



STAFF REPORT COVER SHEET

November 13, 2024

ATTACHMENT 01

Address	130 Wilmar Place NW	Case Number	1481375 1480694
Regular Meeting Date	11/13/2024	Applicant	Michael Van Atta of McGuire Woods LLP on behalf of Sekas Homes, LTD, contract purchaser
Board/Commission	Planning Commission	Owner	Estate of Robert & Mary Thompson
Existing Zoning	RS-10	Existing Land Use	Low Density Residential
Brief Summary of Request	<p>1. Recommendation to the Town Council on a final plat for a proposed lot consolidation of two lots, 61 and 62, at 130 Wilmar Pl NW (0384 03 0061) in the RS-10 Single-Unit Detached Residential zone.</p> <p>2. Recommendation to the Town Council on a final plat for a proposed lot consolidation of four lots, 63, 64, 65, and part of 66, at 130 Wilmar Pl NW (0384 03 0063) in the RS-10 Single-Unit Detached Residential zone.</p>		
Site Improvements	The applicant proposes to construct two new single-unit houses on the proposed newly created lots from the consolidations.		
Size of Property	Total of all parcels: 18,900SF Existing Total of Combined Lots 61 and 62: 7,000SF Existing Total of Combined Lots 63, 64, 65 and part of 66: 11,900SF		
Public Notice Requirements:	<ul style="list-style-type: none"> The Town Council shall notify the subdivider by mail ten days prior to the date of consideration of the final plat. As a courtesy notice, staff posted a sign on the property on November 7, 2024, notifying residents of Planning Commission and Town Council meetings. 		
Date Application Deemed Complete:	Application was deemed complete by staff November 8, 2024		
Deadline for Action:	January 6, 2024 (action required by Town Council 60 days from official submission; the last Town Council meeting before the deadline is January 6, 2025.)		
Brief Analysis			
PROPERTY HISTORY			
<p>The subject lots are part of the original subdivision of "Wilmar Place". This subdivision predates the Town's 1955 zoning ordinance, which introduced a minimum 10,000-square-foot lot size for the RS-10 zoned parcels. The parcels within the Wilmar Place Subdivision were originally established as 25' in width, 140' deep, resulting in a total of 3,500 square feet. Over time, many parcels within the Wilmar Place subdivision have been combined and re-subdivided to create larger development parcels of various sizes.</p>			
COMPATIBILITY WITH THE COMPREHENSIVE PLAN			
<p>The Future Land Use Plan in the Comprehensive Plan 2015 Update designates these lots as Low Density Residential. The proposed lot consolidation is consistent with the Low Density Residential designation.</p>			

<p>COMPATIBILITY WITH THE ZONING ORDINANCE</p> <p>The proposed consolidation of Lots 61 and 62 into a single lot is not in compliance with the lot area and lot width requirements of Article 2 of the Town of Vienna Zoning and Subdivision Ordinance (Chapter 18). In parallel with these consolidation applications, the applicant is also requesting a variance from the Board of Zoning Appeals to be able to construct a property on a substandard lot.</p> <p>The proposed consolidation of Lots 63, 64, 65 and part of 66 into one lot complies with the area requirements for the RS-10 Single-family Detached Residential zoning district in Article 2 of Chapter 18.</p>	
Attachments:	<p>01 – Staff Report</p> <p>02 – Application & Authorization - Lots 61 and 62</p> <p>03 – Preliminary Consolidation Plat - Lots 61 and 62</p> <p>04 – Application & Authorization - Lots 63, 64, 65, and part of 66</p> <p>05 - Preliminary Consolidation Plat - Lots 63, 64, 65, and part of 66</p> <p>06 – 1924 Deed</p> <p>07 – Relevant Code Sections</p>
Author:	Sharmaine Abaied, Planner; and Andrea West, Zoning Administrator

INTRODUCTION:

The applicant requests two recommendations from the Planning Commission to the Town Council to support their applications on final plats for 1) consolidating Lots 61 and 62 into a single lot, and 2) consolidating Lots 63, 64, 65 and part of 66¹ into a second lot. All six of these lots are currently known as 130 Wilmar Place NW and, together, utilized as a single lot with two tax parcels, 0384 03 0061 and 0384 03 0063. All six lots are in the Wilmar Place Subdivision. Both proposed newly created lots will maintain frontage on Wilmar Place NW. The existing lots are zoned RS-10, Single-Unit Detached Residential, and the newly formed lots would retain that same zoning. The application was filed by Michael Van Atta of McGuire Woods LLP on behalf of Sekas Homes, LTD, the contract purchaser. The Estate of Robert & Mary Thompson owns the lots, and the project engineer is Rob Aboulmouna of Land Design Consultants (LDC).

