

DIGEST OF COUNCIL ACTIONS

May 29, 1959  
Special Meeting

Mayor J. Barry Trout presiding.

Councilmen Bettwy, Bottoms, Craddock, Heubusch, Wallace and Wilson present.

1. Council extended the boundary for RS-16 in the North part of Town from the area around the end of Niblick Drive down to the northerly boundary line of the Washington and Old Dominion Railway right of way and bounded on the East by the corporate limits of the Town, known as and consisting of the Mikesell and Eastman tracts among others.

Motion: Bottoms  
Second: Craddock  
Carried

Approved  
~~Vetoed~~

*J. Barry Trout*

2. Council adopted the Zoning Map bearing date of May 29, 1959.

Motion; Bettwy  
Second: Craddock  
Carried

Poling of Council

FOR: Bettwy, Bottoms, Craddock, Heubusch  
Wallace and Wilson

AGAINST: None  
ABSENT: None

Approved  
~~Vetoed~~

*J. Barry Trout*

3. Council approved the Index of Sections as printed in the Fairfax Herald of April 25, 1958, and in a supplement to the Vienna Advertiser dated April 23, 1958.

Motion: Heubusch  
Second: Craddock  
Carried

Poling of Council

FOR: Bettwy, Bottoms, Craddock, Heubusch,  
Wallace and Wilson

AGAINST: None  
ABSENT: None

Approved  
~~Vetoed~~

*J. Barry Trout*

4. Council adopted Section 12-1.0 of the Proposed Zoning Ordinance as amended.

Motion: Heubusch  
Second: Craddock  
Carried

Poling of Council

FOR: Bettwy, Bottoms, Craddock, Heubusch,  
Wallace and Wilson

AGAINST: None  
ABSENT: None

Approved  
~~Vetoed~~

*J. Barry Trout*

5. Council adopted Section 12-2.0 of the Proposed Zoning Ordinance as amended.

Poling of Council

FOR: Bettwy, Bottoms  
Heubusch, Wallace, Wilson

Motion: Heubusch  
Second: Wilson  
Carried

Approved  
~~Vetoed~~

*J. Barry Trout*

## SPECIAL MEETING

The Vienna Town Council met in a duly scheduled special session May 29, 1959, at the Vienna Town Office Building, 127 Center Street, South. Mayor J. Barry Trout called the meeting to order at 8:10 p.m. with Councilmen Estby, Bottoms, Craddock, Heubusch, Wallace and Wilson present; none were absent.

Mayor Trout stated that the purpose of the special meeting was to adopt the proposed Zoning Code and Zoning Map in connection with the Town of Vienna Master Plan. He said the proposed zoning code and map had been under consideration by the Town Council for more than a year. He said the Council had carefully considered the minutes of the public hearings by the Town Council, the minutes of the Board of Zoning Appeals, the minutes of the Planning Commission, and petitions and letters received. In view of the fact the Council had held public hearings and had carefully considered the opinions expressed by the citizens, Mayor Trout advised the audience that discussion at this meeting would be limited to members of the Town Council. Mayor Trout asked Councilman Heubusch, Chairman of the Planning and Zoning Committee, to proceed with the meeting.

Councilman Heubusch stated that the Council had spent a great deal of time in work-shop sessions considering the Proposed Zoning Map and Zoning Ordinance; and that since there was a big job before the Council at this meeting, he suggested the map be considered first and then move to the ordinance and that when the ordinance was under consideration, he would indicate the number and read the heading of the title section, then read the changes in that section that had been proposed in work-shop sessions, whether agreement had been reached or not; if a councilman wished to have other changes considered, he suggested that they be presented in the form of a motion, to be seconded, and that any councilman desiring to speak for or against any of the proposed changes be given two minutes to state his views.

Mayor Trout and the other Council Members agreed to this procedure.

