

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
1	2007 CUP - rental of school building	4/25/2022, 5/9/2022, 6/6/2022	Rental of outside grounds.	4/26/2022, 5/9/2022, 6/6/2022	Y	<p><b>Zoning violation:</b> The Notice of Violation sent by Town of Vienna to Green Hedges dated May 20, 2022 indicated that the rental of the property is not permitted for activities on the playing fields or the parking lots, but for inside the building.</p> <p>The Green Hedges School acknowledged this violation, and stated they would contain the rental uses to the interior of the building.</p>
2	2007 CUP - infrequent events extending beyond school hours	4/29/2022, 6/2/2022	<p>Several vs infrequent events and lack of notification of such events to abutting neighbors.</p> <p>"As a follow up to this complaint, I'd like to inform you that "Field Day", identified below as scheduled for 5/27, apparently was rescheduled to today without any notification to neighbors. I recognize that the school can schedule special events during school hours but this event is held outside. In addition to the expected increase in noise levels, (I had to move my activity indoors), it also included a balloon popping machine that sounds like gunfire pops.</p> <p>After what happened in Texas last week, this was unnerving to say the least. When I heard the increased noise level, I texted the headmaster to ask if it was Field Day. Once I heard the gun pops, I again texted saying, I heard gun fire. Shortly there after an email was sent out saying the school campus was fine and they had rescheduled Field Day to today.</p> <p>So gunfire popping was actually the balloon machine and screaming was excitement. This just again highlights the need for better notification to neighbors for these sorts of events.</p> <p>I've attached 2 voice recordings that reflect the "excitement" &lt;25&gt; and the "popping" &lt;18&gt; sounds."</p>	4/29/2022, 6/2/2022	Y/N	<p>Rentals of the Green Hedges facility are permitted per the Conditional Use Permits.</p> <p><b>Zoning violation:</b> The failure to provide notification for such events is a violation of the 2007 Conditional Use Permit.</p> <p>At a follow-up meeting to the May 2022 Notice of Violation, Town of Vienna staff emphasized the need to maintain the requirements of the Conditional Use Permit by limiting the number of events to being infrequent, and by providing on-site and off-site non-street over-flow parking for use by event attendees.</p> <p>Since the follow-up meeting, Green Hedges has provided the community and Town staff a list of events to be held at the school, and information about parking options that would be sent to the attendees of these events. Staff has also asked that signage be provided for the event, so that attendees can know where off-site off-street parking is provided.</p>
3	2017 CUP - Parking space for 2 spots at Meadow Garden on Lewis Street, CUP requirements for signage restricting parking use to School Staff and tree screening per CUP.	5/6/2022, 5/17/2022, 6/21/2022	<p>More than 2 cars parked in Meadow Garden, No signage per CUP, lack of tree screening per CUP</p> <p>"According to the 2017 CUP, parking in the "Meadow Garden" located at 202 Lewis Street is limited to TWO parking spots. On May 6th, 2022, it was observed that FOUR cars were parked in the 2 spot parking space. See photo #1.</p> <p>Additionally, the 2017 CUP was approved based upon the fact that screening of the parking spaces from the surrounding neighborhood would include 5 ft evergreen trees to be planted along Lewis St frontage and 8 foot evergreens to be planted along the northern property boundary. As you can see from Photos #2, such tree screening does not exist. from Photos #2, such tree screening does not exist."</p>	5/6/2022, 5/9/2022, 5/17/2022, 6/21/2022	Y	<p><b>Zoning violation:</b> The Town found that Green Hedges was not compliant with the 2017 Conditional Use site plan provision that 1) limited parking to no more than two cars at Meadow Garden (200 Lewis Street) and 2) required appropriate parking signage. These violations were included in the May 2022 Notice of Violation that was sent to Green Hedges. The Green Hedges School placed a sign restricting parking to two cars for maintenance staff per the Conditional Use Permit.</p> <p>In response to the concern about tree screening and required landscaping, the Town Arborist reviewed the existing plantings and found that the existing plantings are similar in quantity and species to those approved within the 2017 Conditional Use Permit.</p>
4	2000 CUP - Hours of Use of Athletic Field restricted to M-F 8-6.	5/9/2022, 5/12/2022, 6/6/2022	<p>Use of Athletic Field after hours</p> <p>"According to the 2000 CUP, the "athletic field" use is limited to school hours of 8am - 6pm Monday through Friday.</p> <p>The athletic field was being used tonight at 8:10pm by the fitness group. The fitness group is STILL conducting class outdoors (reference Green Hedges Complaint #1 filed by Elizabeth DiFrancisco.). In addition to the parking lot, they are now utilizing the athletic field which is in violation of the 2000 CUP. I respectfully request that the 2000 CUP be enforced and this violation be addressed immediately.</p> <p>The surrounding neighbors and I would like to enjoy our evenings and weekends outside in peace and quiet, in our residential neighborhood."</p>	5/9/2022, 5/12/2022, 6/6/2022	Y	<p><b>Zoning violation:</b> In the Notice of Violation sent by Town of Vienna to Green Hedges dated May 20, 2022, the school was instructed to maintain the hours for the field use per the 2000 Conditional Use Permit.</p> <p>The Green Hedges School noted that one rental group was using the grounds after hours outside of the school building, and would be directed to move back into the building.</p>
5	2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.	5/11/2022	<p>Off Street Parking not enforced</p> <p>"According to the 2007 CUP, "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities."</p> <p>This afternoon Green Hedges held a 3rd grade musical. In addition to parking on the athletic field right outside my fence line, cars were parked on Windover Ave and Nutley St NW. Please see pictures attached.</p> <p>I respectfully request that the 2007 CUP be enforced and this violation be addressed immediately.</p> <p>Please note these violations are not new. However, the surrounding neighbors and I have had enough. We will continue to document each and every violation as they occur."</p>	5/11/2022, 5/12/2022	Y	<p><b>Zoning violation:</b> In the Notice of Violation sent by Town of Vienna to Green Hedges dated May 20, 2022, the school was instructed to follow the CUP provision to mitigate the impact of events by ensuring the provision of off-site off-street parking for those events. In addition, Green Hedges was instructed to follow the requirement of the zoning code that parking may be only on improved surfaces (e.g., not on athletic fields).</p> <p>The Green Hedges School provided a list of events that would be held on campus for the remainder of the 2021-2022 school year, and of the parking instructions provided to participants. Staff has requested the 2022-2023 events schedule.</p> <p><b>UPDATE:</b> The Town of Vienna has subsequently (Complaint #11 changed to #6) received a complaint of parking off-campus during a September 8, 2022 event. Town staff is investigating. If the projected parking demand for the event was within the supply of parking on campus, no violation would have occurred. Parking on a public street is not a zoning or CUP violation.</p>

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
6a	2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.	5/12/2022	<p>"According to the 2007 CUP, "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities."</p> <p>&gt; This evening, at 7:00pm, May 12, 2022, Green Hedges held yet another school event. In addition to parking on the athletic field, which according to the 2000 CUP is only to be used M-F 8am-6pm, cars were parked along Nutley St NW. Please see pictures attached. In addition, the event ending at 9pm, continued until 9:30pm, as people were exiting the event - loud conversation, car doors slamming, car horns honking.</p> <p>I respectfully request that the 2000 AND 2007 CUP be enforced and this violation be addressed immediately. Please note these violations are not new. However, the surrounding neighbors and I have had enough. We would like to enjoy our evenings in peace and quiet in our residential neighborhood. We will continue to document each and every violation as they occur."</p>	5/12/2022	N	Originally addressed as a response to Comment 6b.
6b	2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.	9/8/2022	<p><i>(Changed from #11 to match email records)</i></p> <p>Off Street Parking not enforced</p> <p>"There was a "back to school" night at Green Hedges this evening -9/8/22- and once again cars are parked on Nutley. I did not walk around the neighborhood to check other streets. Clearly this is a violation of their CUP and needs to be addressed and enforced. Other schools hire staff members to direct traffic. Perhaps Green Hedges needs to do so as well In addition to the street parking, there was an extra car in the headmasters driveway. While it could just be a visitor, I am hoping the driveway is not going to be used for parking school events."</p>	9/8/2022	N	<p>The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly, and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.</p> <p>Parking on 227 Nutley a is not limited within the Conditional Use Permits.</p>
7	2007 CUP - First phase of construction to begin within 18 months of approval of CUP.	5/19/2022	<p>Phase 1 started April 8, 2013</p> <p>"According to the 2007 CUP granted on March 21, 2007, one the terms of the CUP (reference Section DD # 8) states "construction of improvements may be phased; the first phase of construction shall begin within 18 months of the approval of this conditional use permit."</p> <p>During the recent Planning Commission Work Session on 5/11, where Green Hedges presented their massive expansion plans, Commissioner Kenney inquired as to what was in Phase 1. No one could answer.</p> <p>I submitted a FOIA request for this information and received from the Town of Vienna, the attached letter from Gregory Hembree, then Zoning Administrator for the Town of Vienna. The letter is dated April 8, 2013 and states the Phase 1 Site Development Plan prepared March 21, 2013, consisted of "demolish the existing Stable Building and constructing a new 2-story 26,748sf educational building in approximately the same area. The permit also includes associated site work, including utility connections, sidewalks, and patios."</p> <p>The terms of the 2007 CUP stipulated Phase 1 beginning within 18 months of March 21, 2007 and the letter from Mr. Hembree identifying Phase 1 as the Stable Building construction is dated April 8, 2013, 6 years later NOT 18 months.</p> <p>As such, I respectfully request the 2007 CUP be voided as the CUP conditions were not met and no other phases have started."</p>	5/19/2022	N	<p>Staff has determined that no violation has taken place. Building permits were approved by zoning officials in 2013.</p> <p>If a permit is issued in error, the Town has 6 months from the date of issuance to force a correction of the permit or revoke the permit. Once the 6-month period has passed, the work associated with the permit is vested.</p>
8	2017 CUP - 202 Lewis St consolidation into Green Hedges plat.	5/26/2022	<p>Due to assurances by Green Hedges during 1997 CUP, consolidation should be revoked</p> <p>"I am writing with respect to Green Hedges latest massive expansion plans presented to Planning Commission on 5/11/2022. In that presentation, Green Hedges identified their purchase of yet another SF residential home - 206 Lewis Street in 2020, and indicated their intent to incorporate that property into their plat. The property is currently being used as a rental. In the 5/11 meeting, they had no specific plans for the property use. Green Hedges School purchased 202 Lewis Street in 2015 and was able to gain approval in 2017 to incorporate it into their plat for an "educational garden".</p> <p>However, during the 1997 CUP discussions, Green Hedges repeatedly indicated they would not purchase any more property, construct any additional facilities, nor increase student or staff numbers. For example, Town Council Meetings Minutes dated 12/15/1997, Bullet #6. "It was moved to Amend the Main Motion, that the Main Motion is approved in reliance on assurances that there are no plans to increase enrollment, staff or facilities at Green Hedges School; and upon the expressed understanding and agreement by school representatives, particularly the Chairman of the Board of Director during this proceeding, that no additional facilities will be requested or is likely to be approved by the Town in the foreseeable future."</p> <p>Additionally, in the March 1998 Vienna Newsletter in the Town Council Action Section it states: "Approved a request by Green Hedges School, 415 Windover Ave NW for a site plan modification to increase lot coverage to 34.5%. The modification is granted with the understanding that the school has no plans to increase enrollment or construct additional facilities beyond those cited in the application."</p> <p>Based upon these assurances by Green Hedges, which have been ignored, I respectfully request that the 2017 CUP be voided and NO further consolidation of property into the Green Hedges plat be allowed."</p>	5/26/2022	N	Any such statements made in 1997 were not part of the directive by the BZA. As such, there is no violation of the CUP or any other provision.

