

From: Stephen Kenney, Chairman Planning Commission  
To: Vienna Town Council  
Meeting Date: December 08, 2021 & November 10, 2021  
Re: Lot Coverage & Front Porch Projection

## **Overview**

The Planning Commission held two regular meetings to review these items, on November 10, 2021 and again on December 8, 2021. We needed to continue our meeting from November to December due to technical difficulties in connecting to the meeting during the November meeting.

Feedback. Town staff has produced several studies and opinion polls regarding these items over the last year or so. Those polls suggest that a majority of respondents favor some form of revision to our zoning to allow for options towards additional outdoor living space.

During our two public meetings we heard feedback from approximately 21 people. We also received one email in favor of either Option 1, or if making a change, Option 5 if stormwater runoff can be controlled. Staff indicated they received a few additional emails on the subject but PC was not furnished copies of those emails. Most who spoke were in favor of some change, with the majority favoring either option 2 or 5. Most were open to some form of change in coverage area.

On the issue of whether new home owners are informed of the limits in the zoning it was clear from three different home builders that they do review these limitations with potential home owners up front and during the design process. It seems, at least going in, the home owners are being informed of the lot coverage limits. The issue seems to be certain homes built to the limits of the zoning regulations, in particular those in RS-10 lots which are often much smaller than other zoned lots. There may also be an impact on some older homes built to the current limits, although the PC suspects existing homes built to the limits were built within the last +/-10 years.

## **Front Porch Projection**

Regarding the front yard setback option to allow single story front porches open on three sides to protrude in front of the building restriction line by 8 feet there was less public opinion on this issue. The PC discussed what potential unintended consequences we might find with this proposal. Those who voted against this revision were most concerned about the unintended consequences we might find moving forward. They pointed as an example to the previous zoning regulation amendment where we allowed both existing and new homes to protrude the garages into the side yard setback. The original intention was to allow older homes with carports to enclose those areas. As a result of that regulation change, which applies to both new and existing homes, we now have conditions where two new homes were building side by side and both project towards the same property line into the side yard setback, leaving a less than desirable setback condition. The Chairman asked the PC, as a means of example, to consider if we had ten homes on a street, five existing homes and five new homes. If several of each type were to build a front porch as suggested in the amendment, would we be okay with the effect this has on that street? The majority felt this wasn't as much of an issue after considering the example

graphic provided by staff. The PC also considered limiting the amount of frontage which could project into the front yard setback as a percentage of the front wall. After viewing various example homes in town to understand the variety of conditions we might have the majority did not feel these projections would pose an undue harm to the visual effect on a given street.

#### Lot Coverage

The Planning Commission approached this issue based on the assumption that the ultimate goal of reviewing these zoning sections was to allow for some additional form of outdoor living spaces. We did have lengthy discussions on what truly is the problem we are attempting to solve with these actions. Some were not swayed by this goal and felt it was not a clearly defined problem.

During the review and discussion of the various options presented by staff, and in particular the matrix of various options (Lot Coverage Options 1-5) the PC had little interest in total allowable lot coverage above the current 30%.

Some on PC felt that the current zoning (Option 1) was sufficient as it had been in place for years. They felt buyers need to understand the limits of the zoning before purchasing or designing their homes given that the properties are governed by the zoning regulations within the Town of Vienna, and not those of other jurisdictions. The notion that 'buyer beware' was mentioned. In the end the majority felt some form of an increase is warranted given that development and living styles have indeed changed over the last 30 years (The additional 5% coverage for decks was added in 1991).

We did discuss the possibility that if we raise the lot coverage now in some incremental manner, we could hear back in a few years people still want more lot coverage expansion. The worry being, where does this end short of the Town ending up with a similar lot coverage limits to that of neighboring jurisdictions. The majority felt that one of the reasons people want to live in Vienna is the character of our neighborhoods and that part of that character has to do with the fact we limit development size (lot coverage) within the residential zones.

The majority of PC also felt if we refine what is covered under the two current categories we can allow builders, developers and home owners some built-in flexibility towards what was covered by the additional 5% lot coverage. The 5% dedicated towards deck coverage seemed excessive to the majority and felt that by redefining this portion, in essence allowing some of the current spaces already covered under the main lot coverage category, we can build into our zoning regulations a buffer for outdoor living spaces, which is the intended goal for this consideration. We recognize the builders and developers are going to build up to the limits of the zoning regulation, through no fault of their own, as it is within the legal limits set forth in our zoning regulations. If we more clearly isolate and define these 'outdoor living space' areas within the lot coverage categories we should then allow for current and future home owners to be able to decide how best to divide up the spaces within their specific lot in terms of coverage, regardless if the original builder took these into account.

After much discussion it was determined that an incremental change to the lot coverage is warranted. We decided to propose an option 5B, which takes to original 25% (overall coverage) and 5% (decks) categories and pulls a few of the potential outdoor living space areas out of the main category and classifies them under the additional 5% portion of the chart. Note that this will lead to increase in potential home sizes. Option 5B divides the additional 5% coverage area to include single story covered deck, porches and screened porches. The intent is these cannot be used as indoor conditioned spaces but dedicated purely for outdoor living spaces. We are recommending up to 3% for such covered outdoor living spaces and the additional 2% toward decks, porches and patios which are uncovered.

Please note that the Town currently has a very helpful diagram to help residents and builders understand the zoning code as it pertains to lot coverage in a document entitled, Town of Vienna, Lot Coverage in Residential Zoning Districts. This document will need substantial revisions once the Town Council settles on these two revisions.

<https://www.viennava.gov/home/showpublisheddocument/1904/637437442731270000>

### **PC Action and Concerns**

The Chairman decided to vote on these items separately in case some had strong feelings on one vs the other and in an effort to isolate the potential various amendments for these items.

#### Front Porch Projection

Planning Commission voted to recommend to Town Council to adopt the proposed text amendments to the Town Code on Section 18-168 as provided by staff.

Motion: Mr. Meren

2nd: Mr. Aimone

Roll Call Vote: 5-2 (Nays: Miller & Baum)

#### Lot Coverage

Planning Commission voted to recommend to Town Council to adopt the proposed text amendments to the Town Code on Section 18-15 & 18-169 as it related to lot coverage, provided in Option 5B, as presented by staff.

Motion: Mr. Meren

2nd: Mr. Plowgain

Roll Call Vote: 5-2 (Nays: Miller & Baum)