The Proposed Zoning Map was placed on a wall in the Meeting Room in view of the Council. Councilman Heubusch pointed out that the map was not correct in some instances as to present zoning but could be used for the purpose of showing proposed boundary lines. As an example, the Virginia Electric and Power Company power station located adjacent to the Town Hall is indicated RM-2 but that it has been rezoned C-2 in order to permit Virginia Electric and Power Company to build additional power units on the rear portion of the lot. The Miller

property with a 120 foot frontage on Glyndon and 350 feet on Tapawingo was another example cited. This property prior to annexation had been zoned by the County for commercial use and the Council, after reviewing the facts, felt that favorable consideration should be given to the establishment of C-1 zoning for the aforementioned tract which would permit continued operation of the existing store and allow for other low-grade commercial operations.

Mayor Trout asked for a motion to adopt the map showing these two changes.

Councilman Bottoms moved to extend the boundary for RS-16 in the North part of Town from the area around the end of Niblick Drive down to the northerly boundary line of the Washington and Old Dominion Railway right of way and bounded on the East by the corporate limits of the Town, known as and consisting of the Mikesell and Eastman tracts among others. The motion was seconded by Councilman Craddock.

Councilman Heubusch said that if the RS-16 is placed there it would put a tremendous portion of the Town into the RS-16 zone which would mean that builders would not only be building under the largest lot requirements in Northern Virginia but under the strictest zoning ordinance which could cut off a large financial return to the Town, and that individual citizens desiring to build would be affected financially by the large lot size and Vienna curb, gutter and sewer requirements. Councilman Heubusch felt this proposed zoning would be folly.

Councilman Craddock said he believed one-half acre lots would be necessary in order to give proper buffering to existing RS 12-5 and that if this was not done the Miller tract could be lot to 12-5 zoning.

Councilman Wallace said he felt there is a preponderance of RS-10 and RS 12-5 in the Town and that there is very little left to be zoned RS-16 except around the golf course and for that reason he would like to see that area change to RS-16.

Councilman Bettzy said the size of the lot does not make the price of the house and that by making a 16000 square foot minimum nothing will be proved. He said Arlington is building \$40,000.00 and \$50,000.00 homes on 40 foot frontage. He believes 12-5 would be adequate.

Councilman Heubusch said the zoning to become effective here will be a big point in any annexation suit which the Town might file at a future date because of its urban nature; a 16,000 square foot minimum is an incredible minimum

in any city and he thinks the Court will look unfavorably at any future annexation proceedings by the Town if this proposed zoning becomes effective. He said it is possible and that it has happened in the County within the past year that golf course sites have changed to homes.

Councilman Wallace said that as far as any other annexation is concerned he has not made up his mind about that. He said he was against annexation unless the people have a chance to express their opinion. He said he hoped time and orderly growth would develop a town of ordinary sized lots with houses people had built of their own choice and not all of the same pattern.

Mayor Trout then asked for a vote on Councilman Bottom's motion and the motion carried. Councilman Heubusch noted the aforementioned RS-16 zoning on the Proposed Zoning Map.

Councilman Betty then regularly moved the adoption of the Zoning Map bearing date of May 29, 1959. Councilman Craddock seconded the motion and the motion carried on the following polled vote of the Council:

FOR: Betty, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

Mayor Trout commented that the map now included the additional RS-16, the extension of C-2 for Virginia Electric and Power Company and C-1 on the Miller property located on Glyndon and Tapawingo Streets, S.E.

Councilman Heubusch moved that the Index of Sections as printed in the Fairfax Herald of April 25, 1958, and in a supplement to the Vienna Advertiser dated April 23, 1958, be approved. The motion was seconded by Councilman Craddock and carried on the following polled vote of the Council:

FOR: Betty, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

PROPOSED ZONING ORDINANCE FOR VIENNA, VIRGINIA

SECTION 12-1.0, Definition of Terms

Corrections or amendments noted by Councilman Heubusch:

Place definition for "Structural Alterations" before definition for "Structure" in order to conform to alphabetical listing.

YARD, REAR - In this definition insert the word "lot" between the words "the" and "between" in the first sentence.

Councilman Heubusch moved to adopt Section 12-1.0 of the Proposed

Zoning Ordinance as amended. The motion was seconded by Councilman Craddock and carried on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson. ✓

AGAINST: None

ABSENT: None

SECTION 12-2.0. ZONES AND MAPS

Corrections or amendments noted by Councilman Heubusch:

Sub-section 12-2.1, Zoning Map, the date "May 29, 1959" should be inserted.

