

Email:

DRAWN BY:	DATE:	DWG #:	SCALE:	SHEET SIZE:
D.P. Ward	June 3, 2026	26-0623-R1	1/2" = 1'-0"	11"x17"
REVISIONS: R1- Changed spread foundation size.				

SHEET
1 OF 1

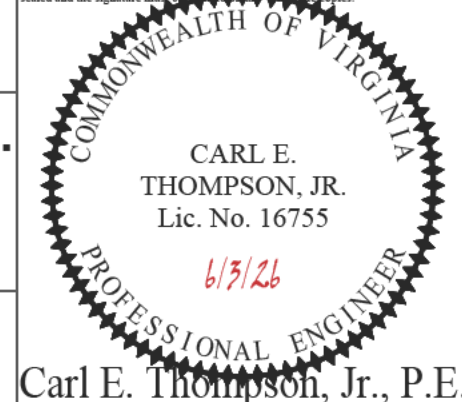
GENERAL NOTES:

- All design, detailing, fabricating and construction shall conform to the following codes and specifications:
 - The 2021 Virginia Uniform Building Code.
 - The 2021 International Building Code (ASCE 7-16).
 - American Society of Testing and Materials (ASTM) specifications.
 - Building Code Requirements for Reinforced concrete (ACI 318-(Current Edition)).
 - Code for Welding in Building Construction of the American Welding Society.
 - Specification for the Design, Fabrication and Erection of Structural Steel for Buildings by The American Institute of Steel Construction (AISC) (Current Edition)
 - Aluminum Association Aluminum Design Manual (Current Edition).
- Site Design Criteria (per ASCE7 Hazard Tool): Risk Category **I**
 - Seismic Design Category **B**, Site Soil Class **D** (Default):
 $S_s = 0.137$, $S_1 = 0.044$, $S_{DS} = 0.146$
 - Wind Speed, $V_{un,T} = 105$ mph (3 Sec Wind Gusts), Exposure **C**, Equivalent Wind Load, $P_{un,T} = 27.5$ PSF @ 5'-7" above the ground.
 - Ground Snow Load = **25** psf.
- Soil Bearing Capacity & Foundation Requirements:
 - Foundation shall not be placed at the top of, or side of a slope exceeding 3:1, or adjacent to a fill slope, unless evaluated by a qualified Professional Engineer. Do not place in fill soil.
 - Minimum Allowable Bearing Capacity shall be:
Vertical **1,500** P.S.F. & Lateral **(100 pcf * 2)=200** P.S.F. per foot of depth.
(Times two increase per IBC Section 1806.3.4).
- Concrete shall be $f'_c=4,500$ P.S.I. (min.) @ 28 days Compressive Strength, STD WT (150 P.C.F.)
 - Contractor may install signage on the structure after the concrete has cured for fourteen (14) days, providing the curing process has been properly maintained.
 - Mechanical Vibrators Shall be Used to Consolidate Concrete Around Support &/or Reinforcement.
 - Do not cold joint concrete. Foundation must be poured continuously until all concrete has been placed. Concrete must be poured as a workable mixture with a Slump between 4" - 6". All concrete mixing trucks must thoroughly & completely mix the concrete prior to pouring.
 - Steel Column is not required to be filled with concrete.
 - Additional water is not to be added to concrete on site. Additional water decreases the strength of the concrete mixture. Concrete should be rejected in lieu of changing concrete mixture on site.
 - Air Content - Exposure Class F2 & F3:
Aggregate size: 1/2" = 7%
Aggregate size: 3/4" = 6%
Aggregate size: 1" = 6%
- Reinforcing Steel shall be ASTM A-615 Grade 60, (if required).
 - All reinforcing steel shall be free from mud, oil, rust or coatings that would reduce or destroy bond.
 - All reinforcing bars shall lap 30 diameters minimum, except as noted.
 - Minimum concrete cover on ties, stirrups and main bars shall be 3/4 inch for slab, wall and surfaces not exposed to weather or in contact with ground; 3 inches for unreinforced surfaces deposited against the ground except as noted.
- Structural Material Specifications:
 - Threaded rods shall be Galvanized or Zinc plated F 1554 Grade 36, A307 Grade A, A307 Grade B, A307 Grade C, SAE J429 Grade 1 or SAE J429 Grade 2, unless otherwise noted.
 - Anchor Bolts shall be Galvanized F-1554 Grade 36 Rod, unless otherwise noted.
 - Stainless Steel bolts for connections shall be ASTM A316 SS Class 2A, unless otherwise noted.
 - Standard strength bolts for connections shall be Galvanized ASTM A-307, unless otherwise noted.
 - High strength bolts for connections shall be Galvanized ASTM A-325, unless otherwise noted.
 - Aluminum Threaded rods shall be ASTM F-468 Grade 6061, unless otherwise noted.
 - Aluminum shapes shall be extruded from 6061-T6 alloy.
 - Welding filler alloy shall be 5183, 5356, 5556 or approved alternative.
 - Structural Steel and Plates shall be ASTM A-36 (F_y=36 ksi)
 - W-Shape beams shall be ASTM A-992 (F_y=50 ksi) Minimum
 - Structural tubing shall be ASTM A-500, Grade B, (F_y=46 ksi)
 - Structural piping shall be ASTM A-53, Grade B, Type E or S, (F_y=35 ksi), ASTM A572 Grade 42 (F_y=42 ksi) or ASTM A572 Grade 50 (F_y=50 ksi), (see drawing for individual member specifications).
- All bolted connections to have snug tight condition, & if required be verified with Turn-of-Nut method, unless otherwise noted.
- Steel welding electrodes shall comply with AWS D1.1-(Current Edition), E70XX. Aluminum welding electrodes shall comply with AWS D1.2-(Current Edition). (All welding to be done by welder certified for specified weld type.)
- Engineer is not responsible for the safety on the job site (before, during or after) the installation of this structure. It is the responsibility of the owners, contractors & installers to ensure that the installation & erection are in compliance with OSHA regulations.
- Contractor shall verify all dimensions and conditions in the field before erection and notify the Engineer of any discrepancies. The scope of this engineer does not include on-site observations, unless specifically contracted.