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9	CUP - N/A Chapter 10 - OFFENSES, MISCELLANEOUS: Sec. 10-20. - Nuisances—Maintaining prohibited. (Noise Complaint)	Various dates 6/21/2022	"I am writing with respect to Green Hedges School and a general increase in associated noise levels (not associated to special events). Please know, I am fully aware that I moved next to a small private school. I expect to hear children playing and laughing during recess. Children laughing and playing is a wonderful sound. Periodic moments of excitement are anticipated and special events held outdoors will bring increased noise. Over the last few years, children are outside almost all day long and blood curdling screaming is occurring with increased frequency and appears to be the older children. Efforts to address this directly with the school have largely been ignored. According to the Town Noise Ordinance, Section 10-20.1. "excessive, unnecessary or unusually loud noises" that are "unusual and unnatural in their time and place" on residential areas. While children playing at a school is natural, the blood curdling screaming is unusual and interrupting to the peace and quiet of the surrounding neighbors. As such, we are no longer able to enjoy our outdoor space. I have attached voice recordings to provide an example of what I am referring to. I would appreciate the Town assessing this matter and let me know what action can be taken." Increased frequency of unusual noise - Green Hedges Garbage Collection at 6:40AM	6/8/2022, 6/21/2022	Y/N	The Police Department has visited the site in response to complaints, as recently as September 2, 2022. The Police Department has not observed any noise violations.  <b>Zoning violation:</b> The May 20, 2022 Notice of Violation stated that events and activities are intended to be interior to the building unless otherwise stated, and that amplification systems are not allowed for events without prior approval.
10	No Complaint No. 10 in email records					
11	Complaint #11 in chronological order was titled "Complaint #6 - Repeat" To match email records, the complaint will be called #6 and #6b.					
12	2007 CUP - rental of school building	9/11/2022	rental of outside grounds "I recognize that the Green Hedges 2007 CUP provides for school facility rentals. However, a school facility as defined in VA Code (see section below) is a building, not a parking lot, playground, or any other outside area. The group that rents the school facility on Sundays utilizes the outdoor playground during their rental time. VA Code Section 15.2-2820. Definitions. "Educational facility" means any building used for instruction of enrolled students, including but not limited to any day-care center, nursery school, public or private school, institution of higher education, medical school, law school, or career and technical education school. I respectfully request that any rentals at Green Hedges take place inside the building (and their rental agreements immediately updated to reflect this)."	9/11/2022	N	This definition is from Code of Virginia Chapter 28.2. Virginia Indoor Clean Air Act, and not a general regulation for school campuses. Other town, county, state, and federal laws require schools and educational facilities to have playgrounds, parking lots, and other exterior features.  The Green Hedges School has been instructed to move all rental activities into the building (for example, fitness classes). However, there is no prohibition on users gathering informally outside of the facility or informally using playgrounds and parking lots.  The Green Hedges School grounds are open, and some users may not be directly associated with any rental group or school activity after school or permitted activity hours. Doing so does not constitute a zoning or CUP violation on the part of the Green Hedges School as long as other provisions are not violated.
13	2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.	10/1/2022	Off Street Parking not enforced "According to the 2007 CUP, "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities." Today Green Hedges held a school event. We were assured by the Dept of Planning that Green Hedges was mitigating parking on neighboring streets by utilizing offsite parking. From Dept of Planning: "...and that sufficient off-site parking be provided through an agreement with the provider and that signage indicate where that parking is." There was a small sign at 2 Green Hedges entrances telling event goers that additional parking was available at the Elks Lodge. That was clearly not sufficient. The Elks Lodge was at capacity by 11:45. Cars drove through the Elks Lodge, found no parking, and parked on Nutley. I have pictures if required. I respectfully request that the 2007 CUP be enforced and this violation be addressed immediately."	10/1/2022	N	The school must provide off-street parking which anticipates event attendance numbers. In this case, it is possible that the attendance numbers were underestimated. The Town will ask for the Green Hedges School to produce updated estimates of parking demand for future special events, though exact predictions are not possible.  In addition, there is no prohibition on members of the public parking on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event.
14	2007 CUP - infrequent events extending beyond school hours	11/4/2022	Many vs infrequent events "I recognize that the Green Hedges 2007 CUP allowed for the potential of infrequent activities that may extend beyond the stated school hours. "From the 2007 CUP: "Extracurricular Activities, special school events, and similar infrequent activities: the hours of use may be extended to 9:00pm during the week, and between 9:00am to 5:00pm on Saturdays, and 10:00am to 2:00pm on Sundays. With prior notification to abutting neighbors, one-time events, outside these hours, may be allowed. The Board of Trustees meetings shall be permitted to continue on Sunday evenings." The reason for this CUP complaint is that there appears to be several "special school events" and "similar activities" held at Green Hedges. Since Spring, we've been aware of 14 of these events, in addition to multiple summer camps, Thanksgiving Camp and Christmas Camp."	11/4/2022	N	There is no numerical limit event at the school grounds on any Conditional Use Permit. This has been noted as an issue to be recommended for future consideration during Conditional Use Permit processes. The school has been, and will again be, reminded that the CUP allows for infrequent events.

