



# 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, July 17, 2019

8:00 PM

COUNCIL CHAMBERS-VIENNA TOWN HALL

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### 1. Roll Call

### 2. Public Hearings

#### [BZA-19019](#)

124 Melody Ln SW - Continuance for an appeal of a zoning violation

#### Attachments:

[BZA STAFF REPORT 124 Melody Lane SW Zoning Violation Appeal 07-17-2019](#)

[124 Melody Ln SW Walsh Colucci Zoning Violation BZA Appeal Application 04-24-20](#)

[124 Melody Ln SW Approved permit](#)

#### [BZA-19020](#)

919 Ware St SW - Continuance for approval of a variance

#### Attachments:

[BZA STAFF REPORT 919 Ware Street SW Front Porch Continuance 07-17-2019](#)

[1 - 919 Ware St, SW BZA-09-13 Variance Application](#)

[2 - 919 Ware Street SW BZA Minutes July-17-2013 & TC Minutes Oct 21 13](#)

[3 - 919 Ware St SW Conitnuance Docs Submitted by Applicant](#)

[4 - 919 Ware St, SW Marked-Up Survey Plat Showing 6' Front Porch for Variance 07-1](#)

[5 - 919 Ware St, SW Bay Window BZA Signed Order 09-19-2013](#)

#### [BZA-19022](#)

303A Mill St NE - Revocation of a Conditional Use Permit

#### Attachments:

[BZA STAFF REPORT 7-17-2019 Bey Lounge Revocation](#)

[1 - BZA Variance Appeal Application Revoke CUP 2019](#)

[2 - 303 Mill St NE Bey Lounge BZA Orders 15, 16, 17, 18](#)

[3 - 303A Mill St NE Bey Lounge Court Case and Tickets](#)

#### [BZA-19023](#)

206 Scott Cir SW - Request for a variance

#### Attachments:

[BZA STAFF REPORT 206 Scott Circle, SW Screen Porch 07-17-2019](#)

[1 - 206 Scott Cir SW Variance App & Justification Stmt](#)

[2 - 206 Scott Cir SW Submitted plat](#)

[3 - 206 Scott Cir SW Architectural Drawings](#)

[4 - 206 Scott Cir SW Pictures](#)

[5 - 206 Scott Cir SW Neighbor support letters](#)

[BZA-19021](#)

414 Maple Ave E - Request for approval of a Conditional Use Permit

Attachments:

[BZA STAFF REPORT - 07-17-2019 - 414 MAPLE AVE EAST - CUP](#)

[1 - 414 Maple Avenue East - CUP Application and Statement](#)

[2 - 414 Maple Avenue East - Site Plan](#)

[3 - 414 Maple Avenue East - Arch Site Plan & Proposed Interior Floor Plan](#)

[4 - 414 Maple Avenue East - Adjacent Neighbor Map](#)

[5 - 414 Maple Ave E- Ltr to Banfield Pet Hospital re Owner Auth.](#)

[6 - 414 Maple Ave E - PC-Memo-CUP-Banfield\\_06-12-19](#)

### **3. Election of a new Vice Chair**

### **4. Approval of the Minutes:**

### **5. 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 grant 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 quorum, 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.