NOTE:

Carl E. Thompson, Jr., P.E. is responsible for member anchor bolts connection & foundation design only. All else is shown for informational purposes only & is the responsibility of the manufacturer or others. This drawing is for permit procurement purposes only. Any deviations from these plans without prior written consent entirely voids this design. On-site observation are not included in the scope of engineering responsibility. Design is based on items such as existing field data, & site surveys provided by others, neither Carl E. Thompson, Jr., P.E. nor Allen Industries can certify the accuracy of the data provided.

This item has been electronically signed and sealed by Carl E. Thompson, Jr., P.E. using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on electronic copies.



Carl E. Thompson, Jr., P.E.

DT Order Canopy to be cut down to *only* the microphone/speaker unit and attached to the side of the DT Menu Board using 2 bracket hinges

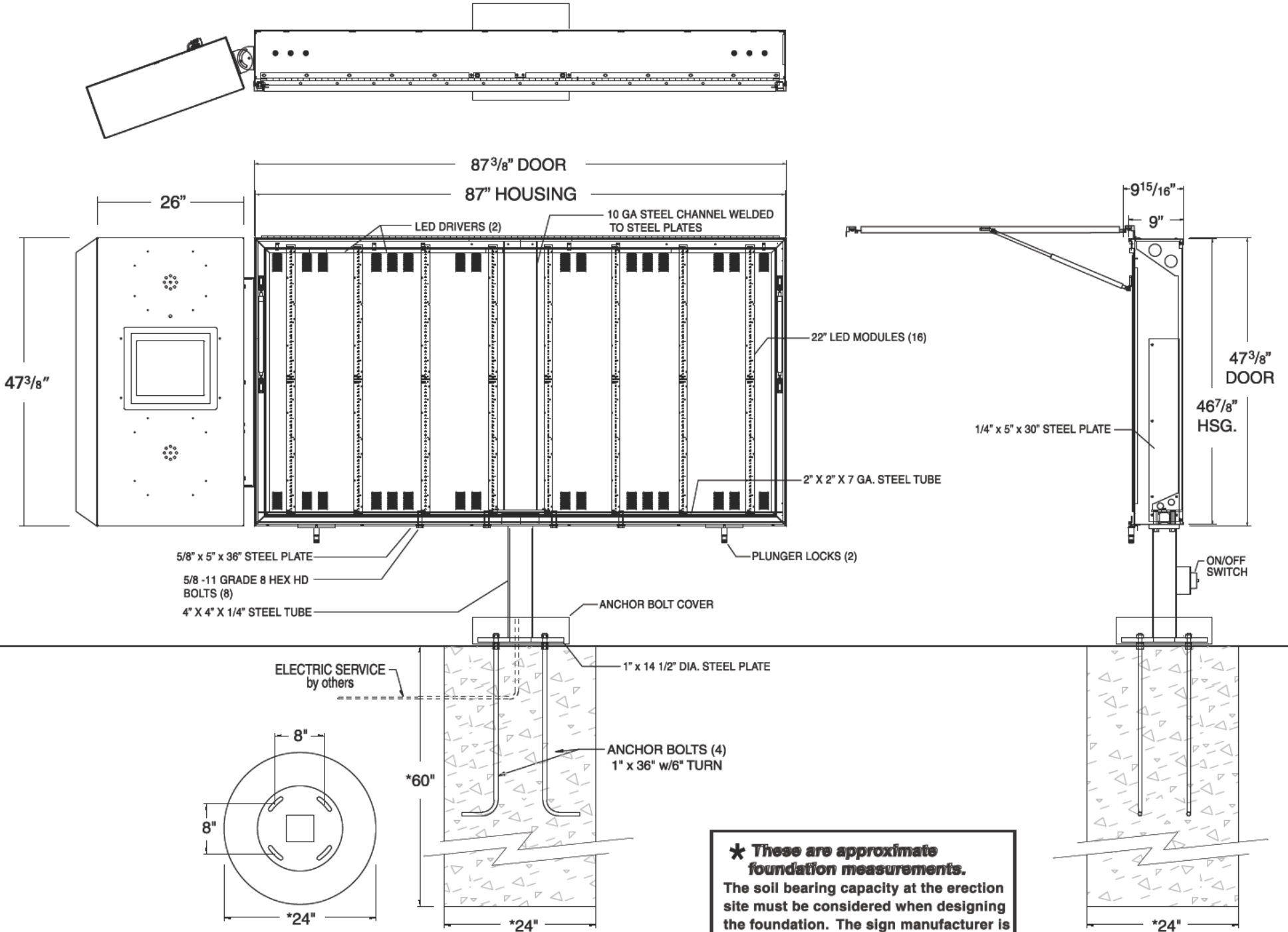
Electrical:
2.00 Amps @ 120 VAC 60Hz

MENU BOARD NOTES:
1) Housing Constructed of Aluminum Extrusion Welded
2) Door Frames Will Be Extruded Aluminum Welded Construction
3) Door Plex Will Be 3/16" Clear Polycarbonate
4) Entire Board and Steel Powder Coat Black
5) Graphics Load Into Graphic Holder Supported By Clear Lexan Panels For Support