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15	2007 CUP - rental of school building	11/13/2022	rental of outside grounds "Hello - for a while after this complaint was filed, the church group did not utilize the playground. However, last week and again today, they were on the playground (With a dog too). Can this please be addressed? Are the rental agreements updated to reflect inside use only??"	11/13/2022	N	The Green Hedges School has been instructed to move all rental activities into the building, but this direction does not prohibit users from informally gathering outside of the facility or using playgrounds and parking lots.  The Green Hedges School grounds are open, and some users may come on the property that are, or are not, directly associated with any rental group or school activity, after school or permitted activity hours. Their doing so does not constitute a violation on the part of the Green Hedges School.
16	2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.	12/5/2022	"Excess of 56 cars parked in parking lot, Nutley St entrance blocked by parked cars, multiple cars parked in residential driveways, cars parked illegally on Windover Green Hedges had an event this morning ~ An 8:15am winter concert. Off campus parking was indicated. Approximately 65 cars were parked in the Green Hedges parking lot where only 56 spots are allowed via their CUP. Additionally, 4 cars were parked in the driveway of 227 Nutley and 6 cars in the Rice Arts Center driveway. What is most disconcerting is the fact that the Nutley St. entrance to the school was blocked by parked cars. The shuttle bus, apparently hired by the school, was unable to pull into the school and had to back all the way out to Nutley St. Should emergency vehicles be required at the school, they would not be able to enter via Nutley St entrance."	12/5/2022	Y/N	The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly, and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.  Parking on 227 Nutley and the Rice Arts Center driveway is not limited within the Conditional Use Permit. The 2017 Conditional Use site plan places limits on the parking at the Lewis Street garden, but no parking restrictions exist for 227 Nutley, or the Rice Center.  <b>Zoning violation:</b> The parking of excess cars on the site, outside of approved parking spaces is a zoning violation. Vehicles shall only be parked in marked approved spots and not block access aisles or exits to/from public rights-of-way. The Green Hedges School has been notified that this is a zoning violation.
17	CUP - N/A Chapter 18 - Zoning: Sec. 18-135. - Additional improvements required.	12/28/2022	"It appears that Green Hedges parking lot lighting is not compliant with Town of Vienna Zoning Code Section 18-135. Sec. 18-135. - Additional improvements required. Where off-street parking areas adjoin a lot in a detached residential zone, said parking areas shall be screened in accordance with the provisions of section 18-172. Any lights used to illuminate said parking areas shall not exceed ten feet in height above grade and shall be so arranged and hooded as to confine all direct light rays entirely within the boundary lines of the parking areas. Green Hedges received approvals for CUP amendments and site plan modifications in 1997, 2000, 2008, and 2015. During any of these modifications, the lighting could have been brought into compliance. Here is a picture of the type of lighting in place. Additionally, as you can see from the 1st photo above, the interior building lights often remain on all night."	12/28/2022	N	The lights posts that exceed 10' in height have been in existence on the site since the 1970s based on previously approved site plan documents. Per the State Code, these fixtures are allowed to remain as they are "vested," an existing condition before the Code Change was made, or a condition maintained for 12 years or more.  Staff has notified the Green Hedges School that in the request for expansion, all lighting proposed must be compliant with Sec. 18-135. - Additional improvements required.
18	CUP - N/A Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Sec. 9-13. - Parking in public place in excess of 48 hours prohibited. Chapter 18 - Zoning: Sec. 18-130. Requirements.	1/5/2023	"Over the last 6 months, the neighbors have noticed cars parked overnight or for several days in the Green Hedges parking lot. Section 9-13 of the Vienna Town Code prohibits parking in a public parking lot in excess of 48 hours. Since this is a private school, this is a private parking lot. Section 18-30 (admittedly related to commercial zone) indicates said parking lot is specifically used by patrons or customers of said business."	1/5/2023	N	Overnight parking in a private lot is not a zoning violation, unless the vehicle is inoperable, untagged, or above a certain weight.
19	CUP - N/A Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Section 9-12.3. - Where stopping, standing or parking prohibited.	Various dates	"I am filing a formal complaint for Green Hedges School. Green Hedges School has an entrance at Nutley St, an exit point on Windover, and a short entry point on Windover, supposedly for visitors, with limited parking for visitors. Green Hedges School drop off and pick up has been to enter on Nutley St and exit on Windover. At some point last year (?), Green Hedges School modified their drop off pick up process (also documented in their expansion application) to drop off and pick up the younger children on Windover. Cars queue up at the visitor entry on Windover and then circle to exit on Windover. Unfortunately, this queuing has occasionally backed up into Windover, but even more egregious is the fact that the entire visitor entry and designated pick up points in front of Kilmer Stable are designated as fire lanes. I realize pick up and drop off may last 30 minutes (?) but 30 minutes in an emergency is valuable time. According to Section 9.12.3 of the Town Code, parking or standing is prohibited in a fire lane and where signs are posted. Please note that the fire lane on Nutley St is also blocked during pick up and drop off as well, so emergency access to the school is not accessible, endangering the school and surrounding residents. I respectfully request this be addressed immediately to ensure our safety. Pictures of fire lanes on Windover visitor entry. Signs on both sides of entry."	1/12/2023	N	The stacking or queuing of occupied vehicles into the right-of-way, or within the site within fire lanes is not a zoning violation.  Planning and Zoning staff also conferred with the Police Department, who informed us that they do not consider this concern a matter for enforcement if the vehicle is occupied and moving along with the queue

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20	CUP - N/A  Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Sec. 9-13. - Parking in public place in excess of 48 hours prohibited.  Chapter 18 - Zoning: Sec. 18 [1]30. Requirements.	Various dates	"As previously reported, and in the last 2 weeks, the neighbors have noticed cars parked overnight or for several days in the Green Hedges School parking lot. As per the 2008 CUP, the stated school hours are 7:00am-6:00pm Monday through Friday. Also, per the 2008 CUP, rentals are allowed until 9pm Monday - Friday but currently no rental agreement is effect beyond 8pm. There is absolutely no provision for overnight use of the school facilities. I recognize that schools are a "conditional permitted use" in a residential zone, however, the days/hours of such use are clearly stated in the CUP. "	1/26/2023	N	Overnight parking in a private lot is not a zoning violation, unless the vehicle is inoperable, untagged, or above a certain weight.  The presence of a vehicle is not a use subject to the time restrictions of campus activities.
21	2000 CUP - Hours of Use of Athletic Field restricted to M-F 8-6, infrequent events extending beyond school hours	1/26/2023	Excessive Noise & 2007 CUP – infrequent events extending beyond school hours "I am filing yet another formal complaint for Green Hedges School. Green Hedges School - see attached - notified neighbors of a class room astronomy event taking place in the school parking lot yesterday evening. However, per their 2000 CUP, the athletic field use is restricted to school use Monday - Friday 8am - 6pm. The kids were on the athletic field, screaming and playing games, well past 6pm. Photos/videos available upon request.  I respectfully request that this violation of CUP use be addressed. If the School cannot manage use of the athletic field as per CUP conditions, it should be fenced (as identified in their 2007 CUP) and locked at 6pm to prevent unauthorized access."	1/27/2023	Y	<b>Zoning violation:</b> The Green Hedges School has been notified that the event was a violation of the 200 CUP requirement that the athletic field not be used outside of the hours of 8:00am - 6:00pm. While the event was stated to take place in the parking lot, the event overflowed onto the athletic field.
22	2007 CUP - rental of school building	Various dates	"I am filing a formal complaint for Green Hedges School.  Again, the Sunday rental group was outside playing on the playground.  This has been reported numerous times. What is being done to address these issues? What can I do to facilitate resolution?"	1/29/2023	N	The Green Hedges School has been instructed to move all rental activities into the building, but this direction does not prohibit users from informally gathering outside of the facility or using playgrounds and parking lots.  The Green Hedges School grounds are open, and some users may come on the property that are, or are not, directly associated with any rental group or school activity, after school or permitted activity hours. Their doing so does not constitute a violation on the part of the Green Hedges School.
23	2007 CUP - rental of school building	Various dates	"I am filing a formal complaint for Green Hedges School. I recognize that the Green Hedges 2007 CUP provides for school facility rentals. However, a school facility as defined in VA Code (see section below) is a building, not a parking lot, playground, or any other outside area. The group that rents the school facility on Sundays utilizes the outdoor playground during their rental time. VA Code Section 15.2-2820. Definitions. "Educational facility" means any building used for instruction of enrolled students, including but not limited to any day-care center, nursery school, public or private school, institution of higher education, medical school, law school, or career and technical education school. Given this issue has been reported numerous times to no effect, I respectfully request that all rental privileges at Green Hedges be revoked. Pictures available upon request. "	2/12/2023	N	This definition is from Code of Virginia Chapter 28.2. Virginia Indoor Clean Air Act, and not a general regulation for school campuses. Other town, county, state, and federal laws require schools and educational facilities to have playgrounds, parking lots, and other exterior features.  The Green Hedges School has been instructed to move all rental activities into the building (for example, fitness classes). However, there is no prohibition on users gathering informally outside of the facility or informally using playgrounds and parking lots.  The Green Hedges School grounds are open, and some users may not be directly associated with any rental group or school activity after school or permitted activity hours. Doing so does not constitute a zoning or CUP violation on the part of the Green Hedges School as long as other provisions are not violated.
24	2017 CUP - Site Plan  2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.  Chapter 18 - Zoning: Article 25. - Site Plan Control Provisions	Continuous	"I am filing a formal complaint for Green Hedges School. Per the 2017 CUP order, item #3, "The total number of parking spaces at 415 Windover Ave NW and 202 Lewis St NW shall not exceed 56." Last summer, Green Hedges School restriped their parking lots and have now striped in excess of 56 parking spaces. With the mid day event last week, only 1 parking space was vacant, so once again they exceeded the 56 parking spaces allowed."	2/19/2023	N	The Zoning Administrator reviewed the number of parking spaces on site with two site visits during the school day and by reviewing aerial photographs from multiple years. The lined spaces match the number of spaces allowed per the Conditional Use Permit, and no parking was observed outside of the lined spaces. Some additional lines are painted adjacent to the athletic field. These spaces are from the COVID-19 outdoor classroom set-up and not used for parking.

