Town of Vienna

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

Meeting Agenda

Board of Zoning Appeals

Wednesday, May 15, 2019 **8:00 PM** **COUNCIL CHAMBERS-VIENNA TOWN HALL**

1. Roll Call:

2. Public Hearings:

BZA-19011 124 Melody Ln SW - Appeal to a Zoning Violation

Attachments:

BZA STAFF REPORT 124 Melody Lane SW Zoning Violation Appeal 05-15-2019

124 melody lane, sw NZV for no permit on addition, lot coverage, setback and drwy per

124 Melody Ln SW Boundry and Topo Survey 04-23-2019

124 Melody Ln SW Final House Location Survey 09-29-2014

124 Melody Ln SW Walsh Colucci Check for BZA Appeal 04-24-2019

124 Melody Ln SW Walsh Colucci Zoning Violation Appeal Submittal Letter 04-24-20

124 Melody Ln SW Walsh Colucci Zoning Violation BZA Appeal Application 04-24-2(

124 Melody Ln SW Walsh Colucci Zoning Violation Justification BZA Appeal 04-24-2

BZA-19015 100 to 112 Maple Avenue East - Sunrise Assisted Living - Conditional Use Permit for Assisted Living, as part of a proposed rezoning from the C-2 General Commercial Zone and C-1A Special Commercial Zone to MAC Maple Avenue Commercial Zone. Application filed by Sara Mariska of Womble Bond Dickinson on behalf of Sunrise Development Inc.

Attachments:

Sunrise - BZA STAFF REPORT - 5-15-2019

Sunrise - CUP Application 09.06.18

Sunrise - Existing Conditions_Conceptual Plans_Renderings_04.08.19_04.29.19

Sunrise - Statement of Support 04.10.19

Sunrise - Application and Rezoning Affidavit

Sunrise - Planning Commission Recommendation to BZA

Add. Resources - Sunrise - Fiscal Impact

Add. Resources - Sunrise - Parking Assessment and TIA Reviews

Add. Resources - Sunrise - Parking Assessment rev 03.22.19

Add. Resources - Sunrise - BAR Reccommendation 02.21.19

Add. Resources - Sunrise - MAC Incentives Checklist

Add. Resources - Sunrise - Public Engagement Summary 04.16.19

Add. Resources - Sunrise - Statement of Purpose and Intent 09.26.18

Add. Resources - Sunrise - Traffic Impact Analysis 09.21.18

Add. Resources - Sunrise - Updated Proffers 05.01.19

Add. Resources - ZA Determination - Definition of Mezzanine in MAC

3. Approval of the Minutes:

4. 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

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:

1. Hear and decide appeals from any order, requirement, decision or determination of the Zoning Administrator.
2. 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
3. Hear and decide applications for interpretation of the Zoning District Map when there is any uncertainty as to the location of the boundary line.
4. 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.

The second portion of the meeting – the Regular Meeting – will convene after the Public Hearing has been closed. The Board will reach a decision on each item. The grand of any appeal from a decision by the Town's Zoning Administrator requires an affirmative vote of a quorum, no less than a majority of membership (4), of the Board. The grant of a Conditional Use Permit or variance requires an affirmative vote of a quorom, no less than a majority of membership (4), of the Board. If you are unable to stay for the last portion of the meeting, you may learn the Board’s decision by contacting staff.

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.