



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of September 15, 2012

**DATE:** August 28, 2012

**SUBJECT:** SP #91 SITE PLAN AMENDMENT to allow decks and a sunroom to encroach on rear yard setbacks; located at 1923, 1941, and 1947 N. Woodley St. Modifications of zoning ordinance requirements include rear-yard setback requirements and encroachments of greater than 4 feet into rear-yard setbacks for decks, and other modifications as necessary to achieve the proposed development plan. (RPC# 07-008-037, -046, -044)

**Applicants:**

Susan Hurd  
1923 N. Woodley St.  
Arlington, Virginia 22207

Lisa Marinelli  
1941 N. Woodley St.  
Arlington, Virginia 22207

Herb Fontecilla  
1947 N. Woodley St.  
Arlington, Virginia 22207

**C.M. RECOMMENDATION:**

Adopt the attached ordinance to approve an amendment to Site Plan #91 permitting decks in the rear yards of the townhouses at 1923 and 1941 N. Woodley St., and a sunroom in the rear yard of the townhouse at 1947 N. Woodley St., with modifications to use regulations for encroachments into rear-yard setbacks.

**ISSUES:** This is a request for a site plan amendment to permit rear-yard decks and a sunroom at three (3) townhouses within the Glebe-Close development, and no issues have been identified.

**SUMMARY:** This is a request for a site plan amendment to permit two (2) rear-yard decks and a rear-yard sunroom at three (3) townhouses within the Glebe-Close development along N.

County Manager:

*BMD/GA*

County Attorney:

*[Signature]*      *[Signature]*

Staff: Matthew W. Pfeiffer, DCPHD, Planning Division

PLA-6260

1.

Woodley St. Three (3) separate homeowners have worked together to submit the site plan amendment as the development is regulated by site plan and the decks/sunroom cannot be approved as a matter of right. The owners of 1923 and 1941 N. Woodley St. request 12-foot, second-story rear yard decks; the owner of 1947 N. Woodley St. requests a ten (10)-foot, one (1) story sunroom attached to the rear of the townhouse unit. Rear-yard setback requirements in the “R-10T” District, in which the subject townhouses are located, are 20 feet. The Arlington County Zoning Ordinance (ACZO) permits supports for second-story decks no closer than 25 feet to the rear lot line. Due to the siting of the townhouses, these requirements would effectively prohibit such decks. A modification to use regulations to permit the decks/sunroom to encroach a greater distance into the rear yard is requested. Staff supports the site plan amendment as requested given that the site plan’s common area (6-10 feet behind the rear property lines) will continue to be maintained providing a buffer between the townhouses and the single-family dwellings located behind the development, and that the project is governed by site plan conditions. Appropriate transitions between structures will be kept and no undue adverse impacts to surrounding neighborhoods are anticipated. The Waverly Hills Civic Association and many of the surrounding single-family homeowners have voiced support for the three (3) applicants’ proposals. Therefore, staff recommends adoption of the attached ordinance to approve an amendment to Site Plan #91 to permit decks in the rear yards of the townhouses at 1923 and 1941 N. Woodley St., and a sunroom in the rear yard of the townhouse at 1947 N. Woodley St., with modifications to use regulations for encroachments into rear-yard setbacks.

**BACKGROUND:** Homeowners within the Glebe-Close townhouse development are requesting a site plan amendment to permit two (2) second story, rear yard decks and a one (1) story sunroom. The development was approved under Site Plan #91 in 1972, and contains 21 units framing North Woodley Street and its cul-de-sac. The townhouse development contains approximately 28,000 square feet of open space. The approved landscape plan includes a ten (10)-foot deck or patio shown in the rear yards of townhouses.

**The following provides additional information about the site and location:**

Site: The sites, three (3) townhouses within the Glebe-Close development, are located along North Woodley Street, which runs east of Glebe Road and terminates in a cul-de-sac.

Zoning: The sites are zoned [“R-10T” One-Family Residential – Townhouse Dwelling Districts](#).

Land Use: The sites are designated on the [General Land Use Plan \(GLUP\)](#) as Residential “Low” 1-10 Units/Acre.

Neighborhood: The sites are located within the Waverly Hills Civic Association. The applicants approached both the civic association and the Glebe-Close Association (the townhouse development’s homeowners association), and both organizations have expressed support for the homeowners’ request. In addition, the three (3) homeowners contacted their immediate neighbors within the Glebe-Close development, and also their neighbors in the single-family homes to the north and east of Glebe-Close (see attachment).



Source: Bing Maps

**DISCUSSION:** This is a request for an amendment to Site Plan #91 from three (3) separate homeowners within the Glebe-Close townhouse development to permit rear yard decks and a sunroom. The decks and sunroom are not permitted by-right or through the administrative change process for site plans due to the decks/sunroom not conforming to setback standards (Section 7.A.d.(3) requires that, once titles for a property are conveyed, lots must contain a 20-foot rear-yard setback) and to site plan control. A nearly identical amendment for a deck in the rear yard at 1945 N. Woodley St. was approved by the County Board in 2010.

1923 N. Woodley Street:

The applicant proposes a second-story deck located ten (10)-feet above grade, and measuring 18 feet in width, and twelve (12) feet in length. Also requested is a 12-foot wide sliding glass door connecting the deck to the unit's second story, a patio underneath the deck, and an eight (8)-foot wide sliding glass door connecting the patio to the ground floor of the house. The platted rear-yard varies between 18 feet 9 inches and 22 feet 8 inches. The proposed deck would therefore be located six (6) feet from the rear property line at its closest point. With the addition of roughly six (6) to ten (10) feet of site plan common area located behind the lot, appropriate distance to the single-family houses to the east is maintained.

1941 N. Woodley Street:

The applicant proposes a second-story deck located eleven (11) feet above grade and measuring 18 feet in width, and 11.5 feet in length. Also requested are two (2) second story sliding glass doors used to access the deck. There is an existing patio underneath the proposed deck. The platted rear yard varies between 18 feet 6 inches and 20 feet. The proposed deck would be located five (5) feet from the rear property line at its closest point. With the addition of roughly

six (6) to ten (10) feet of site plan common area located behind the lot, appropriate distance to the single-family houses to the north are maintained.

1947 N. Woodley Street:

The applicant proposes a small rear-yard sunroom attached to the main townhouse unit. The sunroom would measure ten (10) feet in height, 14 feet in width, and ten (10) feet in length. The platted rear yard is 21 feet. The proposed sunroom would be located eleven (11) feet from the rear property line at its closest point.

The “R-10T” District governs townhouse developments by site plan such that siting of units, setbacks, and other such standards are as established by the County Board through the site plan. When the deeds to units are conveyed to homeowners, the development is subject to the standards set forth in the ACZO, regardless of whether or not they are conforming. In the case of the two (2) units proposed for rear yard decks, platted rear-yard setbacks are less than that required by the ACZO.

