



# Town of Vienna

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

## Meeting Agenda Board of Zoning Appeals

---

Wednesday, February 19, 2020

7:00 PM

COUNCIL CHAMBERS-VIENNA TOWN HALL

---

### Roll Call

### Public Hearings

[BZA-20028](#)

211 Center St N - Request for approval of a Variance

Attachments:

[211 Center St N - BZA STAFF REPORT](#)

[211 Center St N - BZA Variance Application](#)

[211 Center St N - Justification Statement](#)

[211 Center St N -1997 BZA Approved Variance Plat](#)

[211 Center St N - 2020 House Location Survey](#)

[211 Center St N - Proposed Building Envelope Plat](#)

[211 Center St N -1997 BZA Order](#)

### Regular Meeting

[BZA-20029](#)

206 Scott Circle SW - Fairfax County Circuit Court remand to BZA for clarification as to its findings and grounds for denial of variance.

Attachments:

[Board of Zoning Appeals July 17 - Verbatim Minutes 206 Scott Circle SW - Variance](#)

[206 Scott Circle SW Variance Order Signed Denied](#)

[206 Scott Cir SW -PetitionforWirtofCertiorari](#)

[Circuit Court Appeal CL-2019-11361 - 1-22-20 Order](#)

### Decision for request for approval of variance at 211 Center St N.

### 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.