

To Whom It May Concern,

We respectfully request your consideration of a four and a half foot variance on the rear-yard setback of our property which would allow us to cover and screen our existing deck. We believe that we meet the Criteria for Approval per the Town of Vienna Relevant Zoning Variance Code Sections below -

1. The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;

In mid-2022, we were given the opportunity to return home to Virginia after living in Seattle, WA for 11 years. Due to the long-distance, we purchased our home remotely, signing a contract for a new house under construction. During our home search, we mentioned that we were looking for a home with a screened-in porch. The builder told us they were able to add a deck to the plan and we assumed that we would be able to screen in the deck at a later time (see builder email attached). Based on that, we signed the contract in May 2022. Upon completion, we moved into the house January 1, 2023. It was after joining the Vienna community that we learned about lot coverage and setback restrictions. The builder determined the size of our deck and it would be cost prohibitive and wasteful to restructure the existing deck for screening to meet the current setback requirement.

2. The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;

Our property sits at the corner of Ross Dr. SW and Cottage St, backing to a stream and nature reserve area. The rear of our property does not directly back up to another house.

3. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.

The backyard of our property has an extremely steep slope, reducing the usable space. Being able to screen in our existing outdoor deck would allow us to enjoy our backyard in all seasons. We would not be requesting this variance if we were building a screen-in deck from scratch or if we had neighbors directly behind us. We are only requesting the variance to enclose the existing structure and because it would not encroach on our neighbors.

4. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and,

N/A

- 5. The relief or remedy sought by the variance application is not available through the Conditional Use Permit process or, when permitted by this Chapter, determination by the Zoning Administrator.**

We are not aware of an alternative relief or remedy.

Attached to this application are photographs of the view from our deck, the slope of the backyard, a map of our lot with the stream and nature area, and an email from our builder regarding screening in the deck after settlement.

Thank you for your consideration,
Christina and Shawn Dawson