Sub-section 12-2.22 - a typographical error in the spelling of the word "distant" should be corrected.

Councilman Heubusch moved to adopt Section 12-2.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Wilson and passed on the following polled vote of the Council: ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-3.0. GENERAL PROVISIONS

Sub-section 12-3.0 - a typographical error in the spelling of the word "requirement" in the first sentence should be corrected.

Councilman Heubusch moved the adoption of Section 12-3.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Bottoms and passed on the following polled vote of the Council: ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-4.0. RS-16 ZONE: SINGLE FAMILY

Corrections or amendments noted:

Section number in the heading should read 12-4.0 instead of 12.4.0.

Sub-section 12-4.1 - The word "operations" in the first sentence of the fifth paragraph should be changed to "occupations".

Sub-section 12-4.1 - delete the word "Section" as it appears twice in the last sentence.

Sub-section 12-4.22 - Councilman Wallace made a motion that the minimum lot width be raised from eighty-five (85) feet to ninety-five (95) feet. There being no second the motion failed

Councilman Wilson moved that the lot width be changed from eighty-five (85) feet to ninety (90) feet. Councilman Bottoms seconded the motion. ✓

Councilman Bettwy stated that required frontage really cripples a builder, that due to landscaping and terrain in a subdivision it is sometimes extremely difficult to have all the lots contain the required frontage. Councilman Bettwy does not feel the builder should be restricted to a minimum lot width.

Councilman Heubusch said that "builder" includes every person in the Town of Vienna who builds and that every foot a lot is widened includes additional cost for water, sewer and street going by and he believed this proposed width to be out of all proportion for either a subdivider or an individual.

The Council voted on Councilman Wilson's motion to amend the minimum lot width in the RS-16 zone and the motion carried on the majority vote of the Council, Councilmen Heubusch and Bettwy voting against. ✓

Councilman Wallace moved the adoption of Section 12-4.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Bottoms and carried on the following polled vote of the Council. ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-5.0. RS-12.5 ZONE. SINGLE FAMILY

Corrections or amendments noted: None

Councilman Heubusch moved the adoption of Section 12-5.0 of the Proposed Zoning Ordinance. The motion was seconded by Councilman Craddock and carried on the following polled vote of the Council: ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-6.0, RS-10 ZONE, SINGLE FAMILY

No corrections or amendments noted.

Councilman Bottoms moved the adoption of Section 12-6.0 of the Proposed Zoning Ordinance. The motion was seconded by Councilman Bettwy and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-7.0, RM-2 ZONE, MULTI-FAMILY

No corrections or amendments noted.

Councilman Heubusch moved the adoption of Section 12-7.0 of the Proposed Zoning Ordinance. The motion was seconded by Councilman Craddock and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson

AGAINST: None

ABSENT: None

Mayer Trout questioned Sub-sections 12-7.3 and 12-7.0 noting that the height limit has been changed.

Councilman Heubusch moved to reconsider Section 12-7.0. Councilman Craddock seconded and the motion passed on the unanimous vote of the Council.

Councilman Heubusch moved to rescind the adoption of Section 12-7.3. The motion was seconded by Councilman Wallace and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

Councilman Heubusch stated Section 12-7.3, Height Limit, should be changed to read as follows: Maximum height three (3) stories, but not to exceed thirty-five (35) feet.

Councilman Heubusch moved the adoption of Section 12-7.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Wilson and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-8.0 C-1. LOCAL COMMERCIAL ZONE

Corrections or amendments noted:

Sub-section 12-8.12 - amend "Medical or dental clinics or laboratories" to read "Medical or dental clinics, or medical or dental laboratories." and should be placed immediately before "Music conservatories or music instructors."

Councilman Bottoms moved that "Funeral homes" be inserted under Permitted Uses in Sub-section 12-8.12. Motion was seconded by Councilman Heubusch and carried.

Councilman Heubusch moved that the words "Job printing" be inserted in Section 12-8.12 in the list of permitted uses immediately after "Jewelry store" Councilman Wilson seconded and the motion passed.

Mayor Trout stated the Council might add to this list of Uses Permitted in Sub-section 12-8.12 on the recommendation of the Planning and Zoning Commission

Councilman Wilson moved to make "taxi stands" a conditional use under Sub-section 12-8.2. Councilman Wallace seconded the motion and it was carried.