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
25	<p>2017 CUP - Site Plan</p> <p>2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.</p> <p>Chapter 18 - Zoning: Article 25. - Site Plan Control Provisions</p>	Continuous	<p>"I am filing a formal complaint for Green Hedges School with respect to an ongoing parking violation. More often than not, a car is parked in the Green Hedges parking lot (visitor parking area) in an area that is striped with diagonal lines as an indication for "no parking". It is not a valid parking spot. Perhaps when Staff addresses Complaint #24 (striped parking spots exceed the 56 allowed) - which is a CUP violation - they can explain to Green Hedges, the car is not legally parked and may be ticketed in the future."</p>	3/8/2023	N	<p>During site visits during the school day staff did not observe any examples of this complaint. The Zoning Administrator has reminded the Green Hedges School that all parking is to be within existing spaces, and cars may not be left unattended in areas not designated for parking. The Town does not ticket illegally parked cars on private property.</p>
26	<p>2017 CUP - Site Plan</p> <p>2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.</p> <p>Chapter 18 - Zoning: Article 25. - Site Plan Control Provisions</p>	3/9/2023	<p>"Green Hedges had another event on 3/9 at 7:00pm ~ a Middle School play. Use of their parking lot and off campus parking at Elks Lodge was indicated. Approximately 64 cars were parked in the Green Hedges parking lots where only 56 spots are allowed per their CUP. (Including cars parked in areas not striped as parking spots ~ reference Complaint #25.). The Elks Lodge, approximately 45 spots, was filled, 4 cars were parked in the Rice Arts Center driveway, one car was parked illegally on Windover and Nutley St was packed with the overflow. Please note, the 2007 CUP clearly states the School is required to "enforce" off-street parking for events and rentals. The 2017 CUP clearly states the total number of parking spaces at Green Hedges shall NOT exceed 56. Given this is a continual issue when Green Hedges holds events, I respectfully request this privilege be revoked or, at a minimum, be limited to the number they are allowed to park in their lot. "</p>	3/10/2023	N	<p>The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly , and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.</p>
27	2007 CUP - rental of school building	3/26/2023	<p>"I am filing a formal complaint for Green Hedges School. I recognize that Green Hedges 2007 CUP provides for school facility rentals. However, a school facility is defined as a building, not a parking lot, not a playground, nor any other outside space. The Northern Virginia Ethical Society rents space from Green Hedges for their meetings. They held such a meeting Sunday, March 26,2023. The members were seen entering and exiting the building to utilize the playground during their meeting. At one point a picnic was set up during the event. These were not random people who happened to wander by to use the playground - as has been suggested previously. These people were seen entering and exiting the building so they are indeed the rental group. The neighbors would like to enjoy their outdoor space in peace and quiet. During the school week, this is impossible due to the all day long unusually loud screaming. We look forward to the weekends to enjoy our own back yards. I therefore respectfully request that the Green Hedges rental groups be contained to the rental space and when their event is over, they exit the area quietly."</p>	3/26/2023	N	<p>This definition is from Code of Virginia Chapter 28.2. Virginia Indoor Clean Air Act, and not a general regulation for school campuses. Other town, county, state, and federal laws require schools and educational facilities to have playgrounds, parking lots, and other exterior features.</p> <p>The Green Hedges School has been instructed to move all rental activities into the building (for example, fitness classes). However, there is no prohibition on users gathering informally outside of the facility or informally using playgrounds and parking lots.</p>
28	2007 CUP - rental of school building	Various dates	<p>I am filing a formal complaint for Green Hedges. School hours are identified as Monday-Friday 8am-6pm. In the last few weeks, we have seen an increase of after school hours/days activity at Green Hedges. I cannot say if it is Green Hedges students or otherwise, and I don't really care. I can state - we cannot use our outdoor space M-F 8am - 6pm. Evening and weekends MUST be quiet hours for the residents. How do we address this NOW? This is beyond detrimental to the residents.</p>	4/13/2023	N	<p>Town staff requested a new account of the number of site rentals and activities. The rental agreements provided did not show a increase in rental groups or activities of those groups.</p>

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
29	2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.	5/18/2023	I am filing a formal complaint for Green Hedges School. Green Hedges had another event last night. A Middle School concert. There was no notification to residents and Off street parking was not enforced. Please note, the 2007 CUP clearly states the School is required to "enforce" off-street parking for events and rentals. Given this is a continual issue when Green Hedges holds events, I respectfully request this privilege be revoked. Note: Photo evidence available upon request. What's the impact to surrounding neighbors? Neighbors can't park in front of their own houses. Should they be having company, there would be no place for their company to park. Should they have been planning a graduation celebration, or dinner party, they would not be able to use their outside space due to the noise.	5/19/2023	N	The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly, and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.
30	Chapter 10 - OFFENSES, MISCELLANEOUS: Section 10-20. - Nuisances—Maintaining prohibited.	5/27/2023	I am filing a formal complaint for Green Hedges. On Saturday, May 27th, I noticed a Blade Runners sign posted on the side of the Nutley entrance to Green Hedges. The sign indicated that an agronomic application would be applied to that site on 5/28. The sign said to contact them if there were any concerns or questions. I contacted Blade Runners and left a voice mail to no avail. I also sent an email to Jenn at Green Hedges. (Received a reply on Tuesday.) My messages to both indicated that absolutely no spraying should be done near my fence line. (If we only had a buffer?). On May 28, I noticed the Blade Runner spray truck at Green Hedges. I talked to the gentleman to find out what chemicals were in the spray. He said it was an herbicide and I would need to contact Blade Runners to get the spec sheet. I asked him not to spray near any of the neighboring fence lines. I contacted Blade Runners today to get the spec sheet and was told only the client could request it. I've sent an email to Jenn requesting that information. We have previously asked for advance notification of spraying activity. A sign posted in a driveway is not advance notification. Additionally, Town Code Section 10.20.1 was clearly violated.	5/30/2023	N	The use of agronomic applications for lawn care is not a zoning violation.
31	2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.	10/14/2023	I am filing a formal complaint for Green Hedges. On Saturday, October 14th, Green Hedges held their annual Dragon Fest. They received approval from the Town Manager to hold said event. According to the 2007 CUP "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities." There was no signage at today's event identifying where offsite parking was located. The Elks Lodge was full by 11:30 and cars parked on Nutley St. Department of Planning and Zoning has determined this condition is not enforceable. I disagree. There are several creative ways to "enforce" this condition. Additionally, in an email from David Levy, he indicated "For an approved special event, they may use inflatables on the playing field. It is not a violation of the CUP." No where in the 2000 CUP does it indicate the athletic field can be used for special events. The 2000 CUP clearly states the athletic field use is restricted to school use Monday - Friday 8am-6pm. This condition is specifically to protect the residents from the associated noise outside of school days/hours. Given the rainy weather, inflatables were not used on the athletic field but I am concerned about this deviation from the CUP conditions and the impact of "special events" on the surrounding neighborhood ~ especially given the 2007 CUP states an "infrequent" number of special events - which is vague so in actuality there is no limit to the number of special events that can be held. Photographic evidence attached.	10/16/2023	N	The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly, and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking.
32	Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Section 9-12.3. - Where stopping, standing or parking prohibited.	11/17/2023	I am filing a formal complaint for Green Hedges. At many of the meetings, during Green Hedges CUP modification requests, Green Hedges stated that if there are stacked cars in their entrance lane, the cars are instructed to circle and come around the block so as not to impede traffic flow. This is not happening. Cars are stacked at the Nutley entrance. If cars are heading north on Nutley, they have to cross the yellow line into oncoming traffic to go around stacked cars. If cars headed south on Nutley and turning into the stacked driveway, they block all southbound traffic until they can enter into Green Hedges. Even though, this was stated numerous times, of course, it wasn't made a condition of the CUP, however it is a dangerous situation. I respectfully request you inform Green Hedges of their prior commitments and request this be made a condition in any further CUP modification. Please note- now that they have added Windover as a pickup/drop off, I've seen the same occur there.	11/17/2023	N	The stacking or queuing of occupied vehicles into the right-of-way, or within the site within fire lanes is not a zoning violation. If a citizen is observing a dangerous condition in the Town's right-of-way, the Police Department should be contacted at the time the unsafe condition is taking place.
33	Chapter 4 - Design Control District Decision of the Board of Architectural Review - PF-65-20-BAR - 12/17/2020	Various dates	I am filing a formal complaint for Green Hedges. Green Hedges went before the BAR on 12/17/2020 for Fence Modifications for the split rail fence on Windover Ave near the Kilmer House (Admin Building). The BAR approved the fence modifications with the stipulation that it was to be removed at the end of July 2021. The fence modification is still in place and it is November 2023. I respectfully request the BAR conditioned approval be enforced.	11/17/2023	N	<b>REVISED:</b> The Board of Architectural Review approved a revision to the 12/17/2020 decision on 9/16/2021 that permits the plastic fencing to remain.  <i>Note: A prior version of this table noted this as a violation; however, the Zoning Administrator located the approval and has revised the table.</i>

