




# STAFF REPORT COVER SHEET

June 12, 2024

## ATTACHMENT 01

|   |  |   |  |  |  |  |  |  |
|---|--|---|--|--|--|--|--|--|
| <b>Address</b>  | 103 Saint Andrews Dr NE  | <b>Case Number</b>  | 1320510  |  |  |  |  |  |
| <b>Regular Meeting Date</b>   | 7/8/2024   | <b>Applicant &amp; Owner</b>  | Mir Zohori of<br>M&Z Construction and Consulting LLC |  |  |  |  |  |
| <b>Board/Commission</b>   | Town Council   |   |  |  |  |  |  |  |
| <b>Existing Zoning</b>  | RS-12.5  | <b>Existing Land Use</b>  | Low Density Residential                              |  |  |  |  |  |
| <b>Brief Summary of Request</b>   | Approval by Town Council of final plat for a proposed lot consolidation of two lots into one at 103 Saint Andrews Drive NE in the RS-12.5 Single-Family Detached Residential zone.   |                                   |  |  |  |  |  |  |
| <b>Site Improvements</b>  | The applicant proposes to construct one new single-family home on the site and add a 5-foot-wide sidewalk.   |   |  |  |  |  |  |  |
| <b>Size of Property</b>   | Existing Total: 23,331 sf (0.54 acres)   |   |  |  |  |  |  |  |
| <b>Public Notice Requirements:</b>  | <ul style="list-style-type: none"><li>• The Town Council shall notify the subdivider by mail ten days prior to the date of consideration of the final plat.</li><li>• As a courtesy notice, staff posted a sign on the property on June 3, 2024, notifying residents of Planning Commission and Town Council meetings.</li></ul> |   |  |  |  |  |  |  |
| <b>Official Submission Date for Approval:</b>   | April 23, 2024   |   |  |  |  |  |  |  |
| <b>Deadline for Action:</b>   | July 22, 2024 (action required by Town Council 60 days from official submission; the last Town Council meeting before the deadline is July 8, 2024.)   |   |  |  |  |  |  |  |
| <b>Brief Analysis</b>   |  |   |  |  |  |  |  |  |
| <b>PROPERTY HISTORY</b> <p>The two lots addressed as 103 Saint Andrews Drive NE are owned by the same owner and consist of a total of one single-family home. The parcels have, together, been managed as if they were a single residential lot for over 50 years.</p>                |  |   |  |  |  |  |  |  |
| <b>COMPATIBILITY WITH THE COMPREHENSIVE PLAN</b> <p>The Future Land Use Plan in the <a href="#">Comprehensive Plan 2015 Update</a> designates the property as Low Density Residential. The proposed lot consolidation is consistent with the Low Density Residential designation.</p> |  |   |  |  |  |  |  |  |
| <b>COMPATIBILITY WITH THE ZONING ORDINANCE</b> <p>The proposed consolidation of two lots into one lot complies with Article 6 of the Zoning Code and meets the area requirements for the <a href="#">RS-12.5 Single-family Detached Residential zoning district</a>.</p>              |  |   |  |  |  |  |  |  |
| <b>Attachments:</b>   | 01 – Staff Report<br>02 – Application & Authorization<br>03 – Final Consolidation Plat<br>04 – Plan Set  | 05 – Relevant Code Sections<br>06 – Property Deeds<br>07 – Regulatory Requirements<br>08 – Planning Commission Memo |  |  |  |  |  |  |
| <b>Author:</b>  | Maggie Costello, Principal Planner   |   |  |  |  |  |  |  |

## INTRODUCTION:

The applicant is requesting approval from the Town Council on a final plat for the consolidation of two lots at 103 Saint Andrews Drive NE, all of which is in the Westbriar Estates Subdivision. The applicant is proposing to consolidate the existing Lot 39, which has frontage on St. Andrews Drive NE, with Lot 39A, which is a landlocked parcel adjacent to the rear of Lot 39. Both existing properties are zoned RS-12.5, Single-Family Detached Residential, and the newly formed lot would retain that same zoning. The application was filed by Mir Zohori, property owner and applicant, and Gyandra S. Thapa of Global Engineering, project engineer. This application was submitted in 2024. Lot consolidations are subject to the regulations of the newly enacted zoning and subdivision ordinance (Chapter 18). The address for the new consolidated property will likely remain addressed as 103 Saint Andrews Drive NE.

