



# Town of Vienna

127 Center Street South  
Vienna, Virginia 22180  
p: 703.255.6341  
TTY 7111

## Meeting Agenda Board of Zoning Appeals

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Wednesday, March 15, 2023

7:30 PM

Council Chambers - Vienna Town Hall

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### Roll Call

### Public Hearings:

#### [BZA-23089](#)

311 Valeview Ct. NW - Request for approval of a variance from Sec. 18-24. - Area requirements. E. Rear yard., of the Zoning Code, to construct a sunroom on an existing single-family dwelling located at 311 Valeview Ct. NW, in the RS-12.5, Single-Family Detached Residential zone. The Zoning Code requires a rear setback of 35'. Approval for construction of the sunroom would result in an encroachment of 9.6', thereby having a rear yard setback of 25.4' on the property. Application filed by David Jacobstein and Eleonora Ibrani, property owners.

#### Attachments:

[00 - Staff Report\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_March 2023](#)  
[01 - Relevant Zoning Variance Code Sections\\_ 311 Valeview CT NW\\_Variance\\_PF-929833-VAR\\_March 2023](#)  
[02 - Plan Review Application\\_Variance\\_PF-929833-VAR](#)  
[03 - Plat - 1968\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[04 - Plat - 1993\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023 - Copy](#)  
[05 - Justification Letter\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[06 - Plat with Proposed Renovations\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[07 - Proposed Floor Plans\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[08 - Elevations\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023 - Copy](#)  
[09 - Existing Floor Plans\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[10 - Existing Plat - Cropped\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[11 - Site Photos\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023 - Copy](#)  
[12 - Support Letter - Faith Baptist Church\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[12 - Support Letter - 309 Valeview\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[12 - Support Letter - 313 Valeview\\_ 311 Valeview Court NW\\_Variance\\_PF-929833-VAR\\_Feb 2023](#)  
[311 Valeview Ct NW - BZA notifications](#)

[BZA-23090](#)

101 Cedar Ln. SW - Request for approval of a variance from Sec. 18-17. - Fences.,  
(a) Any fence from the rear lot line to and including the front line of the building shall be no more than six feet (6') high, of the Zoning Code, to construct a ten-foot (10') fence on the northeast end of the multi-sport court located at the Cedar Lane School, at 101 Cedar Ln. SW, in the RS-12.5 and RS-10, Single-Family Detached Residential zone. The Zoning Code requires fences within the Town of Vienna be below 6' in height. Application filed by Navdeep Kaur of Fairfax County Public Schools, and Oscar Leon, of Vienna Youth Soccer.

**Attachments:**

[00 - Staff Report Variance - Fence height 101 Cedar Lane SW PF-936167-VAR](#)  
[01 - Relevant Code Sections Variance - Fence height 101 Cedar Lane SW PF-936167](#)  
[02 - Application Variance - Fence height 101 Cedar Lane SW PF-936167-VAR](#)  
[03 - Justification of Hardship Variance - Fence height 101 Cedar Lane SW PF-936167](#)  
[04 - Site Plan Variance - Fence height 101 Cedar Lane SW PF-936167-VAR](#)  
[05 - Sport Court Plan Variance - Fence height 101 Cedar Lane SW PF-936167-VAR](#)  
[06 - Site Photo Variance - Fence height 101 Cedar Lane SW PF-936167-VAR](#)  
[07 - Fence Details Variance - Fence height 101 Cedar Lane SW PF-936167-VAR](#)  
[101 Cedar Ln SW - BZA notifications](#)

**Regular Business:****Approval of the minutes****Meeting Adjournment**

*THE TOWN OF VIENNA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (703) 255-6341, OR 711 VIRGINIA RELAY SERVICE FOR THE HEARING IMPAIRED.*

**About the Board of Zoning Appeals**

About the Board of Zoning Appeals:

The Board of Zoning Appeals is a quasi-judicial board comprised of seven members – all of whom are residents of the Town of Vienna, VA. The Board serves as an arm of the Fairfax County Circuit Court, as all members are appointed to the Board by the Court after receipt of recommendation from the Vienna Mayor and Town Council.

The Board is empowered by the Code of Virginia to:

- Hear and decide appeals from any order, requirement, decision or determination of the Zoning Administrator.
- Grant variances from the Zoning Ordinance – as defined in Section 15.2201 of the Code of Virginia – as will not be contrary to the public interest, when, owing to special conditions, a literal enforcement of the provisions will unreasonably restrict the utilization of the property to a degree that is not shared generally by other properties within the same zone or district, and its authorization will not be of substantial detriment to adjacent properties or change the character of the neighborhood
- Hear and decide applications for interpretation of the Zoning District Map when there is any uncertainty as to the location of the boundary line.
- Grant Conditional Use Permits in accordance with the provisions of Section 18-209 – 216 of the Vienna Town Code.

The Board of Zoning Appeals does not have the power to change the Zoning Ordinance or the rezone property. Those powers rest with the Mayor and Town Council. Please be advised, the Board decides each application on its own merit – there are no precedents.

The Board will first consider each application during the Public Hearing portion of the meeting. As part of the Virginia Court System, the Board of Zoning Appeals takes sworn testimony and each participant will be sworn in prior to offering comments. During the public hearing each agenda shall be closed a decision will be rendered.

The grant of a Conditional Use Permit, Variance, or appeal from a decision by the Town's Zoning Administrator requires an affirmative vote of no less than a majority of membership, of the Board. The Board consists of 7 members and a majority consists 4 members. If the applicant is unable to stay for the Board's decision portion, the applicant may learn the Board's decision by contacting staff.

The second portion of the meeting – the Regular Meeting – is for approval of meeting minutes and new business and will convene after the Public Hearing has been closed.

If any party is not satisfied with the decision of the Board, an appeal may be filed with the Circuit Court of Fairfax County within 30 days after the issuance of the Board's decision on the matter.