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
34	2007 CUP - infrequent events extending beyond school hours	12/7/2023	I am filing a formal complaint for Green Hedges. This evening, December 7th, Green Hedges held a Holiday Concert. No notification was provided to surrounding residents. The event concluded around 8pm and could have been uneventful if the kids didn't start playing basketball and screaming in the parking lot. I appreciate celebrating the season and enjoy holiday parties myself. However, advanced notifications of such events is a requirement of the CUP and the neighbors would appreciate a quiet departure so we can enjoy our in home seasonal festivities.	12/6/2023	N	<p><b>REVISED:</b> The 2007 CUP states, "For extracurricular activities, special school events, and similar infrequent or intermittent activities, the hours of use may be extended to 9:00 PM during the week and between 9:00 AM to 5:00 PM on Saturdays and 10:00 AM to 2:00 PM on Sundays. With prior notification and approval from abutting neighbors, one-time events outside these time periods shall be permitted to continue on Sunday evenings."</p> <p>This, or any other Conditional Use Permit for the Green Hedges School, does not require notification to the community for events taking place Sundays, only after the hours permitted.</p> <p><i>Note: A prior version of this table noted this as a violation, however, the Zoning Administrator has corrected this statement.</i></p>
35	CUP - N/A Chapter 9 - MOTOR VEHICLES AND TRAFFIC: Section 9-12.3. - Where stopping, standing or parking prohibited.	Various dates	I am filing a formal complaint for Green Hedges. At many of the meetings, during Green Hedges CUP modification requests, Green Hedges stated that if there are stacked cars in their entrance lane, the cars are instructed to circle and come around the block so as not to impede traffic flow. This is not happening. Cars are stacked at the Nutley entrance. If cars are heading north on Nutley, they have to cross the yellow line into oncoming traffic to go around stacked cars. Today the cars stacked almost a block away to Windover. I can't stress enough that statements made during CUP modification requests need to be incorporated as "Conditions" so they can be enforced. This is a dangerous situation. I respectfully request you inform Green Hedges of their prior commitments and request this be made a condition in any further CUP modification.	12/15/2023	N	The stacking or queuing of occupied vehicles into the right-of-way, or within the site within fire lanes is not a zoning violation. If a citizen is observing a dangerous condition in the Town's right-of-way, the Police Department should be contacted at the time the unsafe condition is taking place.
36	2007 CUP - infrequent events extending beyond school hours	1/7/2024	I am filing a formal complaint for Green Hedges School. I recognize their CUP allows rentals of their facilities. However, at 12:30pm today, 3 young children exited the multi purpose room door into the playground. They then began to bang on the chain link fence, tease and bark at the residents' dogs. There were no adults present to supervise the children. This is unacceptable and unfair to the surrounding residents. If the rental groups cannot maintain civility and respect for the neighbors, the rentals need to cease. If and when Green Hedges application to expand, yet again, comes before you, please keep this and all the other complaints in mind when assessing impacts to the neighborhood.	1/7/2024	N	<p>The following response was sent by email from the Zoning Administrator on 1/10/2024:</p> <p>The presence of people associated with the weekend rentals of the site, or community residents, on the playgrounds or playing field outside of school hours does not constitute a violation of zoning or the Conditional Use Permits for the Green Hedges School. The 2007 Conditional Use Permit mentions that the campus is open to the community, and no Conditional Use Permits for the school prohibit members of the community or participants from rentals from gathering in small groups informally or using the playground equipment. Formal events and gatherings, outside of those allowed by Special Event Permits, must be within the school building.</p> <p>The Town of Vienna does not regulate the presence of pets on school grounds. I have also noticed this signage on Fairfax County Public Schools property, but this is not a regulation based on zoning or site plan requirements, which are the Town of Vienna's purview.</p>
37	2007 CUP - school to mitigate negative impact on surrounding neighborhoods from traffic and parking for all events and activities including rentals and shall provide and enforce off street parking for all such activities.	2/15/2024	I am filing a formal complaint for Green Hedges School. I recognize their CUP allows for special events, to occur. However, their CUP also states that Green Hedges would enforce off street parking for such events. Today, 2/15, a grade 3 play took place. Notification indicated that parking would occur on site. Unfortunately, once again, the CUP conditions are not being met. Parking occurred all along Nutley St. and blocked neighbors' mailboxes. There was no offsite parking provided, no staff member directing attendees to off site parking. I recognize that the zoning administrator, Andrea West, has consistently responded to these specific complaints with the following: "The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly, and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when necessary, the school provide off-site off-street parking." Given this is a constant occurrence for every event, I respectfully request the Town to address it more forcefully. Photographic evidence provided.	2/15/2024	N	<p>The school must provide off-street parking that anticipates event attendance numbers; however, members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, the Town of Vienna Police Department should be contacted at the time of the event.</p> <p>The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when there is a reasonable expectation that parking demand will exceed the amount of parking permitted under the CUP, the school provide off-site off-street parking.</p>

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
38	2017 Site Plan	Continuous	<p>I am filing a formal complaint for Green Hedges School, specifically related to their lack of buffers for abutting residential properties. My property abuts Green Hedges on 2 sides. On one side, a chain link fence is all that separates the School's playground from my property. You can imagine how noisy it gets with 20-40-60 kids in a playground all day long. On the other side, which is backs to the entrance driveway, there used to be somewhat of a buffer. It was lovely during spring and summer but did lose some luster in winter ~ but was better than nothing. It was helpful to block noise, traffic, school children playing, etc.</p> <p>Sadly, this past week, Green Hedges clear cut the entire buffer. When I asked the headmistress why, she said it would grow back in a few months. Clear cutting a buffer is really no buffer. To mitigate the sound and sight lines, we, the residents, inserted plastic slats in the chain link fencing and additionally added wind screens, to block views and sounds.</p> <p>According to the site plan submitted in 2017, there is to be a buffer along the back of my yard. Given what was there is now gone, the School is not maintaining the site as approved. Clear cutting buffers and cutting down trees with no replacement is a violation of the approved Site plan. additionally, the buffer also blocked the overflow light pollution from the light pole on the property line.</p> <p>I respectfully request an evergreen buffer be planted immediately that is consistent with the approved site plan. I would like to request a light shield be installed immediately, so our back yard is not illuminated all night long.</p> <p>Photographic evidence provided.</p>	2/25/2024	N	<p><b>See response to Complaints No. 39 and 40 below.</b></p>
39	2017 Site Plan	Continuous	<p>I am filing a formal complaint for Green Hedges School, specifically related to their lack of buffers for abutting residential properties. My property abuts Green Hedges playground. A chain link fence separates the School's playground from my property. You can imagine how noisy it gets with 20-40-60 kids in a playground all day long.</p> <p>According to the 2016/17 Site Plan a dense buffer of evergreen trees were to be in place. A row of Holly trees were planted which would have been sufficient. Sadly, Green Hedges decided to raise the canopy of the Holly trees effectively removing a good portion of the buffer. As such, the School is not maintaining the site as approved.</p> <p>Clear cutting buffers, cutting down trees with no replacement, and raising tree canopies is a violation of the approved Site plan.</p> <p>I respectfully request an evergreen buffer be planted immediately that is consistent with the approved site plan.</p> <p>Photographic evidence provided.</p>	2/25/2024	N	<p><b>Revised Zoning Administrator Decision:</b> Following review and acceptance of the conceptual site plan as complete for the Conditional Use Permit and Modifications of Site Plan Requirements applications, the Zoning Administrator determined that the removal of the trees and landscaping did not constitute a violation of the canopy coverage requirements.</p> <p>Staff reviewed the approved 2007 and 2017 site plans and identified discrepancies in the gross site area, indicating that no applicable approved canopy coverage standard exists for the site's existing size and conditions.</p> <p>As for the shrubs and trees along the property lines, some vegetation was removed or pruned in areas considered required buffer zones under the current zoning code. However, those buffer requirements were not part of the zoning regulations in effect when the 2007 and 2017 site plans were approved; therefore, the areas were not subject to those standards.</p> <p>Additionally, the trees removed reportedly had health and structural issues that created elevated risk/hazard conditions. The Town's Urban Forester, Tim Koski, walked the grounds with the school administration, observing the remaining cut stumps and other trees on the site, which led him to believe those assessments were likely accurate, though no pre-removal assessment was completed by town staff, nor was a report from the school's arborist provided as solid evidence to substantiate the stated reasons for the removal of those trees.</p>
40	2017 Site Plan	Continuous	<p>I am filing a formal complaint for Green Hedges School for failing to maintain the 2017 Site Plan and CUP.</p> <p>The 2017 CUP was approved based upon the fact that screening of the parking spaces from the surrounding neighborhood would include 5 ft evergreen trees to be planted along Lewis St frontage and 8 foot evergreens to be planted along the northern property boundary. As you can see from the attached photos, no such tree screening exist along the northern property boundary.</p> <p>Back in 2022, the town arborist visited the site and made a determination that sufficient screening existed. Recently the area has been clear cut and NO such screening exists. Green Hedges Schools' response was "they now own that property".</p> <p>I respectfully request this be addressed and the appropriate tree screening be installed as per the Site Plan and CUP order.</p> <p>Photographic evidence provided.</p>	3/19/2024	N	<p>Additionally, the trees removed reportedly had health and structural issues that created elevated risk/hazard conditions. The Town's Urban Forester, Tim Koski, walked the grounds with the school administration, observing the remaining cut stumps and other trees on the site, which led him to believe those assessments were likely accurate, though no pre-removal assessment was completed by town staff, nor was a report from the school's arborist provided as solid evidence to substantiate the stated reasons for the removal of those trees.</p>
41	1978 Site Plan 1978 CUP	Continuous	<p>Madam Mayor, Town Council, Department of Planning &amp; Zoning, Commissioner Kenney, Chairwoman Plowigan, Chairman Dhanjal, Town Staff,</p> <p>I am filing a formal complaint for Green Hedges School for failure to comply with the 1978 CUP and Site Plan.</p> <p>The 1978 CUP was conditioned that the edge of the parking lot be screened with fast growing trees and shrubbery.</p> <p>The 1978 Site Plan shows trees lining the proposed parking lots.</p> <p>In the BZA meeting held on 5/17/1978, to gain approval, the School said "they would be glad to plant fast grows growing trees and shrubbery to screen the area."</p> <p>I respectfully request that Green Hedges screen the parking lots as stated in the 1978 CUP and Site Plan.</p>	3/24/2024	N	<p>The 2017 site plan is the applicable site plan to landscaping and trees on the Green Hedges site and the 1978 site plan is invalid.</p> <p>The 1978 conditional use permit condition was not included in subsequent site plans approved, and is therefore no longer a valid condition.</p>