The standard by-right regulations for second-story decks are that supports for such structures must be located no closer than 25 feet to a rear lot line, with overhangs of no more than four (4) feet into the rear-yard setback. For 1923 and 1941 N. Woodley St., rear yards are platted at roughly 18.5 feet, effectively prohibiting second-story decks. Staff supports amending the site plan and the request to modify ACZO standards to permit the decks to be closer than 25 feet to the rear lot line and encroach more than four (4) feet into the rear yard setbacks. The decks would not create an adverse visual impact to the site plan units or the single-family dwellings to the east as there is a common area within the site plan that measures roughly six (6) to ten (10) feet in width between the townhouse units and the lots to the east, which will be maintained. As the single-family houses to the east of the site plan contain substantial rear-yards, appropriate transitions between the two developments will be maintained. A site plan amendment for a nearly identical deck was approved by the County Board in 2010 for the unit at 1945 N. Woodley St.

The proposed sunroom at 1947 N. Woodley St. would be considered as an addition to the townhouse unit. There is no similar standard as with decks that would allow an addition to a house to encroach into a rear-yard setback. Nevertheless, staff supports the unit owner’s proposal for an amendment to the site plan to permit the sunroom addition given the proposal will not result in adverse impacts to surrounding properties. The proposed height is ten (10) feet, lower than the level above grade of the proposed decks, and less visible.

**CONCLUSION:** The proposals by the three (3) unit owners represent minor modifications to the site plan. Staff does not anticipate any undue adverse impacts to surrounding neighborhoods, streets, or property improvements in the vicinity as a result of this site plan amendment and modification to use regulations. The civic association, the homeowners association, and many of the surrounding neighbours support the applicants. Therefore, staff recommends adoption of the attached ordinance to approve an amendment to Site Plan #91 to permit decks in the rear yards of the townhouses at 1923 and 1941 N. Woodley St., and a sunroom in the rear yard of the townhouse at 1947 N. Woodley St. with modifications to use regulations for encroachments into rear-yard setbacks.

### Site Plan Amendment Ordinance

WHEREAS, an application for a Site Plan Amendment dated June 28, 2012, for Site Plan # 91, was filed with the Office of the Zoning Administrator; and

WHEREAS, as indicated in Staff Report[s] prepared for the September 15, 2012 ,County Board meeting and through comments made at the public hearing before the County Board, the County Manager recommends that the County Board approve the Site Plan Amendment subject to numerous conditions as set forth in the Staff Report[s]; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on September 15, 2012, and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning Administrator, that the improvements and/or development proposed by the Site Plan as amended:

- Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance and modified as follows:

**Rear yard setbacks; and**

- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

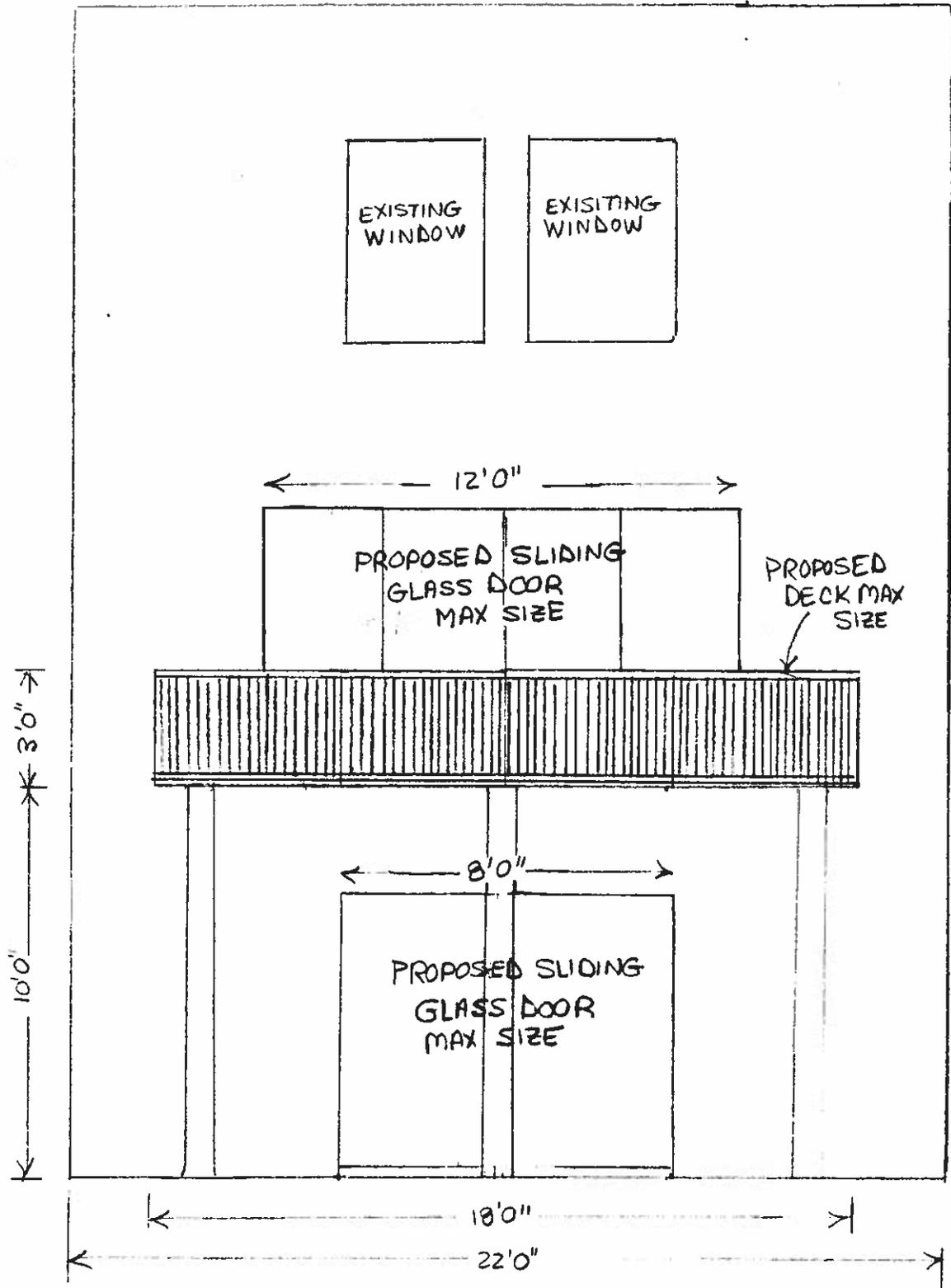
NOW THEREFORE, BE IT ORDAINED that, as originally requested by an application dated June 28, 2012 for Site Plan # 91, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition 11 below ( which drawings, etc... are hereafter collectively referred to as “Revised Site Plan

