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December 11, 2024

Vienna Town Council
Transmitted via email:
Council@viennava.gov

Re: Proposed Lot Consolidations of Tax Map 38-4 ((3)) 61 and 63

Dear Council Members,

Please accept this letter on behalf of the Applicant, in advance of the Town Council Meeting on January 6th, 2025, for the above referenced Lot Consolidation applications at Tax Map 38-4 ((3)) 61 (“Parcel 61” - address not assigned) and Tax Map 38-4 ((3)) 63 (“Parcel 63” - 130 Wilmar Place NW). The proposed Lot Consolidations will clean up previously existing nonconforming lots to align with current Fairfax County Tax Map boundaries and create buildable lots. The requested Lot Consolidations will meet the requirements of the Zoning Ordinance and will facilitate development that is compatible with the established character of the surrounding neighborhood. Similarly, the resulting development will support the Town’s goals for a more diverse housing stock available for residents of all age groups.

The Applicant is pursuing two separate Lot Consolidation applications for existing nonconforming lots that have existed in their current configuration since 1924. Parcel 61 is currently vacant and is the subject of a proposed consolidation of existing nonconforming Lots 61 and 62. Parcel 63 is developed with an existing home and is the subject of a separate proposed consolidation of existing nonconforming Lots 63, 64, 65, and 66 pt. The existing home on Parcel 63 would be demolished. Both Parcels 61 and 63 are proposed for development of new single unit detached dwellings, for a total of two new dwellings on the collective properties. The dimensions of the consolidated lots will be consistent with the dimensions of nearby lots, and the proposed development will match the size and scale of surrounding homes as demonstrated by Exhibit 1 attached to this transmittal.

As you may know, the Board of Zoning Appeals (BZA) recently approved by unanimous vote Variances for Parcel 61 for lot size and lot width. As discussed with the BZA and as demonstrated by Exhibit 1, multiple lots exist in the immediate neighborhood and RS-10 Zoning District with similar lot sizes and dimensions and have been developed with single family homes. No Variances are required for the consolidation of Parcel 63.

With the approved Variance, both proposed Lot Consolidations meet the requirements of Sect. 18-620 of the Zoning Ordinance and all other applicable local, state, and Town of Vienna requirements. In comparison to existing conditions, there will not be any creation of or aggravation of existing noncompliance regarding minimum lot requirements.

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At the November 13th, 2024 Planning Commission meeting the Commission stated clear support for the development of two new homes on the collective properties. The Commission also stated a preference for a redesigned consolidation scheme that would have more uniform lot sizes. We believe this recommendation is a subjective design preference, and is not based on any technical criteria. As previously stated, the proposed Lot Consolidations meet the regulatory standards for approving Lot Consolidations and should likewise not be subject to additional design preferences not stated in the Zoning Ordinance. Such a redesign would be inconsistent with the Variances approved by the BZA, would not match current Tax Map boundaries, and would add procedural and design complexities with an uncertain path forward.

Conversely, the simplified approach for the Lot Consolidations proposed by the Applicant would consolidate existing nonconforming lot lines without changing exterior parcel lines and would match current Tax Map boundaries to create buildable lots. Perhaps of greater importance, the differing lot sizes as proposed would further the goals stated by the Town's Comprehensive Land Use Plan for creating lots that support a diverse housing stock in transitional areas. If nothing more, the proposed Lot Consolidations meet the applicable regulatory requirements and should be considered under that scope of review. For these reasons, we respectfully seek your approval of the proposed Lot Consolidations.

Please contact me at 703-712-5335 or mvanatta@mcguirewoods.com with any questions or requests for further information.

Sincerely,



Mike Van Atta, AICP
Senior Land Use Planner
McGuireWoods LLP

cc: Andrea West, Zoning Administrator

Attachments: Exhibit 1 – Comparative Examples on Wilmar PI NW

Exhibit 1 – Comparative Examples on Wilmar PI NW

Proposed Lot Consolidations

Address	Lot Width	Lot Size (SF)
Unaddressed	50'	7,000
130 Wilmar PI NW	85'	11,900

Other Existing Properties

Address	Lot Width	Lot Size (SF)	Year Built*
135 Wilmar Place NW	72'	7,100	1999
131 Wilmar Place NW**	55'	7,375	2023
127 Wilmar Place NW**	45'	6,250	1988
114 Wilmar Place NW**	65'	6,500	2004
110 Wilmar Place NW	60'	7,500	1995
109 Wilmar Place NW**	50'	6,250	2016
105 Wilmar Place NW**	60'	8,050	2005
101 Wilmar Place NW	75'	9,825	1938

*Year built shows most recent date of house reconstruction, addition, or remodel.

**Pictures provided below.



131 Wilmar PI NW



127 Wilmar PI NW



114 Wilmar PI NW



109 Wilmar PI NW



105 Wilmar PI NW