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
42	1981 CUP	Continuous	I am filing a formal complaint for Green Hedges School for failure to comply with the 1981 CUP. The 1981 CUP was to incorporate 427 Windover Ave as additional classroom space. The 1981 CUP was conditioned that the use be limited to use as classrooms and storage of instructional material. In the BZA Public Hearing on 6/27/1981, the School stated "the driveway will not be used for they will continue to use the present one and there is adequate parking in the rear for all their needs." The School has traditionally parked at least 3 vehicles in the driveway of 427 Windover (referred to as the Rice Arts Center.) However, the School recently acquired a "bus" which is now parked in the driveway of the Rice Arts Center. This does not "look" residential and is not screened at all. Vehicles are one thing, especially when they vacate at 4pm. The bus has not moved for 2 weeks. I respectfully request that the 1981 CUP conditions be enforced and that no parking occurs at this location.	3/24/2024	N	REVISED: The Zoning Administrator, in a prior decision, see #16 of this document, dated 12/5/2022, stated that parking was not restricted at the Rice Center as it was at the Lewis Street garden.  See response to Complaint No. 48 below
43	1985 CUP	Continuous	I am filing a formal complaint for Green Hedges School for failure to comply with the 1985 CUP. The 1985 CUP was conditioned that "no parking or standing be permitted on Nutley St." Please reference Complaints #19, 32, and 35 for photographic evidence. I respectfully request that the 1985 CUP condition be enforced.	3/25/2024	N	The stacking or queuing of occupied vehicles into the right-of-way, or within the site within fire lanes, is not a zoning violation. If a citizen is observing a dangerous condition in the Town's right-of-way, the Police Department should be contacted at the time the unsafe condition is taking place.  The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly, and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when there is a reasonable expectation that parking demand for an event will exceed the amount of parking permitted on site through the CUP, the school provide off-site off-street parking.
44	2017 Site Plan	Continuous	I am filing a formal complaint for Green Hedges School for failure to comply with the approved 2017 Site Plan. The 2017 Site Plan shows a heavily treed buffer between the playground and the adjacent property at 434 Knoll St NW and a line of trees all along the adjacent properties on Knoll St. The trees between the playground and 434 Knoll St have been removed. The tree line along the rest of the adjacent properties on Knoll St no longer exists. Some trees remain but have been pruned so they no longer provide the necessary buffer. Reference complaint #39. I respectfully request the Site Plan be enforced and the treed buffers be put in place.	3/25/2024	Y	<b>Zoning Violation:</b> The removal of trees and landscaping from an approved site plan is a zoning violation. Town staff observed that the landscaping on the site has been altered to not be in compliance with the 2017 site plan.  The Green Hedges School has been notified of this violation. The school must submit a plan to replace the landscaping and trees that have been removed. They also have the option, similar to any property owner with a site plan, to submit a proposed revision to the site plan. Any such revision would need to show how the revised landscaping would meet 1) the need for buffers, and 2) the requirements for tree canopy coverage.  The site plan does not prohibit the trimming and pruning of trees in a method appropriate for the plan species.
45	2007 CUP	Continuous	I am filing a formal complaint for Green Hedges School for failure to comply with current lighting standards. With the approval of the School's 2007 CUP, the School's lighting was to be upgraded into then current standards. The bulk of the 2007 project was never constructed so the current lighting is still not compliant. Given there is no tree buffer (even though the approved site plans reflect trees), one light shines directly into my backyard at 434 Knoll St all night long. Since it is unlikely any additional construction will occur at the School, I respectfully request that Green Hedges bring this one light into current standards ~ shield it? Put a timer on it so it doesn't stay lit all night long? Put a weaker light bulb in it? (Also the other parking lot lights but this one is most annoying.) Any assistance the Town can provide would be much appreciated.	3/26/2024	N	The Department of Planning and Zoning has reviewed the official record of the 2007 Board of Zoning Appeals meeting and the approval documents, including the 2007 site plan, and 2007 Conditional Use Permit order, and there is no reference to updating the lighting site-wide.
46	2007 CUP	4/29/2024	I am filing a formal complaint for Green Hedges School for failure to comply with the approved 2007 CUP conditions. The 2007 CUP conditions allow for rentals on Sundays from 9:30 am - 2:00 pm. However, there is a flower show scheduled for Sunday, April 29th from 9:30-6:00pm. It would seem the Town granted permission for said event. This event violates the CUP conditions around rentals. Does the Town not recognize CUP conditions?? The CUP also allows for "INFREQUENT School events on Sundays from 10:00am - 2:00pm and with prior approval from abutting neighbors, one-time events outside these time periods may be allowed." This is not a School event and no abutting neighbors were consulted to provide approval ~ if it was. I respectfully request the School and the Town abide by and enforce the CUP conditions.	4/12/2024	N	Excerpt from an email from David Levy, Director of the Department of Planning and Zoning, sent to the complainant on 4/17/2024:  "Please bear in mind that the CUP actually requires that this campus be available for community events, in service of Town residents. For years, the campus has been used for the Walk on the Hill event, which is a resident-oriented Town-wide event. The Special Event Permit simply states that there is approval from the Town."

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
47	2017 CUP	4/29/2024	I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions. The 2017 CUP states that no more than 56 cars shall be parked at 415 Windover and the Lewis St garden. On Sunday, a flower show event was held at Green Hedges. There was no estimate for parking requirements or off street parking options that I saw in the application for special permit nor any emails between the School and ToV for this event. The main parking lot had 55 cars parked (some not in designated spots, some in fire lanes), 2 cars parked in the Lewis St garden, plus the bus at the Rice Arts Center. Video and Photo evidence attached.	4/29/2024	Y	<b>Zoning Violation:</b> The approval of the special event for the Flower Show and "Walk on the Hill" event did not include any allowances for parking outside of the designated spaces on the site.  The Department of Planning and Zoning has notified the Green Hedges School of this site plan violation.
48	2017 Site Plan	5/14/2024	I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions and Site Plans. Referencing Complaint #42 - which Staff had identified has a zoning violation - stated the 2017 Site Plan did not allow for any parking at the Rice Arts Center. Today 3 vehicles - a pick up truck, the School bus, and a passenger vehicle were parked at the Rice Arts Center. I respectfully request the CUP conditions and Site Plans be adhered to.	5/14/2024	N	The zoning administrator, in a prior decision (see #16 of this document, dated 12/5/2022) stated that parking was not restricted at the Rice Center as it was at the Lewis Street garden.  Per the 8/22/2024 email from David Levy: "After reviewing the 1981, 1997, 2007, and 2017 Conditional Use Permit (CUP) orders/approvals, including the conditions of those approvals, and the site plan documents, we have reached a conclusion on the parking at the Rice Arts Center.  Parking is not prohibited (and therefore is permitted) on the asphalt driveway at the Rice Arts Center, which is a free-standing structure on the campus at 415 Windover Ave NW. As you all may know, the Green Hedges School operates under a Conditional Use Permit (CUP), as approved by the Board of Zoning Appeals (BZA). The approval document includes the conditions under which the school may operate in all sorts of matters. Per the conditions of the 2017 CUP for the Green Hedges School, which is the most recent CUP update, there is a limit of total parking that is permitted on the campus at 415 Windover Ave NW. That campus include the main area plus the Rice Arts Center (the location in question) and 202 Lewis St NW. Therefore, any parking on the asphalt driveway at the Rice Arts Center must be included within the 56 parking spaces permitted by the 2017 CUP. A relevant excerpt from the 2017 order is included here. Please note that all mentions of "415 Windover Avenue NW" include the Rice Arts Center."
49	2007 CUP	5/15/2024	I am filing a formal complaint for Green Hedges School for failure to comply with approved CUP conditions. Today the School held a middle school play in the afternoon. While alternative parking locations were supposedly provided for, there is clearly no "enforcement" being practiced by the School. The 2007 CUP clearly states "the school shall provide and enforce off street parking for all such activities." I respectfully request the CUP conditions be adhered to and the School implement enforcement practices for all such events.	5/15/2024	N	The school must provide off-street parking that anticipates event attendance numbers; however, 1) it is not possible to predict attendance and parking demand perfectly, and 2) members of the public are permitted to park on public streets. If unsafe parking conditions are taking place, emergency services should be contacted at the time of the event. The Town will continue to work with the Green Hedges School to update its predictions of parking demand and insist that, when there is a reasonable expectation that parking demand for an event will exceed the amount of parking permitted on site through the CUP, the school provide off-site off-street parking and communicate to those who will be attending the event the location of the off-site off-street parking, along with direction that they use it.
50	2017 CUP	5/15/2024	I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions. The 2017 CUP states with respect to Hours of School activities: Extracurricular Activities, special school events, and similar infrequent activities: the hours of use may be extended to 9:00pm during the week, and between 9:00am to 5:00pm on Saturdays, and 10:00am to 2:00pm on Sundays. My understanding and clarified by Director David Levy - One time events outside these time periods may be allowed with prior approval from abutting neighbors. We received notification today of a special event that is outside of the stated hours (6:30am), however I received no such request for approval. I respectfully request the CUP conditions be adhered to. Photographic evidence attached.	5/15/2024	N	REVISED RESPONSE – The notice from the school was provided on May 15, 2024, before the out -of -hours field trip drop-off on May 17th, 2024. This would give the neighborhood the opportunity to communicate concerns with the school. The 2007 CUP specifically states: "For extracurricular activities, special school events, and similar infrequent or intermittent activities, the hours of use may be extended to 9:00 PM during the week and between 9:00 AM to 5:00 PM on Saturdays and 10:00 AM to 2:00 PM on Sundays. With prior notification and approval from abutting neighbors, one-time events outside these time periods shall be permitted to continue on Sunday evenings."
51	CUP & 2017 Site Plan	5/16/2024	I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions and Site Plans. Referencing Complaint #42 - which Staff had identified has a zoning violation - stated the 2017 Site Plan did not allow for any parking at the Rice Arts Center. Today vehicles were parked at the Rice Center - including the unsightly School bus. I respectfully request the CUP conditions and Site Plans be adhered to and these continuing violations include daily fines.	5/16/2024	N	See response to Complaint No. 48 above

