



STAFF REPORT COVER SHEET

September 23, 2024

ATTACHMENT 01

Address	841 Ninovan Rd SE	Case Number	1392510
Regular Meeting Date	9/23/2024	Applicant	Rob Fisher, Fisher Custom Homes
Board/Commission	Town Council	Owner	Michael Stone
Existing Zoning	RS-10	Existing Land Use	Low Density Residential
Brief Summary of Request	Recommendation to the Town Council on a final plat for a proposed lot consolidation of two lots into one at 841 Ninovan Rd SE in the RS-10 Residential Single-Unit, 10,000 sq. ft. zone.		
Site Improvements	The applicant proposes to construct one new single-family home on the site and add a 5-foot-wide sidewalk.		
Size of Property	Existing Total of Combined Lots: 42,495 sf (0.9756 acres)		
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 August 30, 2024, notifying residents of Planning Commission and Town Council meetings. 		
Official Submission Date for Approval:	August 30, 2024		
Deadline for Action:	October 29, 2024 (action required by Town Council 60 days from official submission; the last Town Council meeting before the deadline is October 21, 2024.)		
Brief Analysis			
PROPERTY HISTORY			
<p>Prior to 2022, this property consisted of two lots, one with access to Ninovan Road SE and one without access. In 2022, the landowner re-subdivided the lots to provide road frontage for both lots. The existing single-family home on the property was demolished, and plans were approved for the construction of two new homes. In 2024, the applicant submitted plans for the construction of one single-family home utilizing the two existing lots. To meet current zoning regulations for the proposed location of the single-family home, the applicant will have to consolidate the existing two lots into one lot.</p>			
COMPATIBILITY WITH THE COMPREHENSIVE PLAN			
<p>The Future Land Use Plan in the Comprehensive Plan 2015 Update designates the property as Low Density Residential. The proposed lot consolidation is consistent with the Low Density Residential designation.</p>			
COMPATIBILITY WITH THE ZONING ORDINANCE			
<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 RS-10 Residential - Single-unit, 10,000 sq. ft. zoning district in Article 2.</p>			
Attachments:	01 – Staff Report	04 – Plan Set	
	02 – Application & Authorization	05 – Relevant Code Sections	
	03 – Preliminary Consolidation Plat	06 – Planning Commission Chair Memo	
Author:	Maggie Costello, Principal Planner		

INTRODUCTION:

The applicant requests approval from the Town Council on a final plat for consolidating two lots at 841 Ninovan Rd SE, all of which are in the Hunter Mill Subdivision. The applicant proposes consolidating the existing lots 213B and 215A, which have frontage on Ninovan Road SE. Both existing properties are zoned RS-10, Residential - Single-Unit, 10,000 sq. ft., and the newly formed lot would retain that same zoning. Rob Fisher of Fisher Custom Homes filed the application. Michael Stone owns both properties, and the project engineer is Ken Faint of Bowman Consulting. This application was submitted in 2024. Lot consolidations are subject to the regulations of the zoning and subdivision ordinance (Chapter 18). The address for the new consolidated property will remain 841 Ninovan Road SE.

EXISTING SITE CONDITIONS:



Figure 1 – Orthophotography of lots located at 841 Ninovan Rd SE. The Red outline indicates the current lot shapes and imagery. Source: 2024 Fairfax County Imagery

The subject site is located in the 800 block of Ninovan Road SE, approximately 365 feet west of the intersection of Ninovan Road SE and Tapawingo Road SE. The two existing lots comprise almost 1 acre. Both lots do not have any improvements remaining on-site. There are no sidewalks across the front of the property or on the remainder of the south side of the 800 block of Ninovan Road SE.

