



Town of Vienna

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Vienna, Virginia 22180
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TTY 7111

Meeting Agenda Board of Zoning Appeals

Wednesday, October 20, 2021

7:30 PM

COUNCIL CHAMBERS-VIENNA TOWN HALL

Continuity of Government - Electronic Participation

*If you would like to participate via Zoom please click the following link and register:
https://us02web.zoom.us/webinar/register/WN_h9sYT9A2QKSw-YC3UeFlmA*

Roll Call

Public Hearing

[BZA-21070](#)

Continuity of Government - October 20, 2021

Attachments:

[BZA - Resolution -Continuity of Government October 20, 2021](#)

[BZA-21071](#)

124 Park St NE - Conditional Use Permit: Hypothermia Shelter

Attachments:

[01_BZA STAFF REPORT - 124 Park St NE - Hypothermia Shelter - CUP](#)

[02_Application and Authorization Form](#)

[03_Narrative and Justification Statement](#)

[04_VPC Floor Plan](#)

[05_VPC Evacuation Plan and map](#)

[06_Fairfax County Hypothermia Prevention Program Frequently Asked Questions and C](#)

[07_Previous CUP Hypothermia Shelter Orders - 2014 and 2016](#)

[08_PC-Memo-BZA-CUP-VPC-Hypothermia-Center_09-22-21](#)

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:

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.