Application”), for a Site Plan Amendment for two (2) second-story, rear yard decks and a rear yard sunroom, with modification to use regulations for decks to encroach more than four (4) feet into rear-yard setbacks, for the parcel of real property known as RPC# 07-008-037, -046, -044 approval is granted and the parcel so described shall be used according to the Site plan as originally approved on December 13, 1972 and amended from time to time as shown in the records of the Office of Zoning administration, and as amended by the Revised Site Plan Application, subject to all previous conditions and the following new condition 11:

11. The applicants agree to obtain building permits for the decks at 1923 and 1941 N. Woodley St., and the sunroom at 1947 N. Woodley Street, within 60 days of approval of this site plan amendment. The decks and sunroom shall be in conformance with the drawings attached to this staff report. Minor changes to the approved decks and sunroom shall be approved administratively by the Zoning Administrator. For the purposes of the preceding sentence, minor changes shall include only the following: (i) deconstruction of the decks or sunroom; and (ii) reconstruction of decks or sunroom consistent with this site plan amendment approval or the approved landscape plan. All other changes to the approved decks and sunroom shall require a site plan amendment.

PREVIOUS COUNTY BOARD ACTIONS:

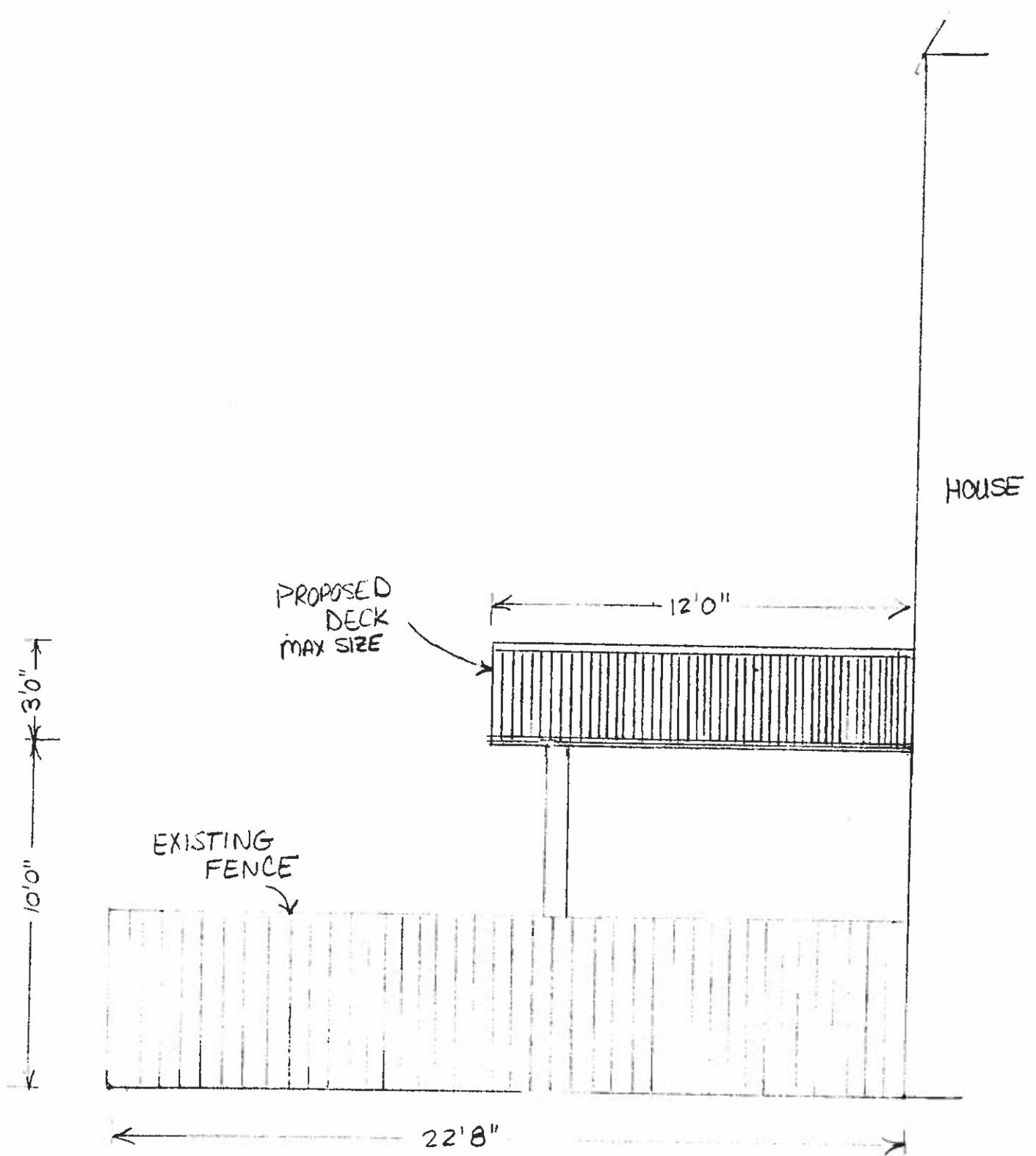
- |                   |   |
|-------------------|---|
| December 13, 1972 | Approved site plan for a 21-unit townhouse development  |
| July 9, 1973      | Approved site plan amendment to permit air conditioning units to be located within one foot of the property line. |
| July 10, 2010     | Approved site plan amendment for a rear-yard deck at 1945 N. Woodley St.  |



BACK VIEW OF HOUSE

$\frac{1}{4}'' = 1'$

1923 N. WOODLEY ST



PROPOSED  
DECK  
MAX SIZE

12'0"

3'0"  
10'0"

EXISTING  
FENCE

22'8"

