



Department of Planning and Zoning
Town of Vienna, Virginia
127 Center Street South
Vienna, VA 22180
Phone: (703) 255-6341
Email: DPZ@viennava.gov

Project Overview

#1335913

Project Title: 409 East Street NE - Variance - Lot CoverageSetbacks

Jurisdiction: Town of Vienna

Application Type: Variance

State: VA

Workflow: 1. Variance Review

County: Fairfax

Project Contacts

Contact Information: Applicant

Rich Sedlak

Contact Information: Owner

Rich Sedlak

409 EAST ST NE
VIENNA, VA 22180
P:7039192053
richsed@gmail.com

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VIENNA, VA 22180
P:7039192053
richsed@gmail.com

Indicate which of the following additional project contacts are to be included on project correspondences.: None of the Above

Project Description

Project Description:

(1) construct a single-story screened porch on an existing deck at the rear of our house, and (2) add a single-story doorway on the same level from our kitchen directly to the deck at the rear of our house.

Fairfax County Building Permit Number(s): NA

Project Address

Project Address: 409 EAST ST NE

Suite:

Parcel (PIN): Address/Parcel

- 409 EAST ST NE: 0382 59 0016

Town Limits: Address/Parcel

- 409 EAST ST NE: IN TOWN OF VIENNA

Current Zoning: Address/Parcel

- 409 EAST ST NE: RS-10

Proposed Improvements: Construct (1) a single-story screened porch at the rear of our house, and (2) a doorway from our kitchen directly to the deck at the rear of our house

Requested variance(s) from the Town Code: For the covered deck, we seek a variance from Chapter 18 - Zoning and Subdivision Ordinance, Article 2. Zones, Districts, and Dimensional Standards; Section 18-215 Allowable Encroachments into Required Yard Setbacks. For the doorway, we seek a variance from Chapter 18 - Zoning and Subdivision Ordinance; Article 2. Zones, Districts, and Dimensional Standards; Section 18-219 Residential - Single-Unit, 10,000 sq.

ft. Zone (RS-10).

Describe how zoning ordinance unreasonably restricts use of the property:

We purchased our house in 2000 and have not expanded the profile of areas designated as covered areas since we moved in. Our deck in the rear of the house was constructed at the time the house was constructed, 1988.

We have enjoyed living in the Town of Vienna and, in particular, in our neighborhood, East Creek. We desire to age-in-place in this particular house rather than move. As part of our plan to improve the livability of our house long term for aging in place, we seek to have a covered outside space we can access from our main living level that would minimize exposure to sun, precipitation and biting insects. We see this need growing with age as we become less mobile. This proposed home improvement coincides with age-in-place improvements on the inside of our home whereby a sunken family room with doors leading to the existing deck will be raised to the same plane as the rest of the floor on the first level of the house. To align the deck with the raised floor of the family room, the plan is to raise the deck approximately 5 higher when it is renovated.

Further, we seek to have a doorway installed from our kitchen directly to the deck. Currently, there are two doorways to the deck from our family room and there is no direct access from our kitchen to the deck. As a result, we need to go to the other side of a wall separating our kitchen and family room and then through our family room to access the deck. While we have lived with this situation since we moved into the house, it has resulted in many of spills of food and beverages as we move them between the kitchen and the existing deck. We expect that carrying food and beverages between the kitchen and deck through our family room to become more cumbersome as we age. Thus, we seek to construct a door way from our kitchen directly to the deck.

We believe we are unreasonably restricted from making these changes due to the unique combination of the setback requirements of the Town of Vienna, the placement of the house within the property, and the very small lot size after accounting for those portions of the lot comprised of roadway and, to a lesser extent, a shared driveway leading to a lot coverage that currently exceeds lot coverage allowances under the Town of Vienna code.

We cannot make a deck addition to the front of the house as decks are not allowed in the front yard (Section 18-213(2)(B)). The setback requirement for the right and left sides of the house is 12. A 12 setback on the left side of the house only allows a 2.5 deep deck. The setback requirement for the right side of the house would allow a 14 deep deck, but staying within the BRL and a 4 maximum allowed for decks in non-rear yards, while avoiding the existing driveway, would allow a deck of only 44 SF with no access to the house. As our goal on the installation of a new doorway to the deck is to facilitate movement from the kitchen to the deck, placing a new deck on either side of the house does not meet this goal.

Building a covered, screened porch in the rear of our house within the footprint of the existing deck with improved access from a highly used room in our house (i.e., kitchen) to uncovered deck is the most practical and safe way to increase and improve our living space far into our future while minimizing impact on our

Describe any hardships related to physical conditions of the property:

The restrictive placement of the house near the back lot line and the very small lot size create a hardship for any further enhancement of our property. A screened porch cannot be built without utilizing the encroachment of the exiting deck. Further, we cannot build access to our deck directly from our kitchen because the rear of the house at the location of the kitchen projects beyond the 35 BRL and the proposed doorway would add additional coverage to a lot that when built in 1988 exceeded the allowance under the Town of Vienna code.

surrounding neighborhood and our existing house. These two changes would require three variances.

Describe how condition or situation is unique to your property:

The condition or situation of our property is not of so general or of recurring nature as it is related to a home built that did not meet the requirements of the Town of Vienna coupled with the builders decision to place the property in the left, back corner of the lot close to the rear property line. With the house being positioned with its rear already outside the allowed rear BRL and the deck extending beyond the 10 encroachment allowed under the Town of Vienna code, as well as the lot coverage exceeding Town of Vienna limits when originally built, under these unique conditions it is impossible to build a screened porch or a doorway from the kitchen to the deck without a variance.



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Hours: Monday – Friday, 8:00 am - 4:30 pm

APPLICANT AUTHORIZATION FORM

I hereby certify that I am the property owner or I have authority of the property owner to make this application, that the information is complete, and that if a permit or certificate is issued, the construction and/or use will conform to the zoning ordinance and other applicable laws and regulations including private building restrictions, if any, which relate to the property. This form must be submitted prior to issuance of any permit or certificate.

I understand that the permits or certificates obtained pursuant to this permit authorization form will be in my name. I accept full responsibility for the work performed.

Check one box below:



I am the property owner



I am an applicant who has the authority of the property owner (owner will still need to sign)

Description of permits or certificates being applied for:

- (1) construct a single-story screened porch at the rear of our house, and
- (2) add a doorway from our kitchen directly to the deck at the rear of our house

at the following address: 409 East Street NE, Vienna VA 22180

Applicant Name (fill out if owner is not applicant): _____

Signature of Applicant: _____ Date: _____

Property Owner's Name: Richard Sedlak / Marcia Sedlak

Signature of Property Owner: Richard Sedlak, Marcia Sedlak Date: 5/21/24