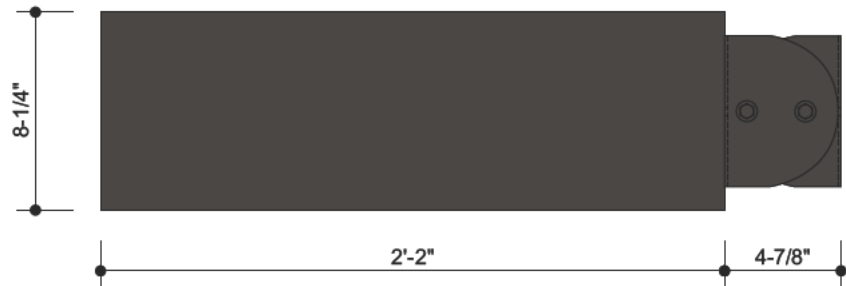
OCU ADDER NOTES:
1) Housing Constructed of Fabricated Aluminum Welded
2) OCU Painted Powder Coat Black

NOTES:
MATERIALS:
All Joints To Be Welded All Around
Grade A36 Steel Shapes
Grade A500 B Steel Tube
Grade A325 Fastener Bolts

NOTE: The completed menu board and OCU are UL listed.

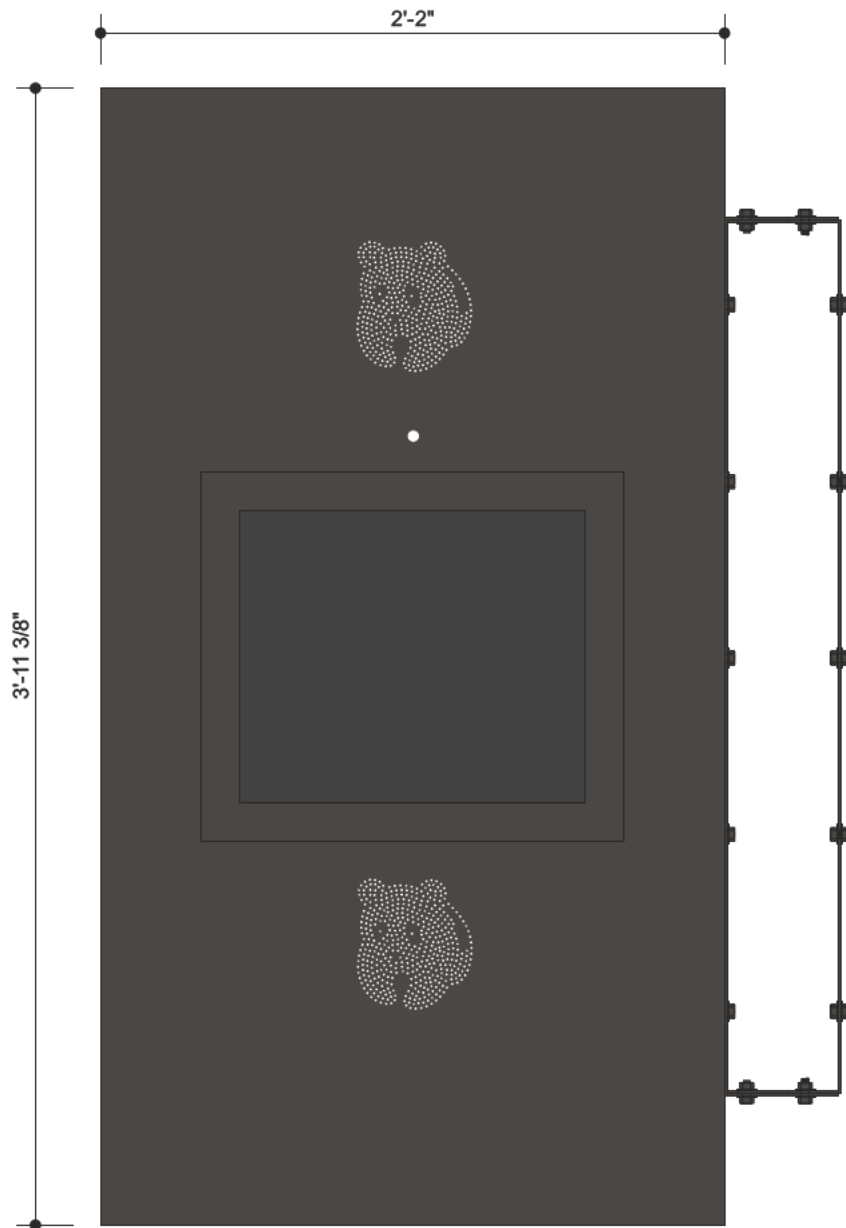


*** These are approximate foundation measurements.**
The soil bearing capacity at the erection site must be considered when designing the foundation. The sign manufacturer is not able to predetermine the specific needs of each location. Consult a local engineer for design specifications.