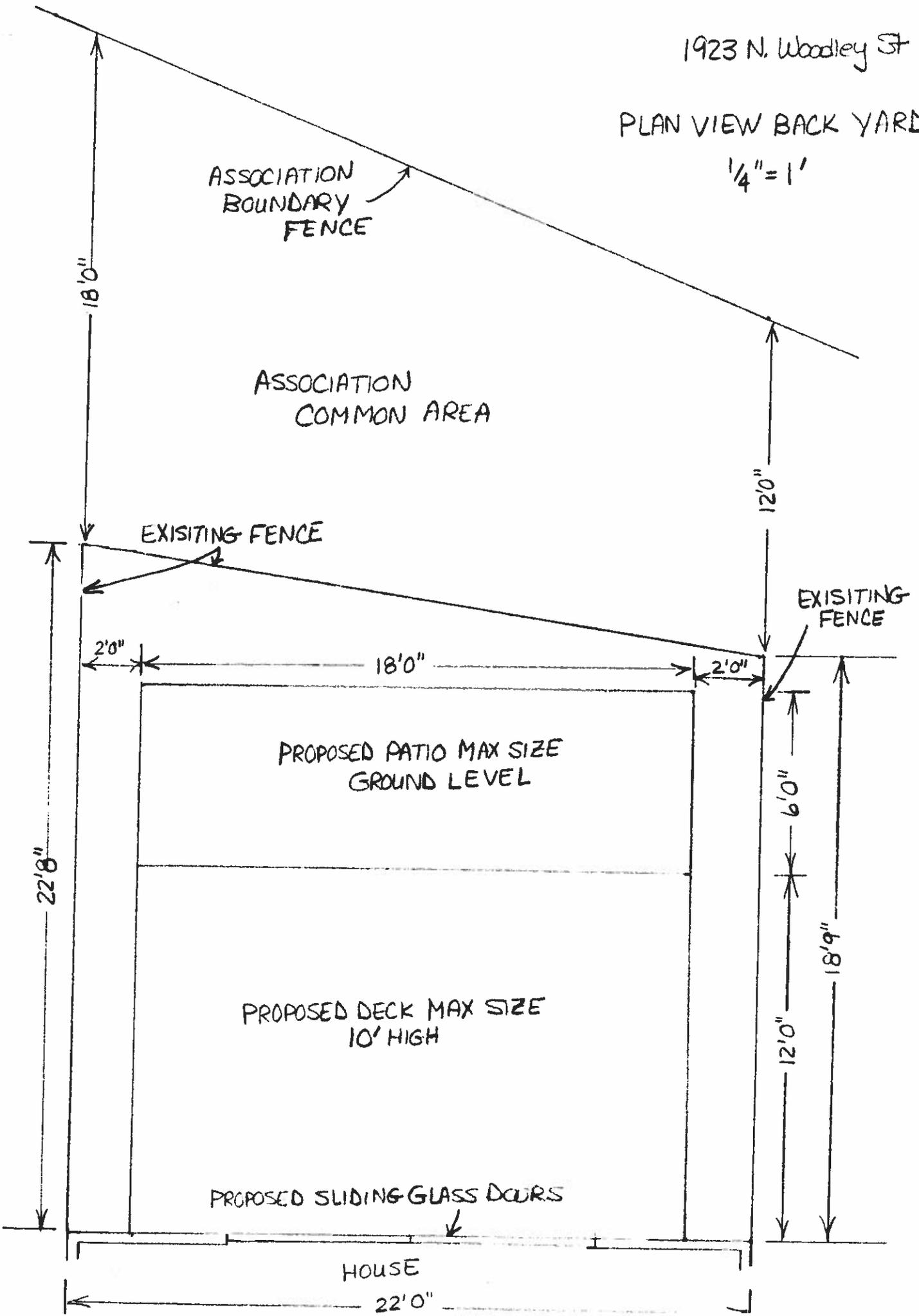
SIDE VIEW OF BACK YARD

1/4" = 1"

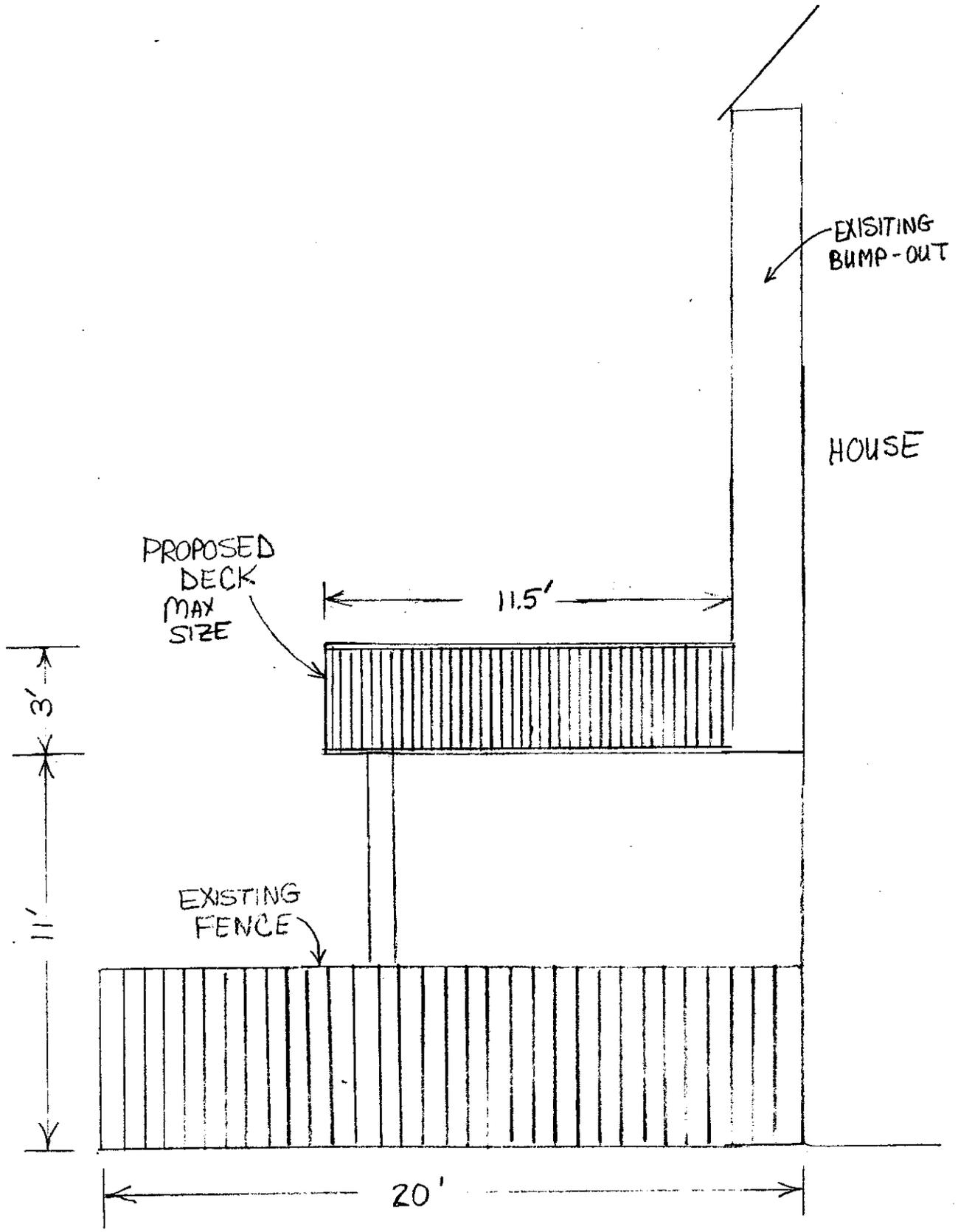
1923 N. Woodley St

PLAN VIEW BACK YARD

1/4" = 1'