## EXISTING SITE CONDITIONS:



*Figure 1 – Orthophotography of existing dwelling located at 103 Saint Andrews Drive NE. The Red outline indicates the current lot shapes and imagery. Source: 2023 Eagleview Pictometry*

The subject site is located approximately 125 feet north of the intersection of St Andrews Drive NE and Maple Avenue East and in the 100 block of St Andrews Drive. The two existing lots, together, comprise approximately a  $\frac{1}{2}$  acre. The larger lot (Lot 39) has one existing single family detached home. The smaller lot to the rear (Lot 39A) has no improvements. There are no sidewalks across the front of the property, or on the remainder of St Andrews Drive.



Figure 2 – 1972 aerial image of site.  
 Source: Fairfax County Aerials



Figure 3 - 2023 aerial image of site.  
 Source: Fairfax County Aerials

Figure 2 is an aerial image of the subject site from 1972 with present day boundary lines outlined in red. The existing home was built in 1962. Figure 3 is an aerial image of the subject site from 2023. The parcel lines and land uses have remained unchanged over the 50-year period.



Figure 4 - 2023 Town of Vienna Future Land Use Map

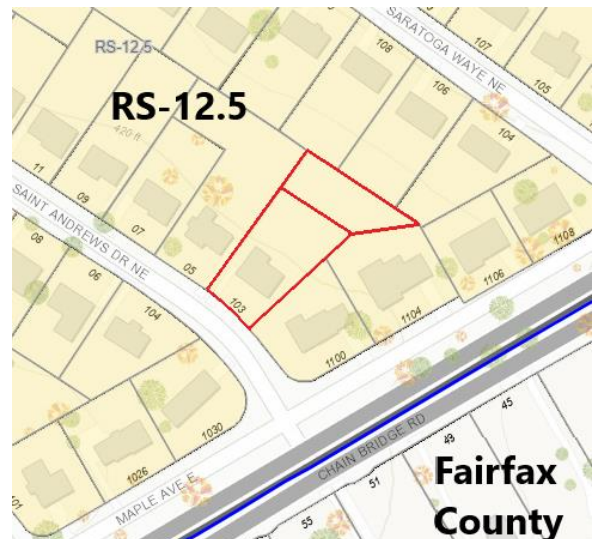


Figure 5 - Town of Vienna Zoning Map

The subject site is designated as Low Density Residential Future Land Use in the Town of Vienna Comprehensive Plan (see Figure 4). Low Density Residential Land Uses in the Town are predominately single-family detached dwellings on larger lots. The site is surrounded to the north, east, west, and south by land also designated as Low Density Residential. Both lots are zoned RS-12.5, Single-Family Detached Residential, on the 2023 Town of Vienna Zoning Map (see Figure 5). The RS-12.5 zone is one of the implementing zones within the Low Density Residential Future Land Use designation. This zone primarily allows for single-family detached dwellings, along with associated accessory buildings, on lots no less than 12,500 square feet, or slightly less than 1/3 an acre. Other uses may be allowed in the RS-12.5 zone as conditional uses, per Section 18-13 of the Zoning Code. The subject site is surrounded on the north, west, and south by land also zoned RS-12.5.