REQUIRED PLANNING COMMISSION ACTION:

Per *Sec. 18-606. - Board and Commissions*, the Planning Commission shall consider proposed plats for subdivisions, lot line and boundary adjustments as described within Article 6 and refer the plat to Town Council with comments in writing, giving with the latter specific reasons therefor, and shall exercise all other powers conferred upon it by the Code of Virginia.

The request by the applicant before the Planning Commission is for two recommendations:

1. Recommend that the Town Council approve a final plat for a proposed lot consolidation of two lots (61 and 62) at 130 Wilmar PI NW (0384 03 0061) in the RS-10 Single-Family Unit Detached Residential zone; and,
2. Recommend that the Town Council approve a final plat for a proposed lot consolidation of four lots (63, 64, 65, and part of 66) at 130 Wilmar PI NW (0384 03 0063) at 130 Wilmar PI NW in the RS-10 Single-Family Unit Detached Residential zone.

NEXT STEPS:

Both proposed consolidations are subject to the following provision in Article 6 of Chapter 18:

¹ One of the lots has the formal name “part of 66” due to a previous subdivision of the former lot 66, and consolidation of a different part of 66 with adjacent parcels. The remaining portion is names “part of 66” and is one of the subject properties for this application.

Per *Sec. 18-606. - Board and Commissions*, the Town Council shall consider proposed plats, pursuant to the recommendation of the Planning Commission, and approve or disapprove the plat in writing, giving with the latter specific reasons therefor, and shall exercise all other powers conferred upon it by the Code of Virginia to assure the orderly subdivision of land and to implement the comprehensive plan of the Town.

The next steps are different for the two applications being addressed.

1. Prior to a decision by the Town Council regarding the proposed non-conforming lot, consisting of the existing lots 61 and 62, must receive a variance from the Board of Zoning Appeals (BZA) for the lot size and lot width prior to consolidation and development. This BZA public hearing is scheduled for November 20, 2024.
2. Lots, 63, 64, 65, and part of 66 do not require a variance, as they meet the requirements of the RS-10 Single-Unit Residential area standards. As a result, this proposal may go directly to the Town Council.



Figure 1 – Orthophotography of lots located at 130 Wilmar Pl NW. The Red outline indicates the current lot shapes. Source: 2024 Fairfax County Imagery



Figure 2 - Town of Vienna Future Land Use Map

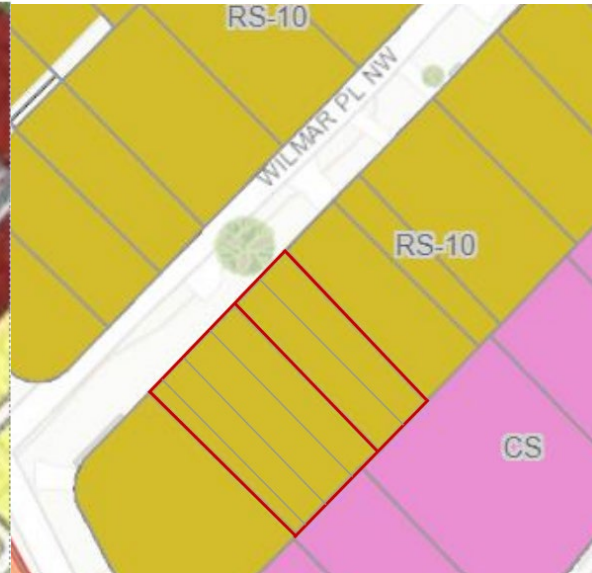


Figure 3 - Town of Vienna Zoning Map

EXISTING SITE CONDITIONS:

The subject site is in the 100 block of Wilmar Place NW, approximately 115 feet from the intersection of Wilmar Place NW and Lawyers Road NW. Combined, Lots 61 and 62 are a total of 7,000 square feet; and, combined, Lots 63, 64, 65, and part of 66 are a total of 11,900 square feet. Lots 63, 64, and 65 currently have a single-unit residence on site. Currently, there are no sidewalks along the front 130 Wilmar Place NW, nor along the entire 100 block of Wilmar Place NW.