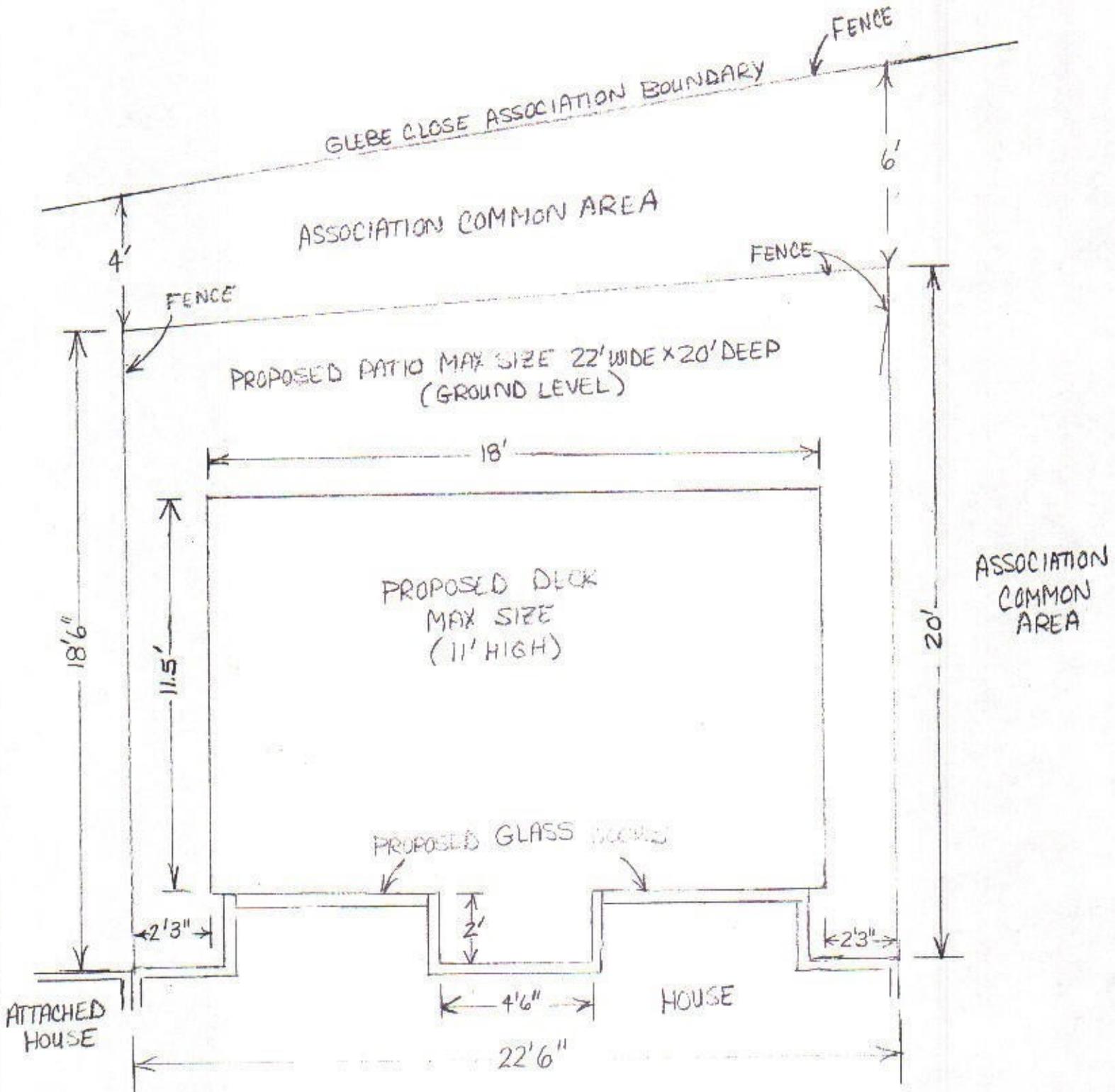
1941 N. Woodley St



SIDE VIEW OF BACK YARD  
 $\frac{1}{4}'' = 1'$

# PLAN VIEW OF BACK YARD

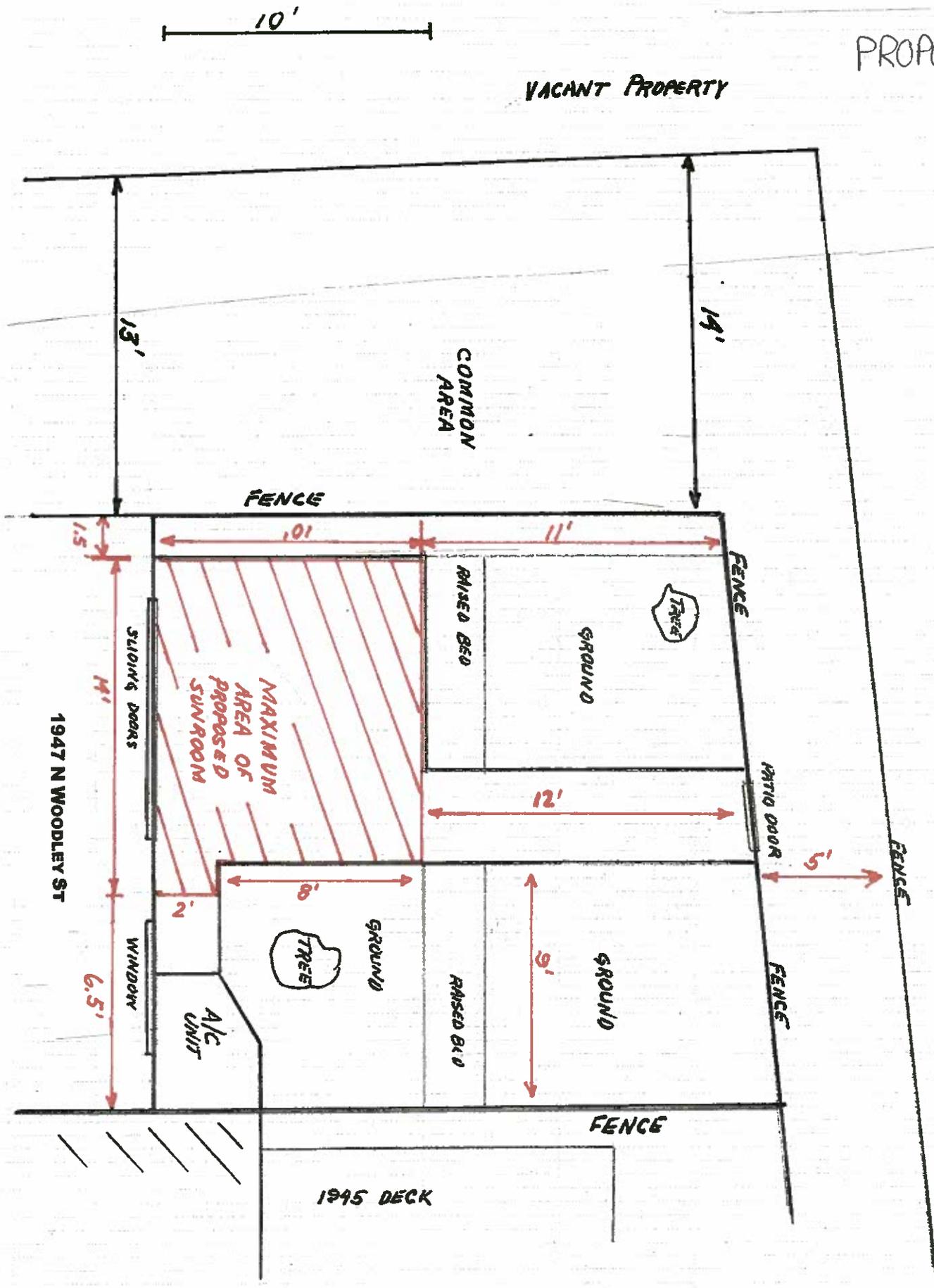
$1/4" = 1'$



HERBERT M. FONTECILLA  
1947 N WOODLEY ST  
ARLINGTON, VA 22207

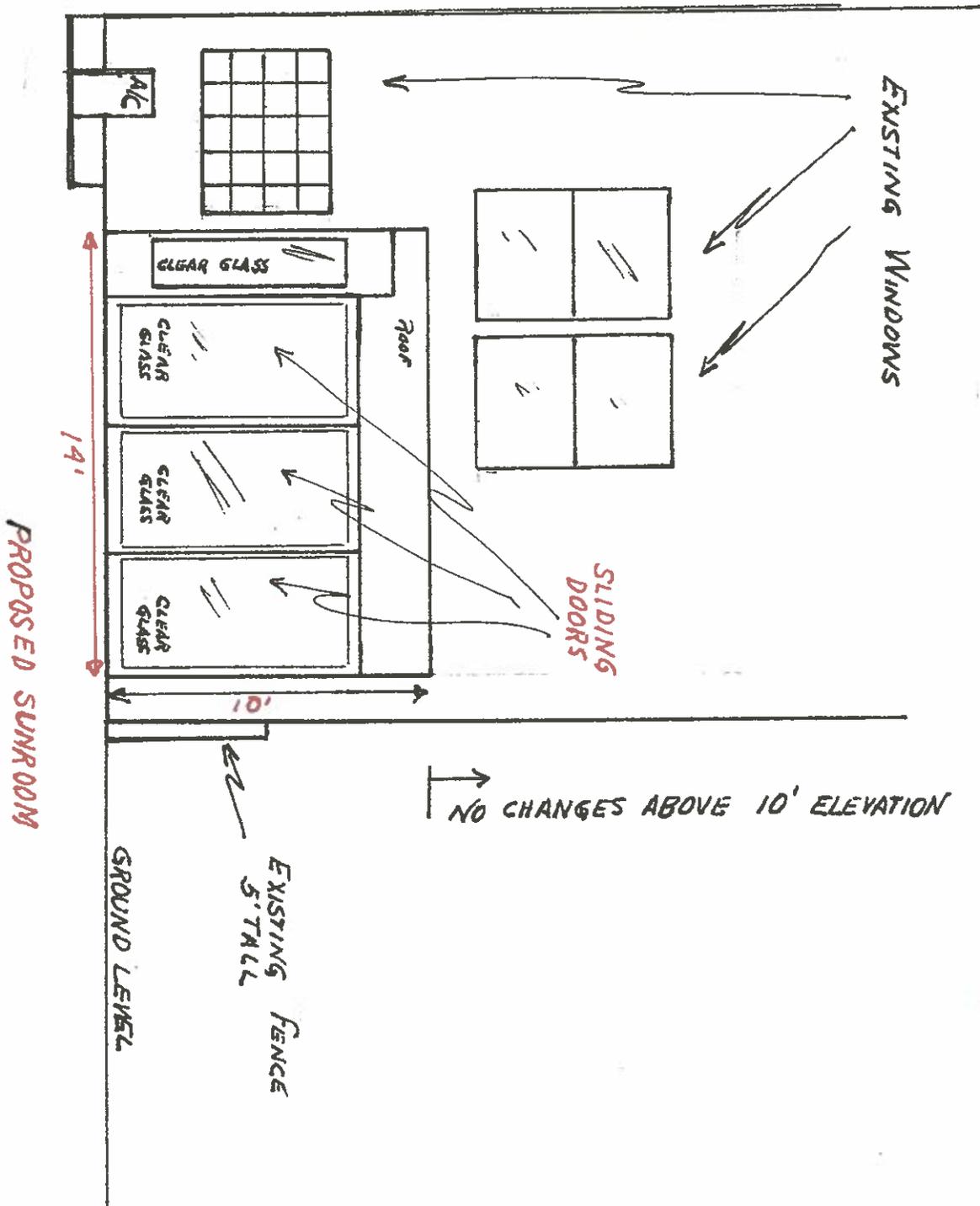
PROPOSED

VACANT PROPERTY

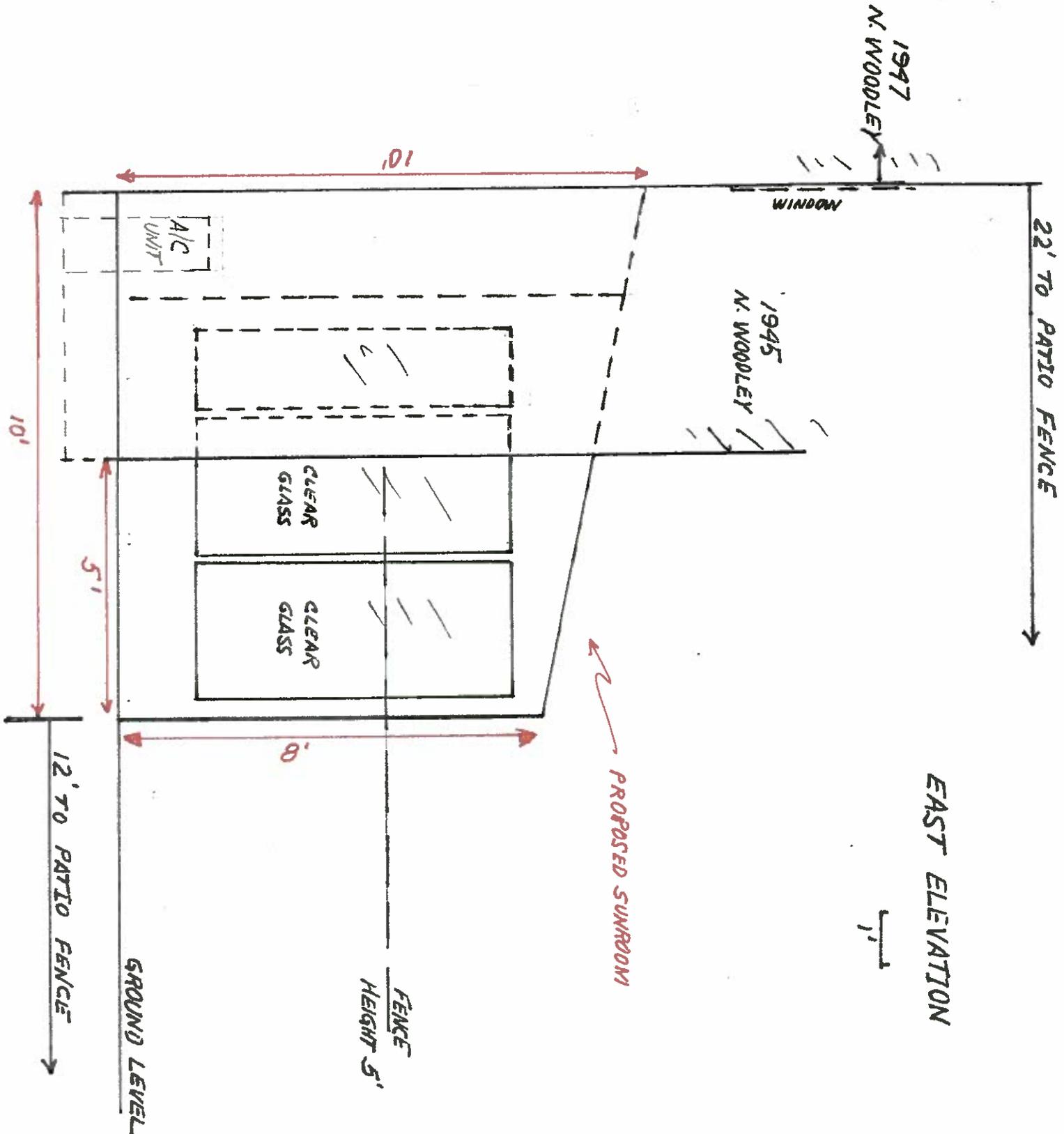


HERBERT M. FONTECILLA  
1947 N WOODLEY ST  