Sub-section 12-8.2 - Councilman Heubusch noted that it has been proposed to delete the following from the second paragraph: "Automobile service station. See supplemental regulations section 12-14.135".

Councilman Heubusch moved to adopt Section 12-8.0 as now amended. The motion was seconded by Councilman Wilson and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-9.0 C-2. GENERAL COMMERCIAL ZONE

Corrections or amendments noted:

Sub-section 12-9.12 - delete the following language and transfer it to appear under Sub-section 12-9.2, Conditional Uses: "Automobile service station, provided that services involving the use of grease racks and similar equipment,



minor repairs, storage and similar services connected with the operation of an automobile service station shall be conducted entirely within a building.

See Supplemental Regulations, Section 12-14.135."

Sub-section 12-9.2 - "Auto sales, new and/or second-hand" should be changed to read as follows:

"Auto sales, new and second-hand, provided, however, that second-hand auto sales will be allowed only where such sales are made as a normal part of the business of a franchised dealer in new automobiles, and where such second-hand autos are kept upon and sold from the same premises as those upon which the new automobile agency is located."

Councilman Heubusch moved that under Sub-section 12-9.2, Conditional Uses, the words "Pet shop" be inserted immediately after "Feed and grain sales and storage". Councilman Wallace seconded the motion and it passed.

Councilman Heubusch moved to adopt Section 12-9.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Bettwy and carried on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

Councilman Craddock moved for a ten minute recess. The motion was seconded by Councilman Bottoms and carried on the unanimous vote of the Council.

The Council reconvened at 9:50 p.m., the Clerk called the roll and the following members were present: Bettwy, Bottoms, Craddock, Heubusch, Wallace and Wilson.

SECTION 12-10.0 CM. LIMITED INDUSTRIAL ZONE

Corrections or amendments noted:

Sub-section 12-11.12 - Number of this sub-section should be changed to 12-10.12.

Councilman Heubusch said that he felt when suitable industrial sites are obtained the whole industrial code should be reviewed and revised.

Councilman Heubusch moved to adopt Section 12-10.0 of the Proposed Zoning Ordinance as corrected. The motion was seconded by Councilman Craddock and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-11.0 M. INDUSTRIAL ZONE

Councilman Heubusch moved to adopt Section 12-11.0 in its entirety from the Proposed Zoning Ordinance. The motion was seconded by Councilman Wilson and passed on the following polled vote of the Council

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-12.0. OFF-STREET PARKING AREA

Corrections or amendments noted:

Sub-section 12-12.1 - In line fifteen after the word "schedule" insert "together with the exact location and detail drawings of any fence which may be required by other sections of this ordinance"; also in line fifteen the word "and" after the word "permit" should be changed to "or"; in line seventeen after the word "facilities" insert "and fence, if required".

Sub-section 12-12.41 - Strike "Public Parking Area" from the heading and in the first sentence of the first paragraph insert "an" between the words "such" and "area".

Councilman Heubusch moved to adopt Section 12-12.0 of the Proposed Zoning Ordinance as amended. Councilman Bottoms seconded the motion and it passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-13.0. ACCESSORY BUILDINGS AND PRIVATE PARKING AREAS

Mr. Moran, a former councilman from the audience voiced his objection to this Section and said he did not feel his suggestions in regard to the matter, particularly concerning carports, had been considered. Councilman Heubusch assured him that his suggestions together with other factors involved had been carefully considered.

Councilman Heubusch moved to adopt Section 12-13.0 of the Proposed Zoning Ordinance. The motion was seconded by Councilman Craddock and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-14.0. SUPPLEMENTAL REGULATIONS AND EXCEPTIONS.

Corrections or amendments noted:

Sub-section 12-14.1 - In the heading "Regulations" should be corrected to read "Regulations".

Sub-section 12-14.11, All letters in the word "Use" should be capitalized.

Sub-section 12-14-116 - Insert the word "overnight" between the words "The" and "parking" in line one; in line five delete words "two and" and in line six figure should be (1/2) instead of (2 1/2).