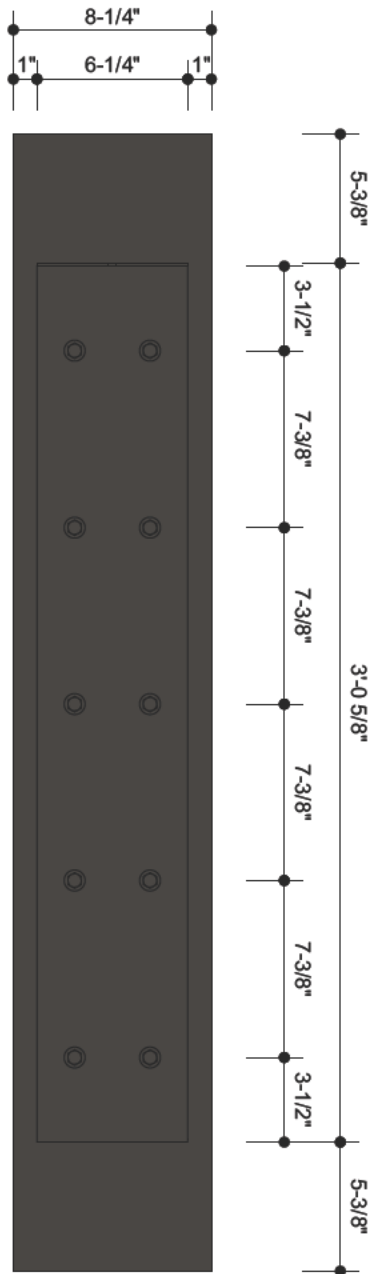
Top Elevation

Scale: 1-1/2"=1'-0"



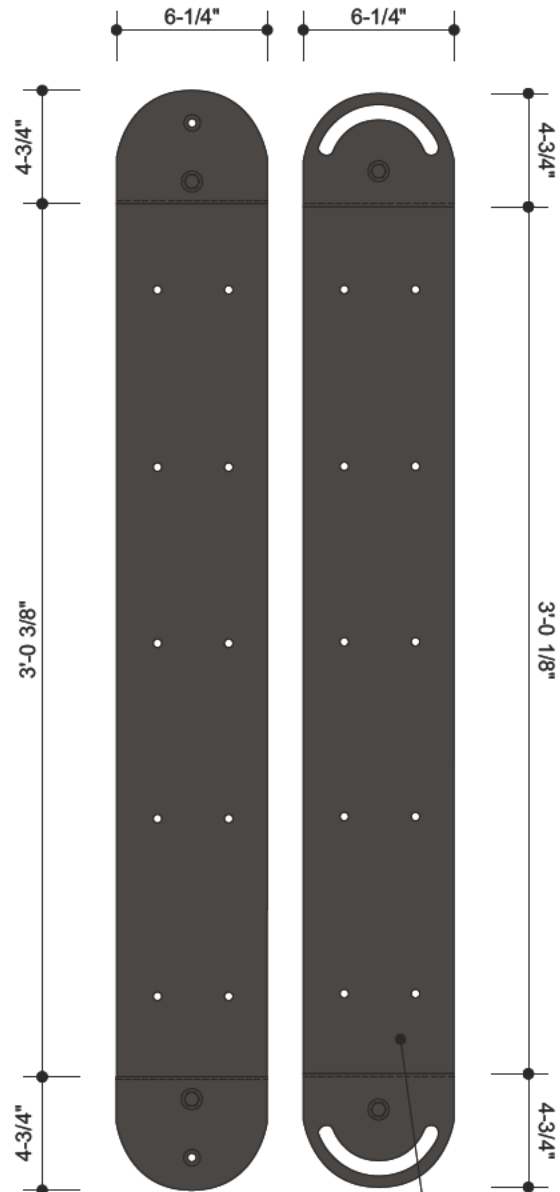
Front Elevation

Scale: 1-1/2"=1'-0"



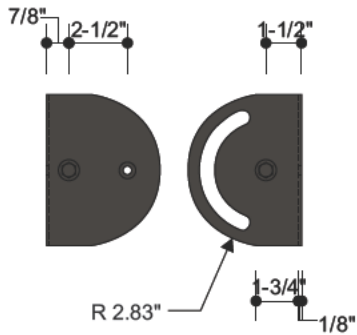
End Elevation

Scale: 1-1/2"=1'-0"



Bracket Flattened

Scale: 1-1/2"=1'-0"



Bracket Top

Scale: 1-1/2"=1'-0"