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the  
Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
52	2000, 2007 Site Plan 2000 CUP	Continuous	I am filing a formal complaint for Green Hedges School for failure to comply with approved CUP conditions and Site Plans. In the approved 2000 Site Plan and 2000 CUP, the creation of a 6,750 sf playing field was approved with restricted use of operation between 8am - 6pm M-F. The 2000 Site plan clearly shows the athletic playing field adjacent to 227 Nutley St NW (the current headmasters residence). In 2007, Green Hedges received approval to relocate the athletic field replacing the headmasters house, however this was never accomplished. In the interim, the School has continually increased the size and location of the athletic playing field which now runs from the Nutley driveway entrance clear across to the edge of the property at 213 Nutley St. This does not confirm to the 2000 or 2007 Site Plans. I respectfully request the 2000 CUP conditions and 2000 Site Plans be adhered to and the athletics field location and size conform to what was approved in 2000.	5/17/2024	N	The 2000 site plan and the 2000 CUP both reference the approximate limits of a new field. The CUP references a field of approximately 6,750 square feet, and the site plan shows the approximate limits of the field. (When measured, the approximate limits actually show a size much larger than 6,750 square feet.). As a result, it appears that there is no strict definition of where the field would be, making it difficult to conclude that there is a violation when children are playing outside of an "approximate" limit. In addition, the CUP does not prohibit play outside of the field area, as long as the playing remains within the general approved area and within the hours permitted.
53	2007 CUP	5/28/2024	I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions. The 2017 CUP states with respect to Hours of School activities: Extracurricular Activities, special school events, and similar infrequent activities: the hours of use may be extended to 9:00pm during the week, and between 9:00am to 5:00pm on Saturdays, and 10:00am to 2:00pm on Sundays. My understanding and clarified by Director David Levy - One time events outside these time periods may be allowed with prior approval from abutting neighbors. We received notification today of another special event that is outside of the stated hours (6:30am), however I received no such request for approval. I respectfully request the CUP conditions be adhered to. Photographic evidence attached.	5/28/2024	N	The early morning field trip departure falls within the scope of permitted school activities and does not violate the CUP conditions. As a courtesy, on May 26, 2024, Green Hedges School sent an email to neighbors notifying them of the scheduled early morning departure (6:30 AM) for the May 28th field trip.  According to the 2017 CUP, extracurricular activities, special school events, and similar infrequent activities are allowed extended hours until 9:00 PM on weekdays and specific hours on weekends. The CUP also states that neighbor approval is only required for one-time events taking place outside of the approved hours on Sunday evenings, per the provision: "With prior notification and approval from abutting neighbors, one-time events outside these time periods shall be permitted to continue on Sunday evenings."
54	CUP & 2017 Site Plan	6/5/2024	I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions and Site Plans. Referencing Complaint #42 - which Staff had identified has a zoning violation - stated the 2017 Site Plan did not allow for any parking at the Rice Arts Center. Today 1 vehicle was parked at the Rice Arts Center. I respectfully request the CUP conditions and Site Plans be adhered to.	6/5/2024	N	See response to Complaint No. 48 above
55	CUP & 2017 Site Plan	6/6/2024	Again - today. Photo evidence for complaint (Image of parking at Rice Center)	6/6/2024	N	See response to Complaint No. 48 above
56	CUP & 2017 Site Plan	6/19/2024	Again, today. (Image of parking at Rice Center)	6/19/2024	N	See response to Complaint No. 48 above
57	CUP & 2017 Site Plan	8/6/2024	I am filing a formal complaint for Green Hedges School for failure to comply with the approved CUP conditions and Site Plans. Referencing Complaint #42 - which Staff had identified has a zoning violation - stated the 2017 Site Plan did not allow for any parking at the Rice Arts Center. Today 2 vehicles were parked at the Rice Arts Center. I respectfully request the CUP conditions and Site Plans be adhered to.	8/6/2024	N	See response to Complaint No. 48 above
58	CUP & 2017 Site Plan	8/7/2024	Again today. What are the penalties being imposed for each infraction??	8/7/2024	N	See response to Complaint No. 48 above
59	CUP & 2017 Site Plan	8/8/2024	Again today. Bus hasn't moved.	8/8/2024	N	See response to Complaint No. 48 above
60	CUP & 2017 Site Plan	8/9/2024	(Image of parking at Rice Center)	8/9/2024	N	See response to Complaint No. 48 above
61	CUP & 2017 Site Plan	8/10/2024	(Image of parking at Rice Center)	8/10/2024	N	See response to Complaint No. 48 above
62	CUP & 2017 Site Plan	8/11/2024	(Image of parking at Rice Center)	8/11/2024	N	See response to Complaint No. 48 above
63	CUP & 2017 Site Plan	8/12/2024	(Image of parking at Rice Center)	8/12/2024	N	See response to Complaint No. 48 above
64	CUP & 2017 Site Plan	8/13/2024	Tuesday 8/13. Still there.	8/13/2024	N	See response to Complaint No. 48 above
65	CUP & 2017 Site Plan	8/14/2024	Wednesday 8/14 - still there. (Image of parking at Rice Center)	8/14/2024	N	See response to Complaint No. 48 above
66	CUP & 2017 Site Plan	8/15/2024	Yup, still there.(Image of parking at Rice Center)	8/15/2024	N	See response to Complaint No. 48 above
67	CUP & 2017 Site Plan	8/16/2024	The bus is still parked at Rice Arts Center which has been determined to be a zoning violation. I have Jenn's address and phone number (headmaster) if you need her contact info, please let me know.	8/16/2024	N	See response to Complaint No. 48 above
68	CUP & 2017 Site Plan	8/17/2024	Saturday 8/17. Business is still there. We will continue to report until there is an updated response.	8/17/2024	N	See response to Complaint No. 48 above
69	CUP & 2017 Site Plan	8/18/2024	Sunday 8/18. Bus is still there.	8/18/2024	N	See response to Complaint No. 48 above
70	CUP & 2017 Site Plan	8/19/2024	Monday 8/19. Still there.	8/19/2024	N	See response to Complaint No. 48 above
71	CUP & 2017 Site Plan	8/20/2024	Tuesday 8/20. Still there. (Image of parking at Rice Center)	8/20/2024	N	See response to Complaint No. 48 above
72	CUP & 2017 Site Plan	8/21/2024	Wednesday 8/21. (Image of parking at Rice Center)	8/21/2024	N	See response to Complaint No. 48 above
73	2007 CUP	10/19/2024	I am formally filing Complaints #73 through #77 for Green Hedges School. The School held a Dragonfest event - their annual fund raiser - on Saturday, October 19. Complaint # 73. The notification from the School to the residents indicated the event was from 11am to 2pm. However, the event went until 2:30pm. It is important that the residents receive accurate information on the timings of such events as it impacts their ability to enjoy their own property. Many residents actually leave town during these events. (Which are not infrequent.)	10/21/2024	N	The event approval allowed for cleanup until 4:00pm and the event took place during school hours.

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
74	2007 CUP	10/19/2024	According to the 2007 CUP, "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities." There was no enforcement of off-street parking.	10/21/2024	N	The school must provide additional off-street parking alternatives, but enforcement of parking is not permitted by private citizens on the Town's right-of-way. Streets in this area are open to public parking. This has been addressed in multiple previous staff responses to similar complaints.
75	2007 CUP	10/19/2024	The Special Event permit approved by the Town of Vienna specifically stated the names of 2 individual who were to direct (and enforce?) off street parking for the entire event. There were no such individuals at the entrance to the School throughout the event.	10/21/2024	N	The Town of Vienna approval letter stated that Jinene Christian and Tan Nguyen would be present to direct drivers to designated parking lots, but it did not specify that they would need to be at the entrances to the school.
76	2007 CUP	10/19/2024	According to Director Levy's interpretation of the 2007 CUP "To clarify - the CUP lays out that Green Hedges is permitted, without any application/approval from the Town, to hold infrequent school or extra-curricular activities outside of the designated hours if they have prior approval of the abutting neighbors."  The Special Event permit approved by the Town of Vienna was for the hours of 8am - 4:00pm. As an abutting neighbor, I was not asked for prior approval to start at 8am as per the CUP conditions.	10/21/2024	N	The activity was held during the school hours from 7:00am to 6:00pm, not Sunday evenings.
77	2000 CUP	10/19/2024	The 2000 CUP specifically restricts the use of the School's athletic field to Monday - Friday from 8am to 6pm. The event utilized the athletic field on Saturday outside of the stated conditions. It is disappointing that the CUP conditions are not being followed by the School OR the Town of Vienna. Town Manager, Mercury Peyton and Director Levy were reminded of this condition and yet the special event permit was approved regardless.	10/21/2024	N	The school has held limited activities on the athletic field outside of the school hours through the Town's special event process. The CUP is a consideration when reviewing the application.
78	2007 CUP	12/11/2024	On 12/11/2024, Green Hedges held a Holiday Concert (notice attached). The notice stated that parking would be held on campus. With some quick back of the envelope math - grades 3-8, 6 grades at 15 students per grade is 90 students ~ maybe there are some siblings, maybe some parents don't attend. Regardless, according to the 2007 CUP, "The School shall continue to mitigate any negative impact on the surrounding neighborhoods from traffic and parking for all events and activities, including private groups or individuals renting the School's facilities. The School shall provide and enforce off-street parking for all such activities." There was no enforcement of off-street parking for this event. Cars were parked on the street and filled the Elks Lodge parking lot.	12/11/2024	N	Cars were parked in the provided off-site parking. The Police should be called when cars are parked illegally along the Town's right-of-way.
79	2007 CUP	12/11/2024	Per the conditions of the 2017 CUP for the Green Hedges School, there is a limit of 56 parking spaces total at 415 Windover Ave NW. This limit was exceeded at this event.  Additionally, cars were parked illegally on Windover Ave in front of the School and the Town of Vienna police were notified. Strangely enough, about 15 minutes after the phone call to the police, people came running out of the School to move their cars.	12/11/2024	N	Cars were parked in the provided off-site parking and the Police Department responded to the illegal parking.
80	2007 CUP	2/22/2025	I am filing a format complaint for Green Hedges School. The 2007 CUP states:  "Extracurricular Activities, special school events, and similar infrequent activities: the hours of use may be extended to 9:00pm during the week, and between 9:00am to 5:00pm on Saturdays, and 10:00am to 2:00pm on Sundays."  On Saturday, February 22, 2025, shortly after 7pm, a School bus drove into the parking lot to drop off children's while parents were waiting for pickup. 7pm is well after the 5pm CUP condition.	2/23/2025	N	The Department of Planning and Zoning does not consider a bus dropping off children on a campus, to be picked up by parents, to be a school event that is inconsistent with the Conditional Use Permit (CUP). Schools do field trips for all sort of reasons – visiting museums, sports at other schools, etc., where the arrival and departure times are based on travel needs and distance, not school hours.
81	2000 CUP	3/1/2025	I am filing a formal complaint for Green Hedges School. According to the 2000 CUP, the athletic field use is restricted to school use Monday - Friday 8am-6pm.  Today, there was some sort of gathering at the School (we've reached out to Staff to determine if this is a new rental as it is recurring every Saturday). The group used the playground and then moved to the athletic field.  I respectfully request this violation of the CUP be addressed. If the School cannot manage use of the athletic field as per CUP, the field should be fenced (as identified in the 2007 CUP) and locked to prevent unauthorized access.  Photographic evidence attached.	3/1/2025	N	The photographic evidence provided shows four adults with some small children on the field. The Department of Planning and Zoning found no evidence that the use of the field was related to an organized event or organized portion of the campus rental. The 2000 Conditional Use Permit states: <i>Testimony from the applicant indicated that the new field is important to the school and children from neighboring properties as a recreational use. It was noted that this is a project that is generally supported by the surrounding area. It was also stated that the limitation on hours of operation did not preclude use of the field after hours by area children.</i>