Sub-section 12-14.138 - Delete

Sub-section 12-14.139 - Delete

Councilman Heubusch moved to adopt Section 12-14.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Wallace and passed on the following polled vote of the Council. ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-15.0. NAME PLATES AND SIGNS

Councilman Bettwy said he had been informed that due to the ordinance regarding signs the Miller and Wren Furniture store in Vienna had found it necessary to remove the front wall of the building and replace it with glass in order to advertise their merchandise. It was the opinion of other Council members that this was an unnecessary and rather drastic action on the part of Miller and Wren.

Councilman Heubusch moved to adopt Section 12-15.0 of the Proposed Zoning Ordinance. The motion was seconded by Councilman Wallace and passed on the following polled vote of the Council: ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-16.0. NON-CONFORMING BUILDINGS AND USES.

Corrections or amendments noted:

Sub-section 12-16.222 - Beginning with line one the following words

should be deleted; "All non-conforming uses of conforming buildings or structures shall be discontinued not later than three (3) years from the effective date of this ordinance," and that the following should be inserted in lieu thereof: "All non-conforming uses of conforming buildings or structures which became non-conforming by reason of any previous ordinance shall be discontinued not later than three years from the effective date of such previous ordinance; all non-conforming uses of conforming buildings or structures which become such by reason of this ordinance shall be discontinued not later than three (3) years from the effective date of this ordinance;"

In the title of Section 12-16.0 the word "conforming" should be corrected to "conforming" and the letter "s" should be added to the word "building".

Sub-section 12-16.12 - The words "and alterations" should be deleted from lines one and two.

Sub-section 12-16.42 - On line fourteen the word "residential" should be corrected to "residential".

Councilman Heubusch moved to adopt Section 12-16.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Bottoms and passed on the following polled vote of the Council:

FOR: Betty, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-17.0. USE PERMITS

Corrections or amendments noted:

Sub-section 12-17.1 - In paragraph (d) delete the words "new and second-hand"; in paragraph (f) change to read "Automobile service station in C-2 Zone.

Sub-section 12-17.21 - In line five change the word "ten" to "thirty" and the figure "\$10.00" to "\$30.00). (Mr. Lehman Young from the audience protested this increase as being much too expensive. Councilman Heubusch stated that the actual cost of advertising and recording far exceeded this amount.)

Councilman Heubusch moved to adopt Section 12-17.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Wallace and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-18.0 - CHANGES AND AMENDMENTS

Corrections or amendments noted:

Sub-section 12-18.11 - On lines seventeen and eighteen, the amount to accompany an application should be changed from "twenty-five (\$25.00) to "fifty (\$50.00).

Sub-section 12-18.4 - Title now reads "Protest Against a Proposed Amendment." amend to read "Protest Against a Proposed Amendment or change."

Sub-section 12-18.41 - delete entire section and insert in lieu thereof the following language:

"In case of a protest against any such amendment or change signed by twenty (20) per centum, or more, of any one of the following groups: (1) the owners of lots included within the area of the proposed change, or, (2) the owners of lots abutting the area included in such proposed change, or, (3) the owners of lots directly opposite the area included in such proposed change, where such area abuts upon a street, then such amendment or change shall not become effective except by the favorable vote of five-sixths (5/6) of all the Town Council."

Councilman Heubusch moved to adopt Section 12-18.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Bettwy and passed on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

Mr. Lehman Young from the audience questioned the percentages of amended Sub-section 12-18.41 and Councilman Heubusch explained that the change was necessitated by the increase in the number of Council Members.

SECTION 12-19.0. ADMINISTRATION AND ENFORCEMENT

Corrections or amendments noted:

Sub-section 12-19.11 - The second sentence now reads "The fee for a building permit shall be two (2) dollars to be paid to the Town of Vienna, Virginia, etc." The amount should not be stipulated and the sentence should be changed to read "The fee for a building permit shall be paid to the Town of Vienna, Virginia, etc."

Sub-section 12-19.14 - Delete entirely.

Sub-section 12-19.16 - Number should change to "Section 12-19.15".

Councilman Heubusch moved to adopt Section 12-19.0 as amended.

