



## Legislation Text

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**File #:** 21-2494, **Version:** 1

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### **Subject:**

Request for site plan modifications of requirements related to 117-121 Courthouse Road SW rezoning request for lot coverage, front yard setback, rear yard setback and minimum lot area requirements.

### **EXPLANATION AND SUMMARY :**

The subject site, 117 to 121 Courthouse Road SW, is currently vacant and undeveloped. The owner previously received approval for a three-lot subdivision and subsequently removed two dwellings and the majority of the trees in the front two thirds of the site. Residentially zoned properties (zoned RS-10 Single-Family Detached Residential) abut the property in the southeast and commercially zoned properties (zoned C-1A Special Commercial and C-2 General Commercial) are located to the northwest.

### **Background**

The site owner and developer previously rezoned a portion of the existing site from C-1A Special Commercial/C-2 General Commercial to RS-10 Single-Family Detached Residential as part of a proposed three-lot subdivision. Today, there are three parcels, addressed as 117, 119, and 121 Courthouse Road SW and zoned RS-10 Single-Family Detached.

Please refer to the [staff report and documents <https://vienna-va.legistar.com/LegislationDetail.aspx?ID=4623548&GUID=99E72E57-9CBA-4571-8922-76D3C7CBF070&Options=&Search=>](https://vienna-va.legistar.com/LegislationDetail.aspx?ID=4623548&GUID=99E72E57-9CBA-4571-8922-76D3C7CBF070&Options=&Search=) for the Town Council meeting for the previous rezoning from Aug. 31, 2020.

### **Current Proposal**

The developer is requesting a zoning map change for the three parcels from RS-10 Single-Family Detached Residential to RM-2 Multifamily, Low Density. The developer, if the change in zoning districts is approved, plans to construct six two-family dwellings (for a total of 12 units) facing a common green area. The applicant also proposes a clubhouse that is accessible to all of the two-family dwelling residents.

The proposed development is a cottage-housing style development where a small group of generally smaller homes are centered around a common area. The architectural style of the two-family dwellings will be similar to the architecture often seen with cottage housing developments, which includes a relatively short building height, a compact footprint, and a maximum of one and a half stories. The proposed units in this development will also include two-car garages on the basement level that can be accessed from a vehicular service drive located around the perimeter of the site. Additional parallel visitor parking spaces will be provided along the service drive. A concept plan and elevations have been included with this staff report.

The applicant is requesting several site plan requirement modifications, per Sections 18-256 and 18-257. These site plan modifications include a request for lot coverage that exceeds the maximum 25% ([Section 18-58.I <https://library.municode.com/va/vienna/codes/code\\_of\\_ordinances?nodId=PTIICOOR\\_CH18ZO\\_ART9MULODEZORE\\_S18-58ARRE>](https://library.municode.com/va/vienna/codes/code_of_ordinances?nodId=PTIICOOR_CH18ZO_ART9MULODEZORE_S18-58ARRE)), a request to encroach further into the 35-foot front yard setback ([Section 18-58.D <https://library.municode.com/va/vienna/codes/code\\_of\\_ordinances?nodId=PTIICOOR\\_CH18ZO\\_ART9MULODEZORE\\_S18-58ARRE>](https://library.municode.com/va/vienna/codes/code_of_ordinances?nodId=PTIICOOR_CH18ZO_ART9MULODEZORE_S18-58ARRE)), a request to encroach further into the 35-foot rear yard setback ([Section 18-58.F <https://library.municode.com/va/vienna/codes/code\\_of\\_ordinances?nodId=PTIICOOR\\_CH18ZO\\_ART9MULODEZORE\\_S18-58ARRE>](https://library.municode.com/va/vienna/codes/code_of_ordinances?nodId=PTIICOOR_CH18ZO_ART9MULODEZORE_S18-58ARRE)), and a request to deviate from RS-10 lot requirements and the 8,000 square feet of lot area per two-family dwelling requirement ([Section 18-58.A.2 <https://library.municode.com/va/vienna/codes/code\\_of\\_ordinances?nodId=PTIICOOR\\_CH18ZO\\_ART9MULODEZORE\\_S18-58ARRE>](https://library.municode.com/va/vienna/codes/code_of_ordinances?nodId=PTIICOOR_CH18ZO_ART9MULODEZORE_S18-58ARRE)).

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**Departmental Recommendation :** Town Council can approve or deny the request for the site plan requirement modifications based on Section 18-256 and Section 18-257 of the Town Code.

**Finance Recommendation :**

**Purchasing Recommendation :**

**Town Attorney Recommendation :** The Town Council may approve site plan modifications under Town Code Sections 18-256 and 19-257 upon a finding that the integrity of Chapter 18 and the health, safety and morals of the Town will not be thereby impaired. Such modifications may apply to yard, lot area, lot coverage, parking, number of units, unit floor area, screening, frontage and similar requirements, but shall not be construed to permit any modifications of the uses permitted in any zone or of the maximum building height permitted for any building.

**Town Manager's Recommendation :** I recommend approving the requested modifications of requirements.

Cost and Financing: N/A

Account Number: N/A

Decision Needed by This date:

## PROPOSED/SUGGESTED MOTION

“I move to approve the requested modifications of requirements related to the requested rezoning for 117-121 Courthouse Road SW for front yard setbacks, rear yard setbacks, lot coverage and lot area requirements.”

Or

Other action deemed necessary by Council.