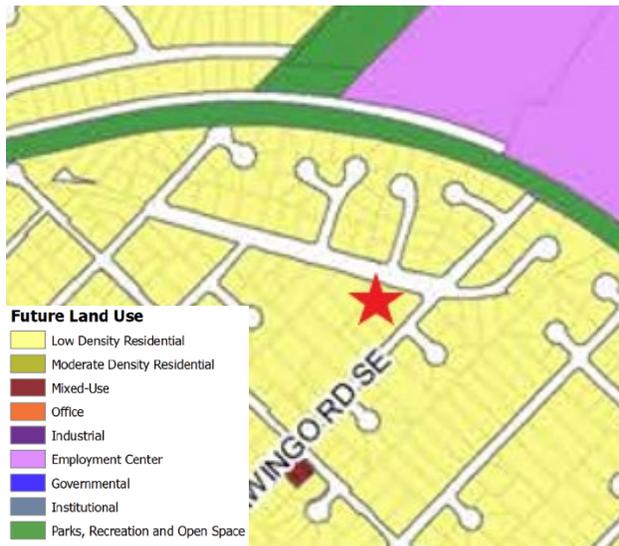


Figure 2 - Town of Vienna Future Land Use Map

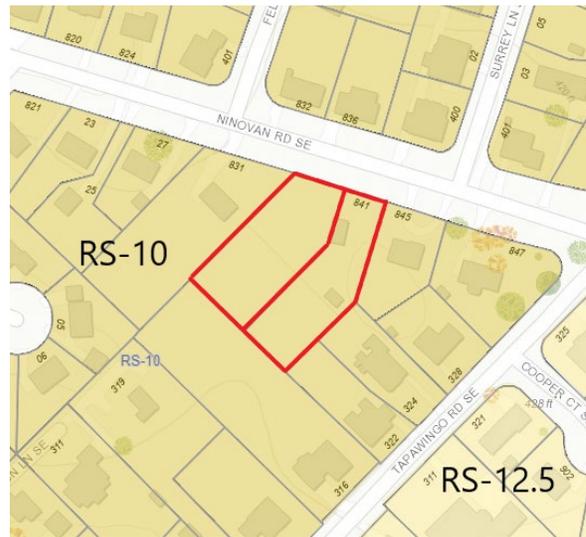


Figure 3 - Town of Vienna Zoning Map

The subject site is designated as Low Density Residential Future Land Use in the Town of Vienna Comprehensive Plan (see Figure 2). 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-10, Residential Single-Unit, 10,000 sq. ft., on the Town of Vienna Zoning Map (see Figure 5). The RS-10 zone primarily allows for single-family detached dwellings and associated accessory buildings on lots no less than 10,000 square feet or slightly less than 1/4 an acre. The subject site is surrounded on the north, west, and south by land also zoned RS-10.

PROPOSED LOT CONSOLIDATION:

The applicant is requesting approval to consolidate two conforming lots into one conforming lot. The zoning ordinance requires that each new lot shall abut on a street dedicated by the subdivision plat or on an existing publicly dedicated street. Once combined, the new lot will have primary access from Ninovan Road SE.

ADDITIONAL INFORMATION RELEVANT TO THIS APPLICATION:

The applicant has provided civil engineering plans detailing the proposed use and improvements for the site and the preliminary plat consolidation. If the consolidation is approved, the applicant intends to continue with their recently submitted application to construct one new single-family detached residence on the combined lots. The two lots were previously cleared of both the existing house and vegetation in 2022. The current application was submitted and accepted before the adoption of the new tree canopy ordinance and is being reviewed under the Town’s previous minimum tree canopy requirement of 20%.



Figure 5 - Existing driveway providing access to the site. Source: Staff photo

Proposed public improvements include adding a 5-foot-wide sidewalk within the right-of-way. The current 12.5-

foot-wide driveway and curb cut will also be removed. The new driveway will be relocated to the site's western side with a 12-foot-wide driveway and curb cut onto Ninovan Road. 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 the site was previously used for. Therefore, this application will not increase density on the site and would still be consistent with the "zoning classifications and densities in effect."

Town of Vienna Zoning and Subdivision 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-10 Residential Single-Unit, 10,000 sq. ft. zoning district, as shown below in Table 1 as required by Section 18-218 of the 2024 Zoning and Subdivision Ordinance:

Table 1: Alignment with Minimum Lot Requirements for RS-10 Zoning		
	Requirement	Consolidated Lot
Lot Area	Minimum 10,000 sf	42,495 sf
Lot Shape Factor	Maximum 25	15.75
Front Lot Line Width	Minimum 45 ft	136.02 ft
Front Building Line Lot Width	Minimum 60 ft	148.71 ft
Midline Lot Width	Minimum 75 ft	186.16 ft
Maximum Lot Coverage (based on preliminary development plans)	Maximum 25%	24.2%

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 the minimum requirements in the Town Code and aligns with the Town's applicable sections of the Comprehensive Plan.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission reviewed the requested lot line adjustment on September 11, 2024. Attachment 6 provides a memorandum from the Planning Commission Chair.