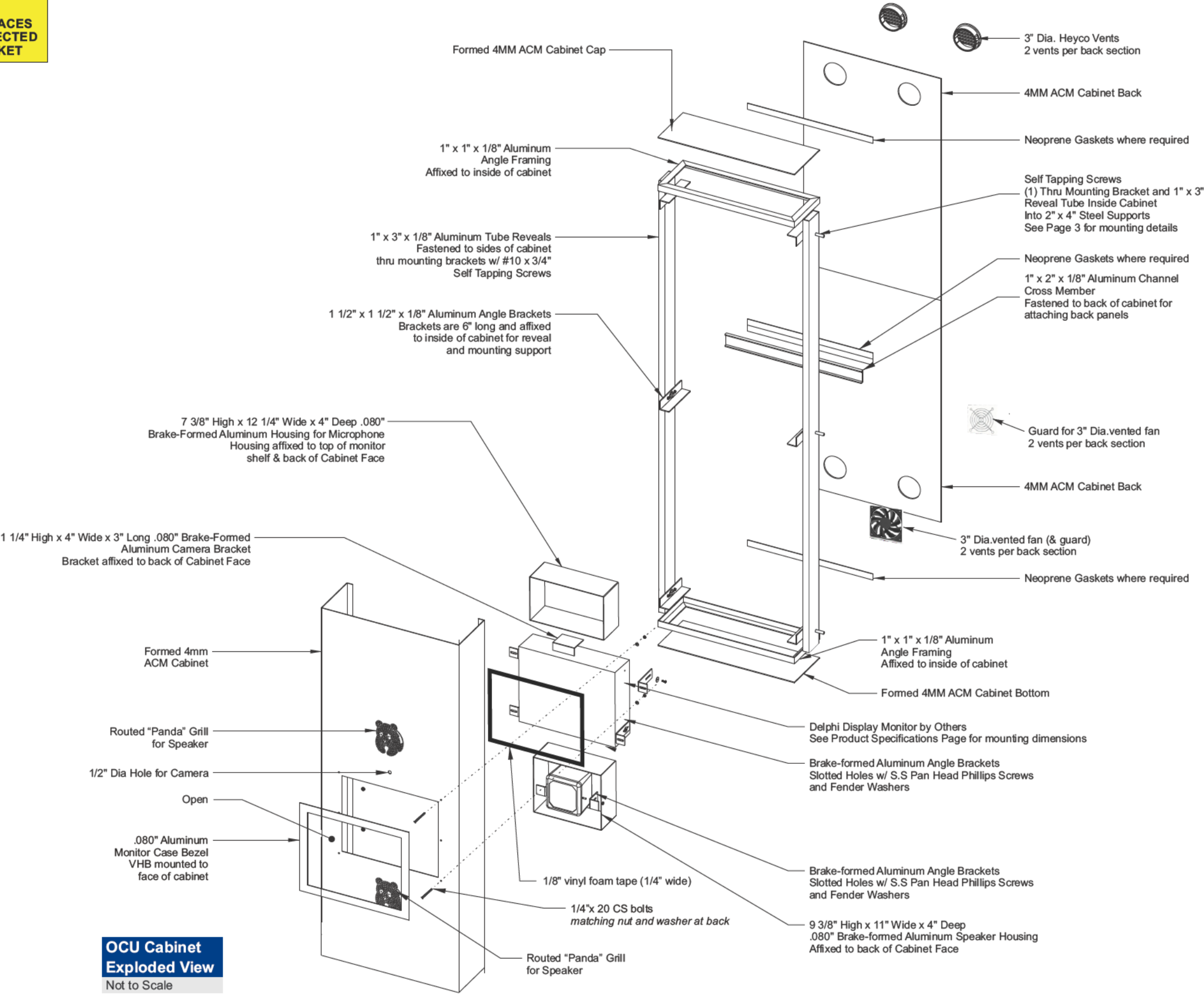
.125" Thick Aluminum Routed "C"-Bracket

Color Specifications

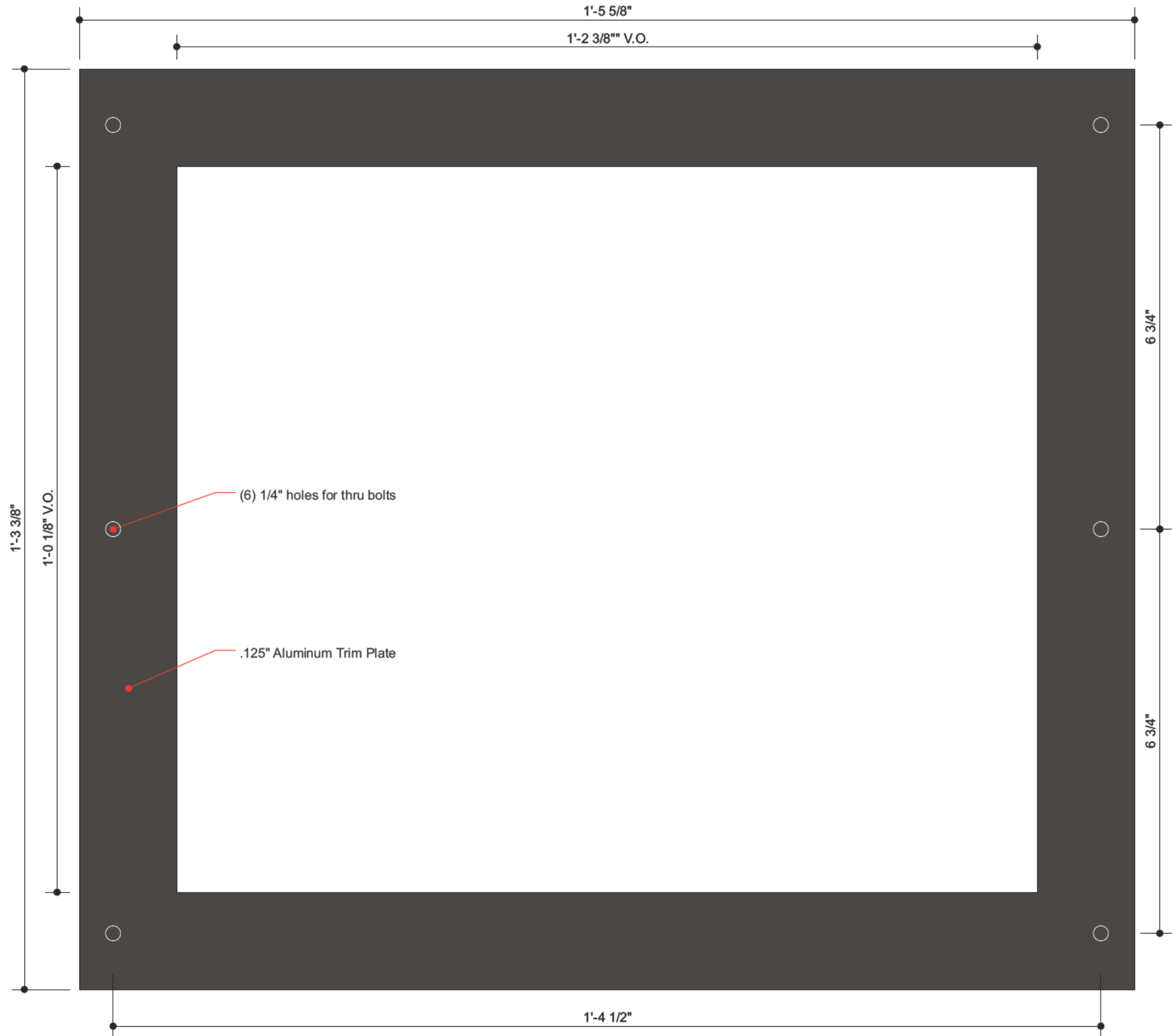
PMS Black 7C

All paint finishes to be Satin unless otherwise specified

DESIGN NOTE
ALL STEEL TO ALUMINUM INTERFACES
SHALL BE SEPARATED AND PROTECTED
BY A SUITABLE NEOPRENE GASKET

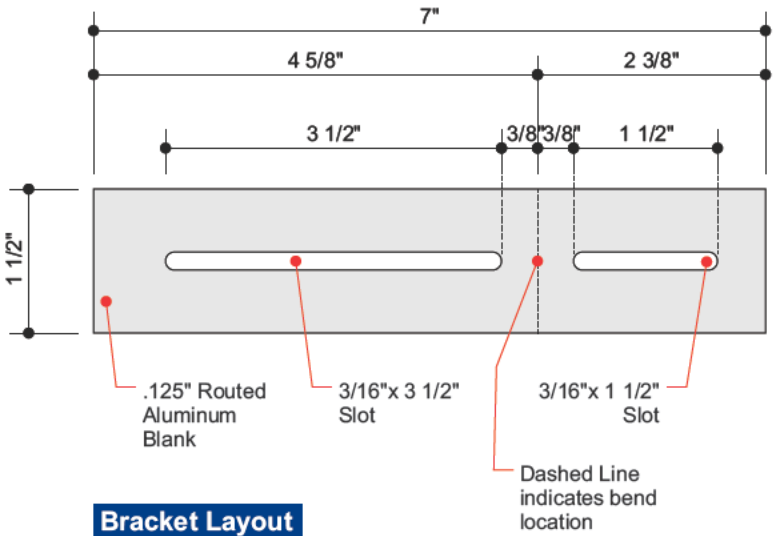


OCU Cabinet
Exploded View
Not to Scale



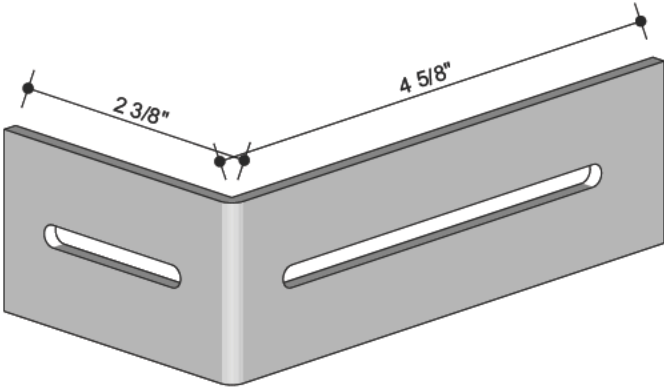
Order Display
Face Trim

Scale: 6"=1'-0"



Bracket Layout

Scale: 6"=1'-0"



Bracket Isometric

Scale: 6"=1'-0"

Color Specifications

PMS Black 7C (satin)

Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the **Board of Zoning Appeals (BZA)** of the Town of Herndon, Virginia, will hold a public hearing on Thursday, July 23, 2026, at 7:00 p.m. in the Herndon Council Chambers Building, located at 765 Lynn Street, Herndon, on the following item:

BOARD OF ZONING APPEALS, BZA #26-003, 598 Elden Street, to seek a variance from Section 78-141.4(b), Standards for Projecting, Parapet, Internal, Light Pole Banner, and Drive-Through Related Signs in Commercial Districts, to allow two primary drive-through signs that exceed the 24 square-foot maximum. The 40,324 square-foot lot is located at 598 Elden Street, on the north side of Elden Street between the intersections with Van Buren Street and Grant Street. The property is zoned CS, Commercial Services. Fairfax County Tax Map Number: 0162 02 0218. Applicant: Ross McArthur, Allen Industries. Property Owner: King of Northern Virginia.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above item are invited to attend the public hearing and state their opinions. Individuals may also submit comments to town.clerk@herndon-va.gov.

The proposed item is available for examination by the public at the 2nd floor counter of the Herndon Municipal Center, 777 Lynn Street, Herndon, during normal business hours (Monday – Friday) and also available for review on the town's website www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities so that they may participate in services, programs, or activities, offered by the town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation.

Amanda Morrow Kertz, Town Clerk

Note to Publisher:

