

Sec. 18-818. - Windover Heights Board of Review.

1. **Purpose.** The Windover Heights Board of Review shall review applications for Certificates of Appropriateness within the Windover Heights Historic District, per Article 2 of this Chapter. In addition to any other duties set forth in the Code of Vienna, the Windover Heights Review Board shall have the review and decision-making authority set forth in this Article 8.
2. **Membership.** The Windover Heights Board of Review shall consist of five members. In making all appointments to the board, the Town Council shall consider persons who have evidenced an interest in and an appreciation for the cultural heritage and history of the Town.
 - A. Except for the registered professional architect, all of the following members of the board shall be residents of the Town and are:
 - i. One registered professional architect whose qualifications are compatible with historic preservation and restoration,
 - ii. One member of the Board of Architectural Review,
 - iii. One member of the Planning Commission,
 - iv. One member of the Conservation and Sustainability Commission; and
 - v. One member selected from the community at large.
 - B. All appointments to the board, except for those to fill an unexpired term, shall be for a period of two years.
3. **Meetings.**
 - A. The board shall hold a regular meeting, at least once a month. Special meetings may be held at other times at the discretion of the chair, or two members of the Board.
 - B. Meetings also shall be called at the direction of the Town Council.
 - C. The Chair shall preside over the board and have the right to vote. The Vice-Chair shall perform the duties of the Chair in the event of the Chair's absence.
4. **Final decisions.** Except as otherwise specified herein, the Windover Heights Board of Review shall be responsible for a final decision on an application for Windover Heights Certificate of Appropriateness (§ 18-840).
5. **Appeals.**
 - A. **Appeal Request to Town Council.** Any person jointly or severally aggrieved by any decision of the Windover Heights Board of Review, including any applicant, any citizen of the Town, and the Town through its Zoning Administrator, may appeal such decision to the Town Council by filing with the Town Clerk a written request for appeal.
 - B. **Deadline for Appeals.** Such appeals shall be filed within thirty (30) days after the decision has been made by the Windover Heights Board of Review.
 - C. **Public Hearing before Town Council.** The Town Council shall within thirty (30) days of receipt of such written request, or within a longer period if agreed upon by the applicant, grant such applicant a full hearing at a public meeting.

- D. **Decision of Town Council.** Within thirty (30) days of such hearing, and after consultation with the Windover Heights Board of Review (WHBR), the Town Council may reverse or modify the decision of the WHBR, in whole or in part, or affirm the decision of the WHBR.
- E. **Appeal Decision of Town Council.** Any person jointly or severally aggrieved by any decision of the Town Council, or any citizen of the Town, may appeal such decision to the Circuit Court of Fairfax County within thirty (30) days after the final decision is rendered by the Council. The filing of the said petition shall stay the decision of the Town Council pending the outcome of the appeal to the Court. The Court may reverse or modify the decision of the Town Council in whole or in part, if it finds upon review that the decision is arbitrary and constitutes an abuse of discretion or it may affirm the decision of the Town Council.