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
82	n/a	Multiple	<p>I am filing a formal complaint for Green Hedges School.</p> <p>On Friday, 8/8, at 5:30am, Green Hedges School had a mulch delivery. This is a violation of the noise ordinance. Green Hedges was notified of the infraction and reminded of the noise ordinance restrictions.</p> <p>On Monday, 11/3, Green Hedges had maintenance contractors onsite working prior to the noise ordinance time restrictions. This is a violation of the noise ordinance. Again, Green Hedges was notified of the infraction and reminded of the noise ordinance restrictions.</p> <p>On Saturday, 11/22, Green Hedges had garbage collection occurring at 6:28am. This is a violation of the noise ordinance. Again, Green Hedges was notified of the infraction and reminded of the noise ordinance restrictions. They were also told any further infractions would result in a police report and formal complaint filed with the Town.</p> <p>On Saturday, 12/6, Green Hedges had garbage collection occurring at 6:15am. This is a violation of the noise ordinance. As previously communicated to the School, the police were called. However, during the phone call, the garbage truck left the scene, so we requested a police report be made for the record.</p> <p>These are noise ordinance violations which is a police matter but I wanted a formal complaint on record as this appears to be a repeating issue.</p>	12/18/2025	N	<p>Enforcement of the Town's noise ordinance is handled by the Police Department. The incidents you referenced have been appropriately directed to the police for investigation, response, and documentation, and future violations should continue to be reported directly to the Police Department so they can address the situation in real time.</p> <p>The Zoning Administrator has reviewed the information provided and determined that these incidents do not constitute zoning violations.</p>
83	n/a	12/20/2025	<p>I am submitting this as a formal complaint regarding Green Hedges School.</p> <p>On Saturday, 12/20 at 6:19am, garbage collection occurred at Green Hedges School. This activity is a violation of the Town of Vienna noise ordinance. Due to the early hour disturbance, the Vienna police were called to report the violation.</p> <p>While we recognize this incident is a noise ordinance matter involving police enforcement, Green Hedges operates under a CUP and has full control over the actions and schedules of their contractors. Compliance with Town ordinances is a basic tenet of a CUP holder.</p> <p>Failure to comply with Town laws, particularly repeated violations, should be considered relevant to CUP compliance and should be taken into account in the review of any future CUP applications submitted by the School.</p> <p>Please confirm receipt of this Complaint and advise how this violation will be addressed within the context of Green Hedges CUP.</p>	12/20/2025	N	<p>Enforcement of the Town's noise ordinance is handled by the Police Department. The incidents you referenced have been appropriately directed to police for investigation, response, and documentation, and future violations should continue to be reported directly to the Police Department so they can address the situation in real time.</p> <p>The Zoning Administrator has reviewed the information provided and determined that these incidents do not constitute zoning violations.</p>
84	n/a	1/3/2026	<p>On Saturday, 1/3 at 6:27am, garbage collection occurred at Green Hedges School. This activity is a violation of the Town of Vienna noise ordinance. Due to the early hour disturbance, the Vienna police were called to report the violation.</p> <p>While we recognize this incident is a noise ordinance matter involving police enforcement, Green Hedges operates under a CUP and has full control over the actions and schedules of their contractors. Compliance with Town ordinances is a basic tenet of a CUP holder. Repeated violations by contractors should be deemed violations by the School.</p> <p>Failure to comply with Town laws, particularly repeated violations, should be considered relevant to CUP compliance and should be taken into account in the review of any future CUP applications submitted by the School.</p> <p>Please confirm receipt of this Complaint and advise how this violation will be addressed within the context of Green Hedges CUP.</p>	1/3/2026	N	<p>Enforcement of the Town's noise ordinance is handled by the Police Department. The incidents you referenced have been appropriately directed to police for investigation, response, and documentation, and future violations should continue to be reported directly to the Police Department so they can address the situation in real time.</p> <p>The Zoning Administrator has reviewed the information provided and determined that these incidents do not constitute zoning violations.</p>
85	n/a	1/10/2026	<p>On Saturday, 1/10 at 6:40am, garbage collection occurred at Green Hedges School. This activity is a violation of the Town of Vienna noise ordinance. Due to the early hour disturbance, the Vienna police were called to report the violation.</p> <p>While we recognize this incident is a noise ordinance matter involving police enforcement, Green Hedges operates under a CUP and has full control over the actions and schedules of their contractors. Compliance with Town ordinances is a basic tenet of a CUP holder. Repeated violations by contractors should be deemed violations by the School.</p> <p>Failure to comply with Town laws, particularly repeated violations, should be considered relevant to CUP compliance and should be taken into account in the review of any future CUP applications submitted by the School.</p> <p>Please confirm receipt of this Complaint and advise how this violation will be addressed within the context of Green Hedges CUP.</p> <p>Please note, it is believed the police were able to witness this offense and issue a ticket- Chief, please confirm?</p>	1/10/2026	N	<p>Enforcement of the Town's noise ordinance is handled by the Police Department. The incident referenced has been appropriately directed to the police for investigation, response, and documentation, and future violations should continue to be reported directly to the Police Department so they can address the situation in real time.</p> <p>The Zoning Administrator has reviewed the information provided and determined that these incidents do not constitute zoning violations.</p>

Zoning and Conditional Use Permit (CUP) Complaints to the Department of Planning and Zoning related to the Green Hedges School, 415 Windover Ave NW, Vienna

No.	Applicable Requirement per CUP and/or Zoning	Date of Alleged Violation	Complaint Details	Date Reported (Email Date)	Violation Determination Y/N	Town of Vienna Zoning Administrator Opinion/Resolution
86	n/a	5/3/2026	<p>On Sunday , 5/3 at 7:36am, garbage collection occurred at Green Hedges School. This activity is a violation of the Town of Vienna noise ordinance.</p> <p>While we recognize this incident is a noise ordinance matter involving police enforcement, Green Hedges operates under a CUP and has full control over the actions and schedules of their contractors. Compliance with Town ordinances is a basic tenet of a CUP holder. Repeated violations by contractors should be deemed violations by the School.</p> <p>Failure to comply with Town laws, particularly repeated violations, should be considered relevant to CUP compliance and should be taken into account in the review of any future CUP applications submitted by the School.</p> <p>Please confirm receipt of this Complaint and advise how this violation will be addressed within the context of Green Hedges CUP.</p>	5/3/2026	N	<p>Enforcement of the Town's noise ordinance is handled by the Police Department. The incident referenced has been appropriately directed to the police for investigation, response, and documentation, and future violations should continue to be reported directly to the Police Department so they can address the situation in real time.</p> <p>The Zoning Administrator has reviewed the information provided and determined that these incidents do not constitute zoning violations.</p>
87	2017 CUP	5/12/2026	<p>I am submitting this as a formal complaint regarding Green Hedges School.</p> <p>On May 12, 2026, three cars were parked at the Science Garden parking area. Per the 2017 CUP, only two cars are permitted to park in that area. (Photo evidence attached).</p> <p>Please confirm receipt of this Complaint and advise how this violation will be addressed within the context of Green Hedges CUP.</p>	5/12/2026	Y	<p>This is a violation of the 2017 Conditional Use Permit, which limits parking at 202 Lewis St NW, the Science Garden, to two cars at any time. Parking on site is limited to maintenance, custodial, and administrative personnel. The school will be notified of this restriction, and a formal violation notice will be issued if excess cars are continuously parked at 202 Lewis St NW.</p>

Revised Decision