Publish on July 3, 2026/July 10, 2026

BZA #26-003 598 Elden Street Variance

Board of Zoning Appeals

July 23, 2026

Aaron Zoellick

Zoning Services Specialist

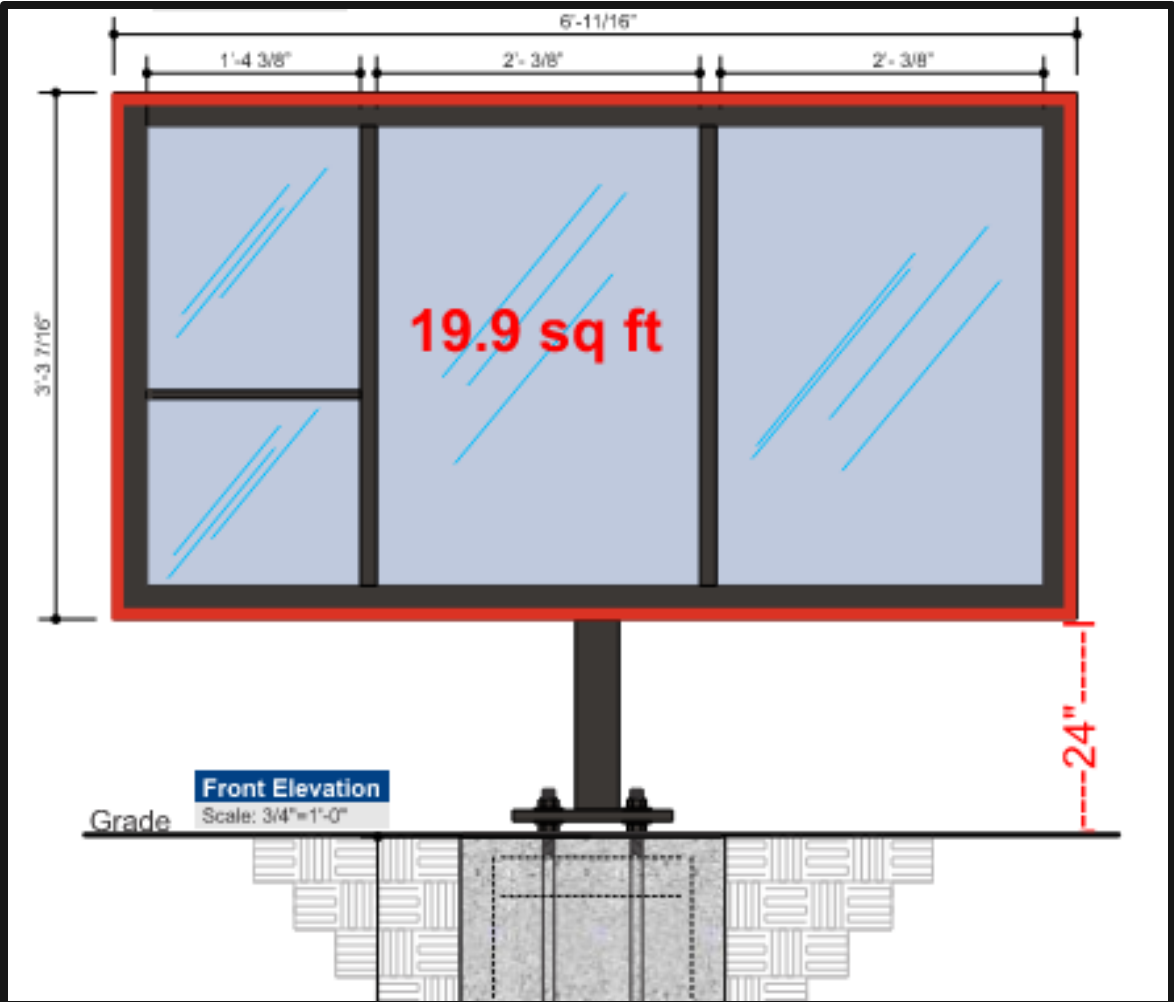
598 Elden Street – Site Location



598 Elden Street – Approved PSL #25-015

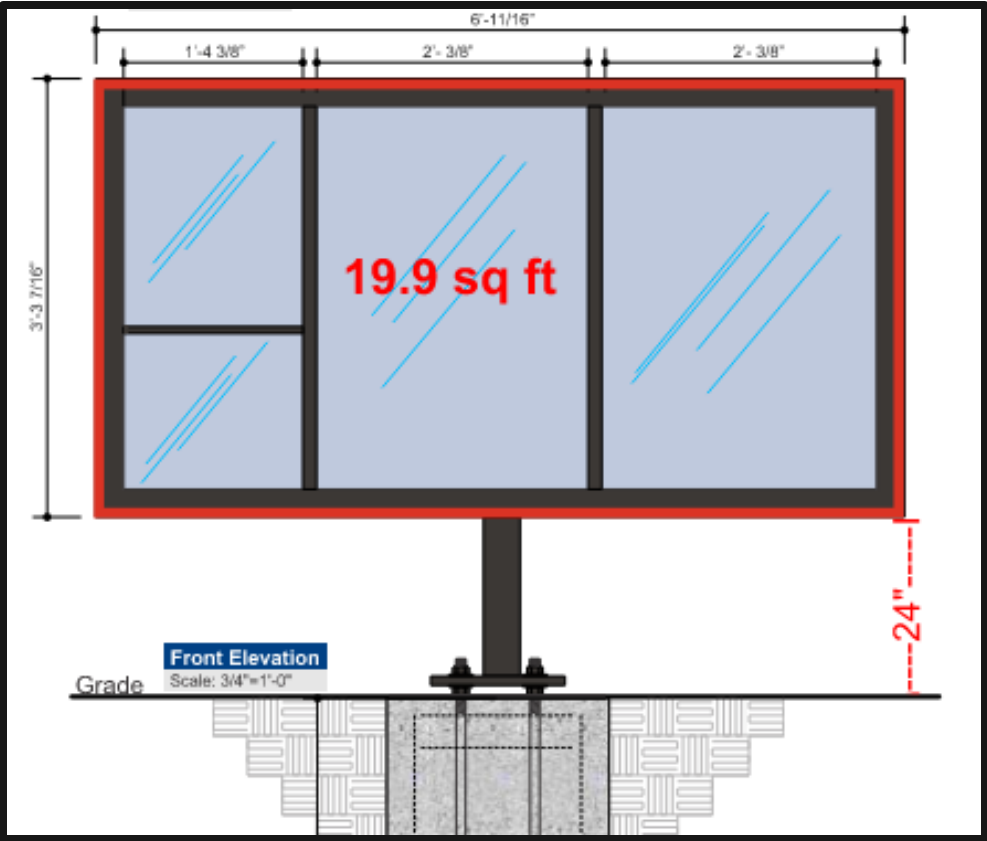


Order Confirmation Unit (OCU)