ARLINGTON, VA 22207

NORTH ELEVATION

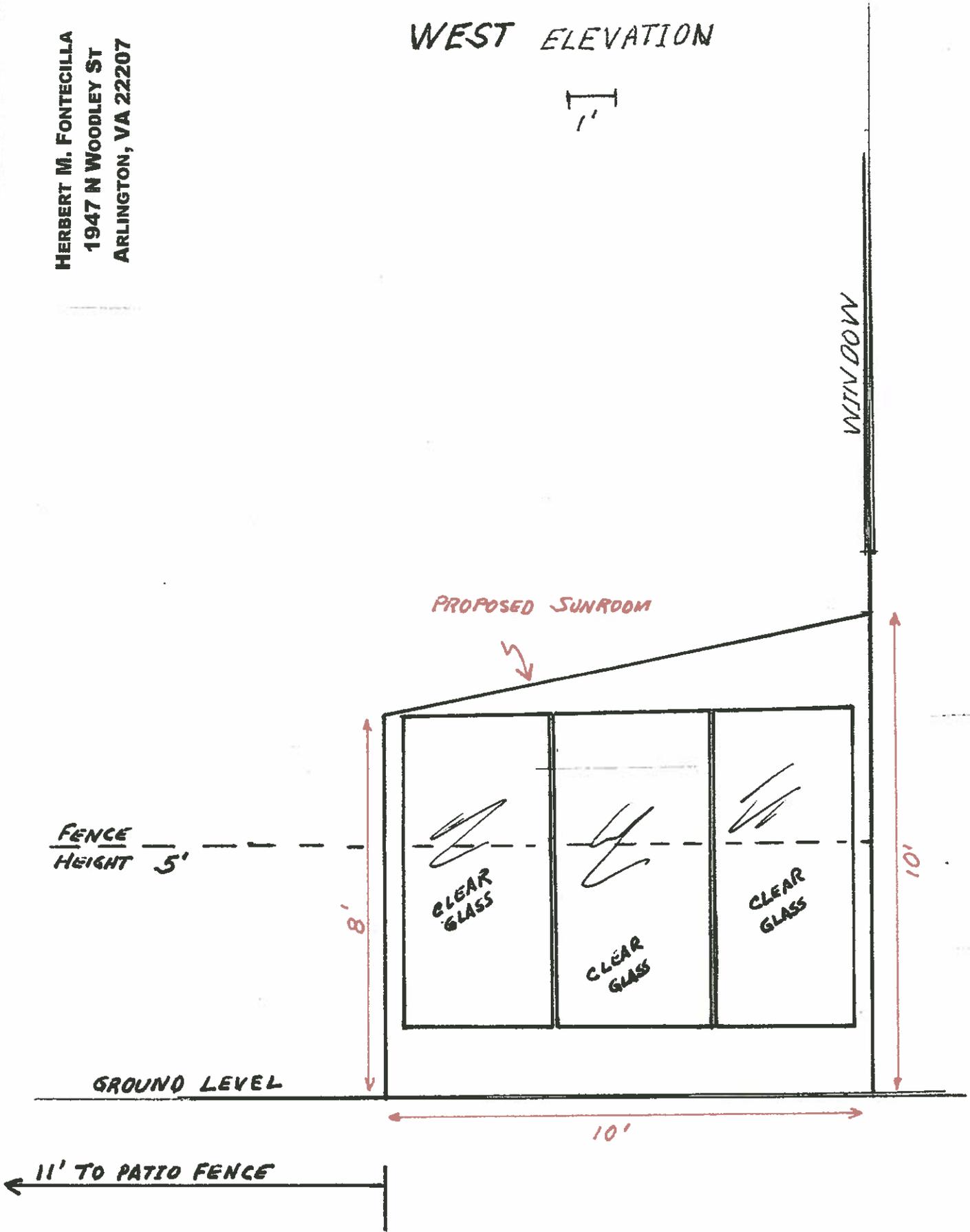


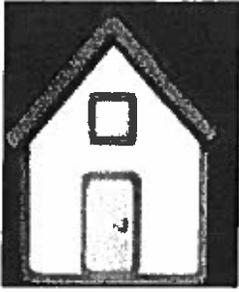
HERBERT M. FONTECILLA  
1947 N WOODLEY ST  
ARLINGTON, VA 22207



HERBERT M. FONTECILLA  
1947 N WOODLEY ST  
ARLINGTON, VA 22207

# WEST ELEVATION





# Glebe Close Association

*1904 - 1947 N Woodley St,  
Arlington, Virginia 22207*

June 8, 2012

Department of Community Planning, Housing and  
Development Zoning Administration  
#1 Court House Plaza  
Arlington, VA 22201

Regarding: Site Plan Amendment for 1923 N. Woodley Street

To whom it may concern:

The Glebe Close Homeowners Association Board has no objection to the site plan amendment for 1923 N. Woodley Street, requested by Susan Hurd for an 18 ft wide by 12 ft deep wood deck off the back of her house on the second floor.