**PROPOSED LOT CONSOLIDATION:**

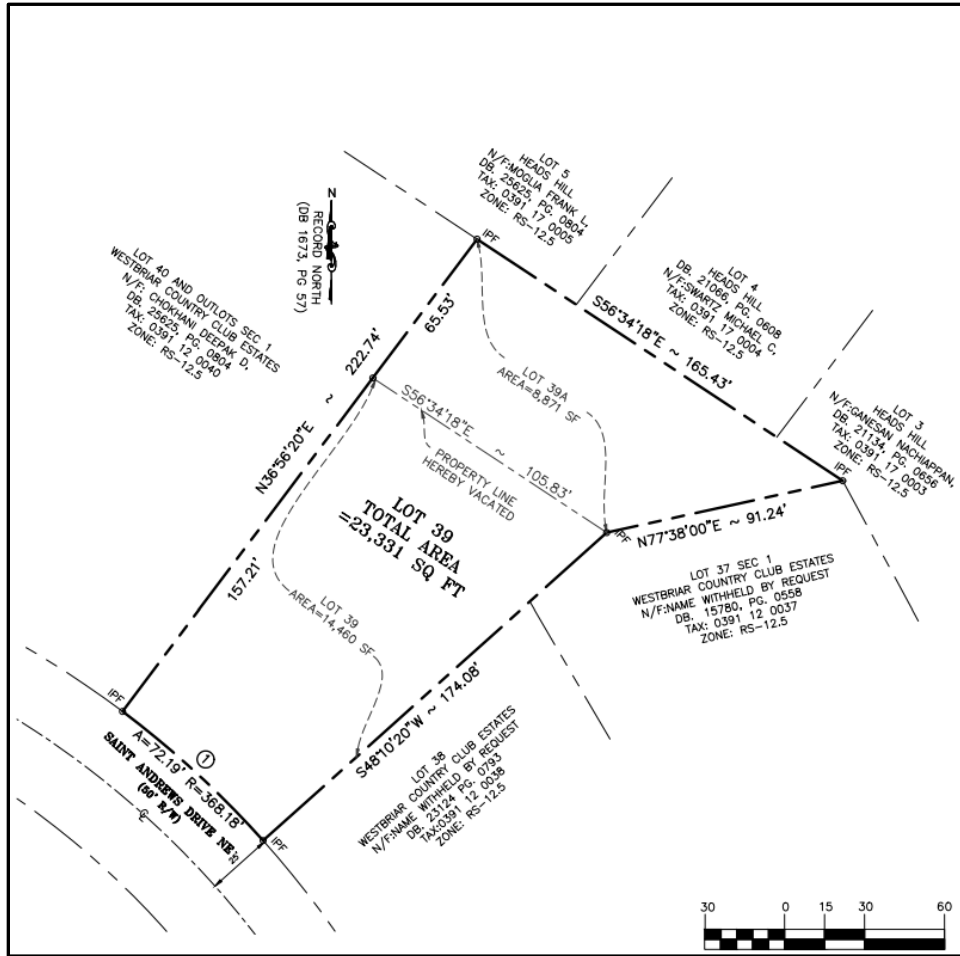
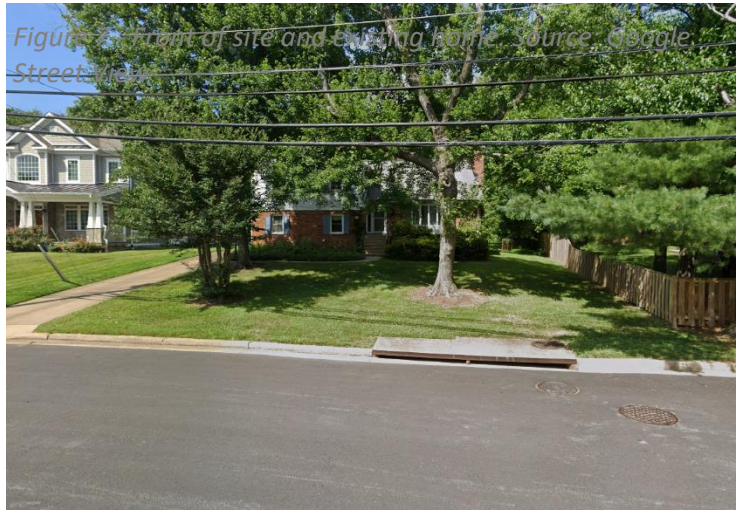


Figure 6 - Proposed Lot Configuration excerpt from submitted plans.

The applicant is requesting approval of the consolidation of two lots into one conforming lot. Once combined, the new lot will still have primary access from Saint Andrews Drive NE. The Saint Andrews Drive NE right-of-way width measures 50 feet wide.

Chapter 17.61 of the Zoning Code (2023) requires that each new lot shall abut on a street dedicated by the subdivision plat or on an existing publicly dedicated street. Lot 39A does not abut on a publicly dedicated street and is, therefore, nonconforming. Consolidation of these two lots would resolve the nonconformance of Lot 39A.