The motion was seconded by Councilman Craddock and passed on the following polled vote of the Council: ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

Mrs. Irene C. Cole, Clerk-Treasurer of the Town of Vienna, called attention of the Council to Sub-section 12-19.212 noting that the Town had recently been advised of the violation of conditions pertinent to the issuance of an occupancy permit and that the wording of the Code made it difficult to proceed against the violator to the extent that the business be closed down before a warrant could be issued and served under the "Misdemeanor Clause". The Council felt they would prefer to retain the right to review and control use permits rather than to provide in the Ordinance for the revocation of the same by the Zoning Administrator but no comments were made on the question raised by the Clerk with respect to occupancy permits.

SECTION 12-20.0. BOARD OF ZONING APPEALS

Corrections or amendments noted:

Sub-section 12-20.33 - Amend the amount to accompany an application for an appeal from "ten (10) dollars to "thirty (\$30.00) dollars".

Councilman Heubusch moved to adopt Section 12-20.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Wilson and passed on the following polled vote of the Council: ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-21.0. INTERPRETATION

Corrections or amendments noted:

Sub-section 12-21.3 - on line six the date "September 6, 1955" should be inserted; on line nine immediately after the word "permit" insert "unless construction or operation relating thereto has commenced,".

Councilman Heubusch moved to adopt Section 12-21.0 of the Proposed Zoning Ordinance as amended. The motion was seconded by Councilman Wallace and carried on the following polled vote of the Council: ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

SECTION 12-22.0. VALIDITY

Councilman Heubusch moved to adopt Section 12-22.0 as written in the proposed Code. The motion was seconded by Councilman Bottoms and carried on the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

Councilman Heubusch stated it would be necessary to adopt an effective date for the newly adopted ordinance. He said he was aware of the reasons for the enactment but he recommended Monday, June 1, 1959, as the effective date.

Councilman Heubusch regularly moved that the Vienna Town Council adopt in its entirety Sections 12-1.0 through Section 12-22.0 of the Proposed Zoning Ordinance of the Town of Vienna as printed in the Fairfax Herald under date of Friday, April 25, 1958, and as amended by the Council in Special Session assembled on May 29, 1959; said Ordinance to become effective June 1, 1959; and further that the Council repeal effective June 1, 1959, in its entirety, Title 12, Sections One (1) through Twenty-Two (22) of the Town of Vienna Code enacted September 6, 1955, and readopted April 16, 1956; and further that the Zoning Ordinance which is to be effective June 1, 1959, be duly published in accordance with the provisions of the State Code; and that as a preamble to the the newly adopted Zoning Ordinance the following statement should appear, "The following Ordinance is effective as of 1 June, 1959". Councilman Bettwy seconded the motion.

Councilman Craddock moved to amend Councilman Heubusch's motion by making the effective date of the Ordinance May 29, 1959. Councilman Bettwy seconded the motion.

Councilman Craddock felt that since the Council had been working on the Proposed Ordinance for over a year and had now adopted it that it should be effective immediately.

Councilman Craddock's motion to make the effective date May 29, 1959, received the following polled vote of the Council:

FOR: Bettwy, Bottoms, Craddock

AGAINST: Heubusch, Wallace, Wilson

ABSENT: None

Mayor Trout said he could not see any advantage to making the effective date May 29, 1959, and he felt June 1, 1959, was a more appropriate beginning date so he voted AGAINST the motion and the motion failed.

Councilman Heubusch's motion passed on the following polled vote of the Council: ✓

FOR: Bettwy, Bottoms, Craddock, Heubusch, Wallace, Wilson.

AGAINST: None

ABSENT: None

Councilman Bettwy thanked Councilman Heubusch for a wonderful steering job and said he hoped time would prove the Council had acted with good judgment.

Mayor Trout thanked Councilman Heubusch and congratulated him and the Council on the relatively prompt adoption of the Proposed Zoning Code and Map, and said it was a big burden off all of their minds.

The meeting adjourned at 11:35 P.M. on a motion made by Councilman Wilson and seconded by Councilman Bettwy. ✓

*Grace Glidewell*  
Grace Glidewell, Recording Secretary

~~Irene C. Cole, Clerk-Treasurer~~

*J. Barry Trout*  
J. Barry Trout, Mayor