



# Town of Vienna

127 Center Street South  
Vienna, Virginia 22180  
p: 703.255.6341  
TTY 7111

## Meeting Minutes Planning Commission Work Session

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Wednesday, August 8, 2018

6:30 PM

127 Center St. South

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### Work Session

The Planning Commission met for work session on Wednesday, August 8, 2018, at 6:30 p.m. in the Council Chambers of the Vienna Town Hall, 127 Center Street South, Vienna, Virginia, with Michael Gelb, Chairman, presiding with the following members present: Sarah Couchman, Mary McCullough, Walter I. Basnight, Steve Kenney, and Sharon Baum. Also in attendance and representing Town Staff: Michael D'Orazio, Deputy Director of Planning & Zoning, Kelley O'Brien, Town Planner, John Jay Sargent, Town Engineer, and Jennifer Murphy, Commissioner Clerk.

#### Work Session on a proposed zoning ordinance amendment to Article 2, Section 4 - Definitions- FINISHED LOT GRADE of Chapter 18 of the Town Code

*Staff presented revised language explaining that the item was originally recommended by the Planning Commission to Town Council on April 12, 2017. Staff had issues enforcing the code language as drafted. The language was originally drafted with the intent of preventing dirt skirts, when a home is constructed with an artificially raised lot to create a walkout basement resulting in a dirt skirt in front of the house. Staff explained the grade pattern that should result from development. Since 2015 new state law for storm water management requires that no additional flow occur as a result of construction. Staff further explained volume versus water flow and that current code language does not address commercial locations or churches. Town Code language currently applies to standard infill lots. Ninety-eight percent of the time current grading requirement work. Staff is encountering issues when reviewing high engineered structures.*

*Staff presented revised recommended language that will help in preventing mushrooming effects. The following text is intended to help to enforce a more uniform and natural grade focusing on grade of lots abutting to redevelopment.*

*Finished lot grade means the finished surface of ground abutting a building or structure. The finished lot grade may deviate from the pre-existing lot grade by no more than three vertical feet at any point along the pre-existing lot grade around the footprint of the building or structure. All over lot grading should be in accordance with the natural lay of the land. The Director of Public Works may waive the three foot lot deviation requirement, if deemed to be for good cause and not contrary to the public interest.*

*Staff explained that over lot grading is an industry term when referring to overall grading that extends across the entire property and does not include roads or utility work. It is staff's overall intent to make over lot grading in accordance with overall grading of the surrounding area. Every situation being different it will be up to staff's interpretation to take the larger context into account. It will further address properties that are not situated downhill but those properties that are uphill to*

*surrounding lots.*

*Staff presented additional text recommendation for structures other than single-family detached dwellings that will not be constrained by the lot deviation rule. These sites are often larger creating potential for more severe grading changes. Additionally, grading for these sites are subject to restrictions like ADA (Americans with Disabilities Act) and grading of adjoining public streets. The following text addresses these concerns.*

*Finished lot grade means the finished surface of ground abutting a building or structure. For single-family detached dwellings, not including subdivisions, the finished lot grade may deviate from the pre-existing lot grade by no more than three vertical feet at any point along the pre-existing lot grade around the footprint of the building or structure, such that all over-lot grading shall be in accordance with the natural lay of the land. The Director of Public Works may waive the three foot lot deviation requirement, if deemed to be for good cause and not contrary to the public interest.*

*The new language is more desirable as it specifies SFD (single family dwelling) from commercial and addresses staff's original intent, which should suffice until the zoning ordinance can be brought up to date. Of the two paragraphs staff recommends the second paragraph to be adopted.*

*There being no further discussion the work session adjourned at 7:32 pm.*

*Respectfully submitted by,*

*Jennifer M. Murphy  
Commission Clerk*

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