



Legislation Details (With Text)

File #: 16-178 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 6/24/2016 **In control:** Town Council Meeting

On agenda: 7/11/2016 **Final action:**

Title: Consideration of approval by Town Council of a final plat for a proposed re-subdivision into two lots of existing Parcel 1, First Addition to Beulah Heights, on property located at 409 Beulah Road NE and in the RS-12.5, Single-Family Detached Residential zone.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Town council_409 Beulah Rd, 2. 6-8-2016_DPW_409 Beulah Road NE_Final Plat, 3. 409 Beulah Final Sub Mayor.tc form, 4. 409 Beulah Fire Marshall Comments, 5. 409 Beulah Subdivision TC Record Plat Submitted for 7.11 mtg, 6. 409 Beulah Subdivision TC plan submitted for 7.11. mtg

Date	Ver.	Action By	Action	Result
7/11/2016	1	Town Council Meeting	approved	Pass

Subject:

Consideration of approval by Town Council of a **final plat** for a proposed re-subdivision into two lots of existing Parcel 1, First Addition to Beulah Heights, on property located at 409 Beulah Road NE and in the RS-12.5, Single-Family Detached Residential zone.

EXPLANATION AND SUMMARY :

Consideration of approval by Town Council on a **final plat** for a proposed re-subdivision into two lots of existing Parcel 1, First Addition to Beulah Heights, on property located at 409 Beulah Road NE and in the RS-12.5, Single-Family Detached Residential zone (**recommended new addresses are 409 and 411 Beulah Road NE**) . Application filed by Jordan Land Design LLC, on behalf of JDA Custom Homes, property owner.

Introductory Comments / Characteristics of the Existing Property:

The subject parcels are situated on the northeasterly side of Beulah Road, between Nelson Drive NE and Creek Crossing Road NE. The subject parcel also is partially across from the Town-owned mulch yard. The RS-12.5 and RS-16 split-zoned parcel is 141.32 feet in width in the front, 151.36 feet in width in the rear, 278.52 feet in depth on the right side facing the front, and 284.3 feet in depth on the left side facing the front. The parcel encloses 41,892 square feet. Topographically, the parcel is fairly flat with elevations that range from roughly 396 feet above sea level in the front to 402 feet above sea level in the rear. The existing dwelling is situated near the center of the existing lot, and a number of mature trees are situated primarily on the left side of the subject tract.

Proposed Development Activities:

The initial subdivision plat of the subject parcel was reviewed and approved by the Planning Commission on October 30, 2015. On December 14, 2015, the by-right subdivision was approved by Council. Although the previously approved by-right configuration meets all zoning requirements and

received approval by Council, the shape of the lots was not desirable. The applicant requested a variance from the Board of Zoning Appeals to modify the required 80-foot wide lot midline down to 70 feet to create a more rectangular lot subdivision, which is more desirable and more compatible with lot sizes in the surrounding neighborhood. This variance request was approved by the Board of Zoning Appeals on October 21, 2015 and was reapproved on April 20, 2016. Subsequently, the applicant submitted the revised final plat for the revised subdivision proposal for recommendation by the Planning Commission.

The developer, JDA Custom Homes, desires to remove all existing improvements and subdivide the parcel into two almost equally sized lots. A portion of the existing lot in the front, approximately 701 square feet or 5 feet in depth, has been dedicated to the Town. Because of the split zone, Lot 1-D1 (the majority of which is zoned RS-12.5) must meet RS-12.5 zoning requirements and Lot 1-C1 (the majority of which is zoned RS-12.5) must meet RS-12.5 zoning requirements. Lot 1-D1 is 20,697 square feet in size and complies with all area requirements for the RS-12.5 zone except the lot midline requirement. Lot 1-C1 is 20,488 square feet in size and complies with all area requirements for the RS-12.5 zone except the lot midline requirement. As stated previously, a variance for the lot midline requirement has been approved by Board of Zoning Appeals. This proposal meets all other zoning requirements.

Planning Commission action:

The Planning Commission is charged with reviewing all final plat applications and formulating a recommendation for consideration by the Mayor and Town Council. On June 8, 2016 the Planning Commission unanimously approved the re-subdivision request.

Departmental Recommendation :

After careful review, the Planning & Zoning Staff notes that the final plat application meets requirements as set forth in §§ 17-14 through §17-26 of the Vienna Town Code and recommends favorable action. The application as proposed, with two 20,000+ square foot lots, better fits the surrounding neighborhood, and the lot shape configuration is preferable to the previously approved subdivision.

Finance Recommendation : NA

Purchasing Recommendation : NA

Town Attorney Recommendation : Upon review of the subdivision application and consideration of the report and recommendations of the Planning Commission, Town Council may approve, modify, or disapprove the proposed subdivision in accordance with provisions in Chapter 17 of the Town Code.

Town Manager's Recommendation : I recommend the Town Council approve the re-subdivision of the property located on 409 Beulah Road NE as recommended by staff and the Planning Commission as presented.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date: July 11, 2016

PROPOSED/SUGGESTED MOTION:

"I move to approve re-subdivision of the property located on 409 Beulah Road NE as recommended

by staff and the Planning Commission in order to create two rectangular, 20,000 + square foot lots in keeping with existing lots in the surrounding neighborhood. I further move that approval of this subdivision be subject to the applicant formally vacating the existing subdivision plat pursuant to Sec. 17-13 of the Town's Subdivision Ordinance.”

Or

Other action deemed necessary by Council.