**ADDITIONAL INFORMATION RELEVANT TO THIS APPLICATION:**



*Figure 7 - Front of site and existing home. Source: Google Street View*

The applicant has provided civil engineering plans detailing the proposed use and improvements for the site, in addition to the proposed preliminary plat consolidation. If the consolidation is approved, the applicant intends to submit applications to demolish the existing home on the site and build one new single-family detached residence on the combined lots. Details provided by the applicant on sheet 6 in Attachment 4, which is titled "Tree Preservation Plan" of the civil engineering plan set, show approximately 8 trees categorized as poor to fair condition, and a total of 15 trees planned for removal. The applicant is also proposing to plant roughly 23 new trees on the site. If the consolidation is

approved, the applicant will fulfill the Town's tree canopy requirements across the site, consistent with zoning requirements.

Proposed public improvements include the addition of a 5-foot-wide sidewalk within the right-of-way. In addition, the current 9-foot-wide existing driveway and curb cut will be removed and replaced with a 19-foot-wide driveway and curb cut onto Saint Andrews Drive, slightly to the right of the location of the existing driveway. This may be found on Sheet 3 in attachment 4.



**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's proposal maintains the current zoning. The applicant is proposing one single-family detached home, which is what already exists on the site. Therefore, this application will

not increase density on the site and would still be consistent with the “zoning classifications and densities in effect.”

- *Land Use Objective 5 Implementation Strategy:* Minimize impacts on the environment as a result of new development, redevelopment, and subdivisions.

The proposed lot consolidation and development of a new home on the site will result in the removal of approximately 15 trees; however, with the proposed approximately 23 new tree plantings, the development application fulfills the current tree canopy requirement within the code.

- *Environment and Sustainability Objective 2:* Protect and enhance the Town’s tree canopy.

The tree canopy will be reduced from 62% to 20.6%. The current required 20% canopy coverage will be maintained for this site, consistent with current tree canopy regulations for development under State and Town requirements.

### **Town of Vienna Zoning Ordinance**

*Minimum/Maximum Lot Requirements:* As proposed, the lot consolidation meets the minimum lot area and width requirements, maximum lot coverage and lot shape factor for the RS-12.5 Single-family Detached Residential zoning district, as shown below in Table 1 as required by Section 18-218 of the 2024 Zoning and Subdivision Ordinance:

| <b>Table 1: Alignment with Minimum Lot Requirements</b>              |                    |                         |
|--|--------------------|-------------------------|
|  | <b>Requirement</b> | <b>Consolidated Lot</b> |
| <b>Lot Area</b>  | Minimum 12,500 sf  | 23,331 sf               |
| <b>Lot Shape Factor</b>  | Maximum 25         | 22.57                   |
| <b>Front Lot Line Width</b>  | Minimum 50 ft      | 72.1 ft                 |
| <b>Front Building Line Lot Width</b>                                 | Minimum 65 ft      | 77.9 ft                 |
| <b>Midline Lot Width</b>   | Minimum 80 ft      | 93.9 ft                 |
| <b>Maximum Lot Coverage (based on preliminary development plans)</b> | Maximum 25%        | 20.71%                  |

### **Town of Vienna Subdivision Ordinance**

The creation of new lots within the Town of Vienna must be in conformity with Division 3 of the 2024 Zoning and Subdivision Ordinance. As such, staff notes the following regarding the Preliminary Plat, as presented by the applicant:

- The subject site is not located within the Chesapeake Bay Preservation Area RPA or the RMA.

- Section 17-15.1- Planting and replacement of trees: The proposed removal and replacement of trees will reduce the existing tree canopy coverage on the overall site from 62% to 20.6%. Given these proposed removals and new plantings, the applicant would still meet the Town's current minimum canopy coverage requirement of 20% in the RS-12.5 zone.
- No right-of-way dedication is required with the proposed lot consolidation.
- The Department of Public Works has determined the proposed lot consolidation does not impact public infrastructure and maintains minimum requirements.

As proposed, the lot consolidation meets minimum requirements in the Town Code and aligns with the Town's applicable sections of the Comprehensive Plan.

**Planning Commission Meeting held June 12, 2024**

The application came before the Planning Commission on June 12, 2024. The Commission asked questions pertaining to the origin of the lot with no legal access, 39A. The Planning Commission's comments are summarized by the Chair in the memo to the Town Council, which is included in Attachment #8. The Planning Commission unanimously recommended approval of the Preliminary Plat.