The subject site is designated as Low Density Residential Future Land Use in the Town of Vienna Comprehensive Plan (see Figure 2). Low Density Residential Land Uses in the Town are predominately single-unit detached dwellings on larger lots. The land found to the north, east, and west of the site is also designated as Low Density Residential. Property located to the south of the subject site, within the Church Street Zoning District, is designated as Mixed Use in the Future Land Use map.

The parcels are zoned RS-10, Single-Unit Detached Residential, on the Town of Vienna Zoning Map (see Figure 3). The RS-10 zone primarily allows, by right, single-unit detached dwellings and associated accessory buildings; and select institutional uses, generally conditional uses, on lots no less than 10,000 square feet. Land to the north, east, and west is also zoned RS-10, and to the south is land zoned CS (Church Street).

STAFF ANALYSIS:

Town of Vienna 2015 Comprehensive Plan

The following items from the Comprehensive Plan relate to the proposed lot consolidation:

Land Use Objective 1 Implementation Strategy: Keep the current residential zoning classifications and densities in effect.

The applicant is proposing two single-unit detached homes, which is the basic policy for land use designation in the Comprehensive Plan and is consistent with keeping the current residential zoning classifications. However, the proposal to build a single-unit detached home on a lot that is smaller than 10,000 square feet would increase density as compared to current conditions and may potentially not be consistent with the Comprehensive Plan objective.

Town of Vienna Zoning and Subdivision Ordinance

Lots 61 and 62 - Minimum/Maximum Lot Requirements: As proposed, the application for consolidation of lots 61 and 62 does not meet the requirements for 1) minimum Lot Area, 2) Minimum Lot Width at Front Building Line, and 3) Minimum Lot Width at Midline. Section 18-815 and Section 18-703 of the zoning code requires approval of a variance by the Board of Zoning Appeals to deviate from the lot requirements for the RS-10 zoning district. Table 1 below shows the requirements, from Section 18-218 of the Zoning and Subdivision Ordinance, of the RS-10 zone.

Table 1: Alignment with Minimum Lot Requirements for RS-10 Zoning		
	Requirement	Consolidated Lot
Lot Area	Minimum 10, 000 sf	7,000 sf
Lot Shape Factor	Maximum 25	20.63
Front Lot Line Width	Minimum 45 ft	50 ft
Front Building Line Lot Width	Minimum 60 ft	50 ft
Midline Lot Width	Minimum 75 ft	50 ft

Lots 63, 64, 65 and part of 66 - Minimum/Maximum Lot Requirements: As proposed, the application for consolidation of 63, 64, 65, and part of 66 meets the requirements for minimum lot area, minimum width and lot shape factor for the RS-10 Residential Single-Unit, from Section 18-218 of the Zoning and Subdivision Ordinance, as shown below in Table 2.:

Table 2: Alignment with Minimum Lot Requirements for RS-10 Zoning		
	Requirement	Consolidated Lot
Lot Area	Minimum 10, 000 sf	11, 900 sf
Lot Shape Factor	Maximum 25	17.02
Front Lot Line Width	Minimum 45 ft	85 ft
Front Building Line Lot Width	Minimum 60 ft	85 ft
Midline Lot Width	Minimum 75 ft	85 ft

Infrastructure Considerations

- No right-of-way dedication is required with either of the proposed lot consolidations.
- The Department of Public Works has determined the proposed lot consolidations do not impact public infrastructure and will maintain minimum requirements.
- If the consolidations, variance and home construction projects are approved, the applicant would need to address the absence of sidewalks in front of these properties along Wilmar Place NW. The Department of Public Works is likely to require escrow payments to provide funds for the Town to construct a common sidewalk along the entire block.