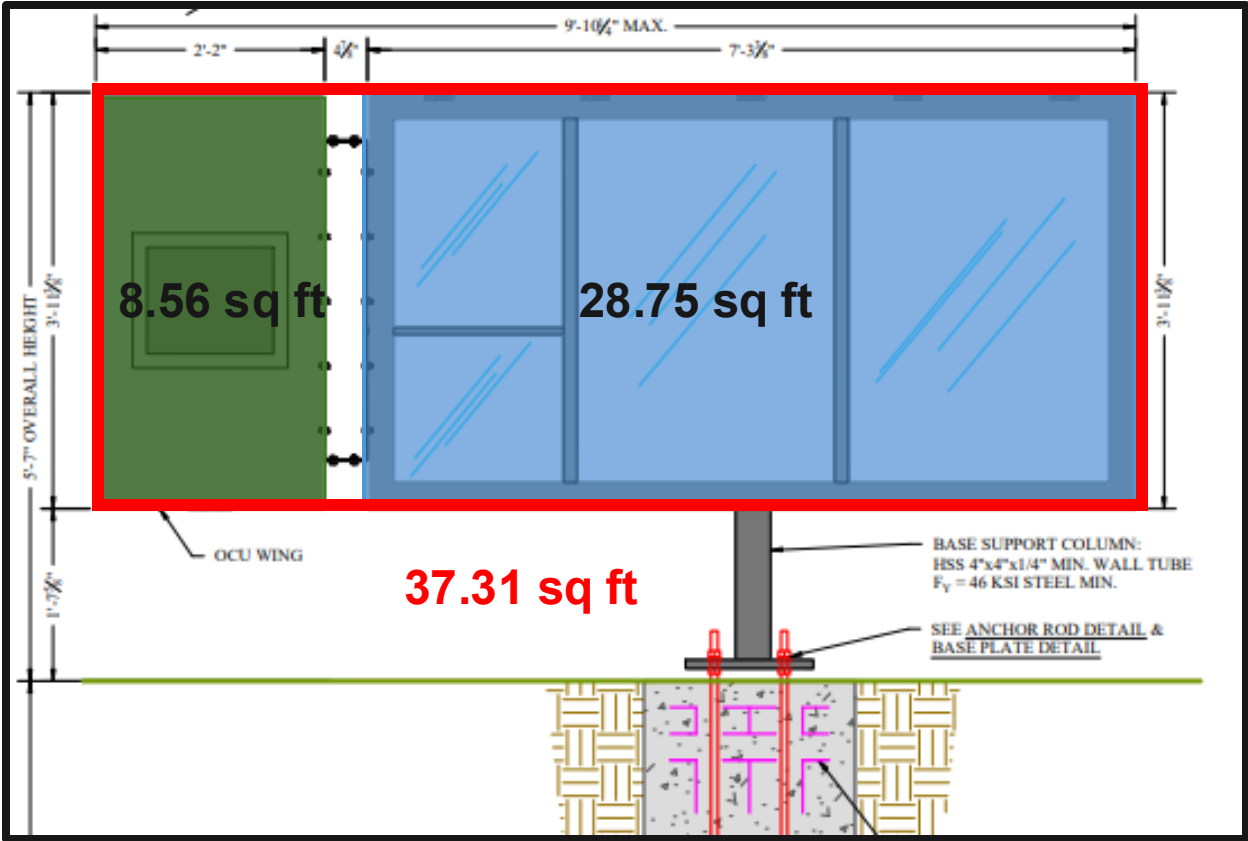


Menu Board - Primary Drive-Through Sign

598 Elden Street – Variance Request



Approved PSL #25-015



Installed

Section 78-155.4(d) – Variance Criteria

(1)	Strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon.	
	Assessment	Does Not Meet
	Reasoning	Nothing about the property restricts the applicant from installing a 24 square-foot primary drive-through sign. The installation of a 28 square-foot sign demonstrates the feasibility.
a.	The property interest for which the variance is requested was acquired in good faith and any hardship was not created by the applicant for the variance.	
	Assessment	Does Not Meet
	Reasoning	The applicant installed two different signs than what was submitted and approved by the town.
b.	The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area.	
	Assessment	Does Not Meet
	Reasoning	The maximum sizes for drive-through signs were determined during the public hearing and adoption process for ZOTA #22-01. The reason for having maximum sign sizes is to not cause adverse impacts on adjacent properties.
c.	The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.	
	Assessment	Does Not Meet
	Reasoning	Without a demonstrated hardship specific to the property, the condition must be of such a general nature that an amendment to the ordinance would be a more suitable remedy.
d.	The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property	
	Assessment	Meets
	Reasoning	Drive-through lanes are permitted as an accessory to a principal commercial use through a special exception.
e.	The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of variance application.	
	Assessment	Meets
	Reasoning	Neither a special exception nor a modification of the zoning ordinance were available to the applicant.

Recommendation

- Deny the variance request, BZA #26-003, based on the application's inability to meet the standards for a variance (Resolution for Denial)

Alternatives

- Approve the variance request, BZA #26-003 (Resolution for Approval (Menu Board and OCU))
 - This alternative would allow the menu boards and OCUs to remain in place as installed
- Approve the variance request, BZA #26-003, in part (Resolution for Approval (Menu Board Only))
 - This alternative allows the menu boards only to remain in place as installed
 - The applicant is required to remove the current OCUs and install OCUs that conform with zoning ordinance requirements for secondary drive-through signs