



# 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, June 5, 2024

7:30 PM

Charles Robinson Jr. Town Hall, 127 Center St.  
South

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### Special meeting

#### Roll Call

#### Public Hearings:

[BZA-24097](#)

Request for approval of a conditional use permit, as required by Section 18-304 of the Vienna Town Code, for a Family Day Home care of up to twelve (12) children at 100 Battle Street SE, in the RS-10, Single-Family Residential zoning district. Application filed by Anastasia Abraham.

Attachments:

[01 - 100 Battle St SE - CUP - Staff Report](#)

[02 - Application & Authorization](#)

[03 - Applicant Submission - Narrative & Photos](#)

[04 - Relevant Regulations](#)

[05 - Public Comments & Letters of Support Received](#)

[06 - Home Certificate of Occupancy issued 4-16-24](#)

[07 - PC Memo to BZA](#)

[08 - Additional Information Submitted by Applicant 5-10-24](#)

[09- Public Notification Affidavit](#)

[10 Public Comment](#)

[BZA-24098](#)

Request for approval of a conditional use permit, as required by Section 18-304 of the Vienna Town Code, for a Family Day Home care of up to twelve (12) children at 108 Yeonas Circle SE, in the RS-10, Single-Family Residential zoning district. Application filed by Tania Giviani-Faris and Kami Faris, owners.

**Attachments:**

[01 - 108 Yeonas Circle SE - CUP - Staff Report](#)

[02 - Application and Authorization](#)

[03 - Applicant Narrative and Documents](#)

[04 - Site Plan and Floor Plan](#)

[05 - Applicant Photos](#)

[06 - Previous Approvals](#)

[07 - Relevant Regulations](#)

[08 - Planning Commission Memo to BZA](#)

[09 - Board of Zoning Appeals meeting minutes 11.13.2018](#)

[10 - Board of Zoning Appeals meeting minutes 10.16.2019](#)

[11 - Public Notification Affidavit](#)

[BZA-24099](#) Request for approval of a variance from Section 18-219 Residential - Single-Unit, 10,000 sq. ft. Zone (RS-10), Building Placement Standards, Rear Yard, of the Town of Vienna Zoning Code, to construct a covered deck, attached to an existing single-family dwelling located at 231 Talahi Road SE, in the RS-10, Single-Family Detached Residential zone. The Zoning Code requires that all structures in the Single-Family Residential zoning districts maintain a setback of 35' from the rear property line. The proposed porch encroaches 8.4' into the setback leaving a setback of 26.6' from the rear property line.

Attachments:

- [00 Staff Memo 231 Talahi Rd SE Variance](#)
- [01 Relevant Zoning Code Sections 231 Talahi Rd SE Variance](#)
- [02 RS-10 Zoning Chapter 18 Zoning and Subdivision Ord Vienna](#)
- [03 Final House Location Survey 231 Talahi Road SE](#)
- [04 Approved Civil Plan 231 Talahi Road SE](#)
- [05 Onondio Subdivision 231 Talahi Road SE](#)
- [06 Sidewalk Dedication 1-25-2017 231 Talahi Road SE](#)
- [07 Public Notification Affidavit 231 Talahi Rd SE](#)
- [08 Variance Application 231 Talahi Rd SE Variance](#)
- [09 Request for Variance 231 Talahi Rd SE Variance](#)
- [10 Site Photos 231 Talahi Rd SE Variance](#)
- [11 Plat W Deck Existing Conditions 231 Talahi Rd SE Variance](#)
- [12 Plat W Prop Roof 231 Talahi Rd SE Variance](#)
- [13 A201 Elevations 5.31.24 231 Talahi Rd SE Variance](#)
- [14 A101 Plans 5.31.24 231 Talahi Rd SE Variance](#)
- [16 Talahi House project support letters](#)

[BZA-24100](#) **\*\*Deferred\*\*** Request for approval of a variance from Section 18-219 Residential - Single-Unit, 10,000 sq. ft. Zone (RS-10), Building Placement Standards, Rear Yard, of the Town of Vienna Zoning Code, to construct a covered deck, attached to an existing non-conforming single-family dwelling located at 409 East Street NE, in the RS-10, Single-Family Detached Residential zone. The Zoning Code requires that all structures in the Single-Family Residential zoning districts maintain a setback of 35' from the rear property line. The proposed porch encroaches 19'-2.5" into the setback leaving a setback of 15'-9.5" from the rear property line.

Attachments:

- [Notice of Deferral - 409 East St NE](#)

Regular Business:

**Approval of the Minutes: February 21, 2024, meeting 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.