We have reviewed Ms. Hurd's plan and sketches. Pending approval of the site plan amendment and receipt of required permits by the county, we approve the followings:

- Construction of a second-story wood deck off the back of the house with maximum dimensions 18 ft wide by 12 ft deep;
- Replacement of two second-story windows on the back of the house with a 12 ft wide (maximum) sliding glass door;
- Replacement of ground-level concrete and stone patio in the back yard with a new stone patio with maximum dimensions 18 ft wide by 18 ft deep;
- Replacement of ground-level door and window on the back of the house with a 8 ft wide (maximum) sliding glass door

These changes will not be visible from the street and the HOA has no objection to moving forward with this project.

Sincerely,

James Huske  
President, Board of Directors  
Glebe Close Association  
1931 N. Woodley Street  
Arlington, VA 22207

June 2, 2012

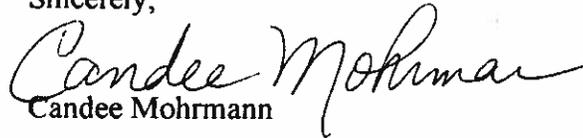
From:  
Candee Mohrmann  
1921 N. Woodley St.  
Arlington, VA 22207

Regarding: Proposed deck at 1923 N. Woodley St.

To Whom It May Concern:

I live in the townhouse attached to the right of 1923 N. Woodley St. I have reviewed Susan Hurd's drawings and have no objections to the construction of a deck off the back of the second level of her house with maximum dimensions 18 ft wide x 12 ft deep.

Sincerely,

  
Candee Mohrmann

May 9, 2012

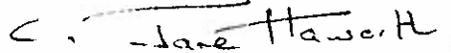
From:  
Jane Haworth  
1925 N. Woodley St.  
Arlington, VA 22207

Regarding: Proposed deck at 1923 N. Woodley St.

To Whom It May Concern:

My townhouse is attached to the immediate left of Susan' Hurd's townhouse at 1923 N. Woodley. Susan has shown me in the drawings for her proposed deck and discussed her plans with me. I have no objection to the 18 ft wide x 12 ft deep second story deck she is proposing. I believe it benefits the entire neighborhood.

Sincerely,

A handwritten signature in black ink that reads "Jane Haworth". The signature is written in a cursive style with a horizontal line above the name.

Jane Haworth

May 9, 2012

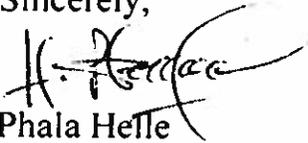
From:  
Phala Helle  
1920 N. Woodley St.  
Arlington, VA 22201

Regarding: Proposed deck at 1923 N. Woodley St.

To Whom It May Concern:

Susan Hurd lives across the street from me in the Glebe Close Association. I have no objection to construction of the proposed deck at 12 ft deep x 18 ft wide x 10 ft high).

Sincerely,



Phala Helle

June 22, 2012

Department of Community Planning, Housing, and Development Zoning Administration  
#1 Court House Plaza  
Arlington, VA 22201

Regarding: Site Plan Amendment for 1941 N. Woodley Street

To whom it may concern:

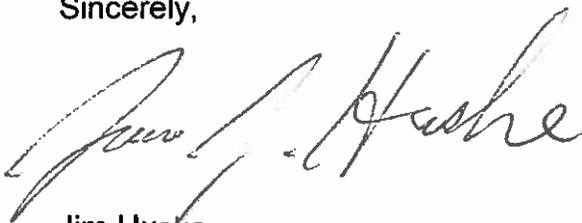
The Glebe Close Homeowners Association Board has no objection to the site plan amendment for 1923 N. Woodley Street requested by Lisa Marinelli and Scott Woestman.

We have reviewed Ms. Marinell's plans and sketches. Pending approval of the site plan amendment and receipt of required permits by the county, we approve the following:

- Construction of a second-story wood deck off the back of the house with maximum dimensions 18 ft wide by 12 ft deep (plus a 4.5 ft wide by 2 ft deep section between two bump-outs);
- Replacement of two second-story windows on the back of the house with two 6 foot wide (maximum) glass doors;
- Replacement of ground-level brick and stone patio in the back yard with a new brick or stone patio with maximum dimensions of 22 ft wide by 20 ft deep.

These changes will not be visible from the street and the HOA has no objection to moving forward with this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Huske", written in a cursive style.

Jim Huske  
President

r

June 20, 2012

From:  
Steve Pizzi  
1943 N. Woodley St.  
Arlington, VA 22207

Regarding: Proposed deck and ground-level patio at 1941 N. Woodley St.

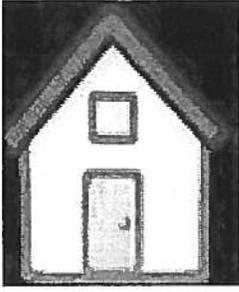
To Whom It May Concern:

I live in the townhouse attached to the left of 1941 N. Woodley St. I have no objections to the construction of a deck off the back of the second level of the house with maximum dimensions 18 ft wide x 12 ft deep. I also have no objections to the construction of a ground-level patio with maximum dimensions of 22 ft wide by 20 ft deep.

Sincerely,

Steve Pizzi

*Steve Pizzi* 6/22/12



# Glebe Close Association

*1904 – 1947 N Woodley St,  
Arlington, Virginia 22207*

June 8, 2012

Department of Community Planning, Housing and  
Development Zoning Administration  
#1 Court House Plaza  
Arlington, VA 22201

Regarding: Site Plan Amendment to construct a sunroom at 1947 N. Woodley Street

To whom it may concern:

The Glebe Close Homeowners Association Board has no objection to the site plan amendment requested by Herbert M. Fontecilla, owner of 1947 N. Woodley St., for a ground floor sunroom not to exceed 14 feet wide by 10 feet long and 10 feet in height.

The proposed sunroom would be only partially visible from the adjacent townhouse, 1945 N. Woodley St. Mr. Jason Reed, owner of the property, has indicated that he has no objection. The sunroom would not be visible from the street or cul-de-sec and the HOA has no objection to moving forward with this project.

Sincerely,

A handwritten signature in black ink, appearing to read "James Huske".

James Huske  
President, Board of Directors  
Glebe Close Association  
1931 N. Woodley St.  
Arlington, VA 22207

Department of Community Planning, Housing and Development  
Zoning Administration  
# 1 Court House Plaza  
Arlington, VA 22201

Re.: Site Plan Amendment to construct sunroom at 1947 N Woodley St.

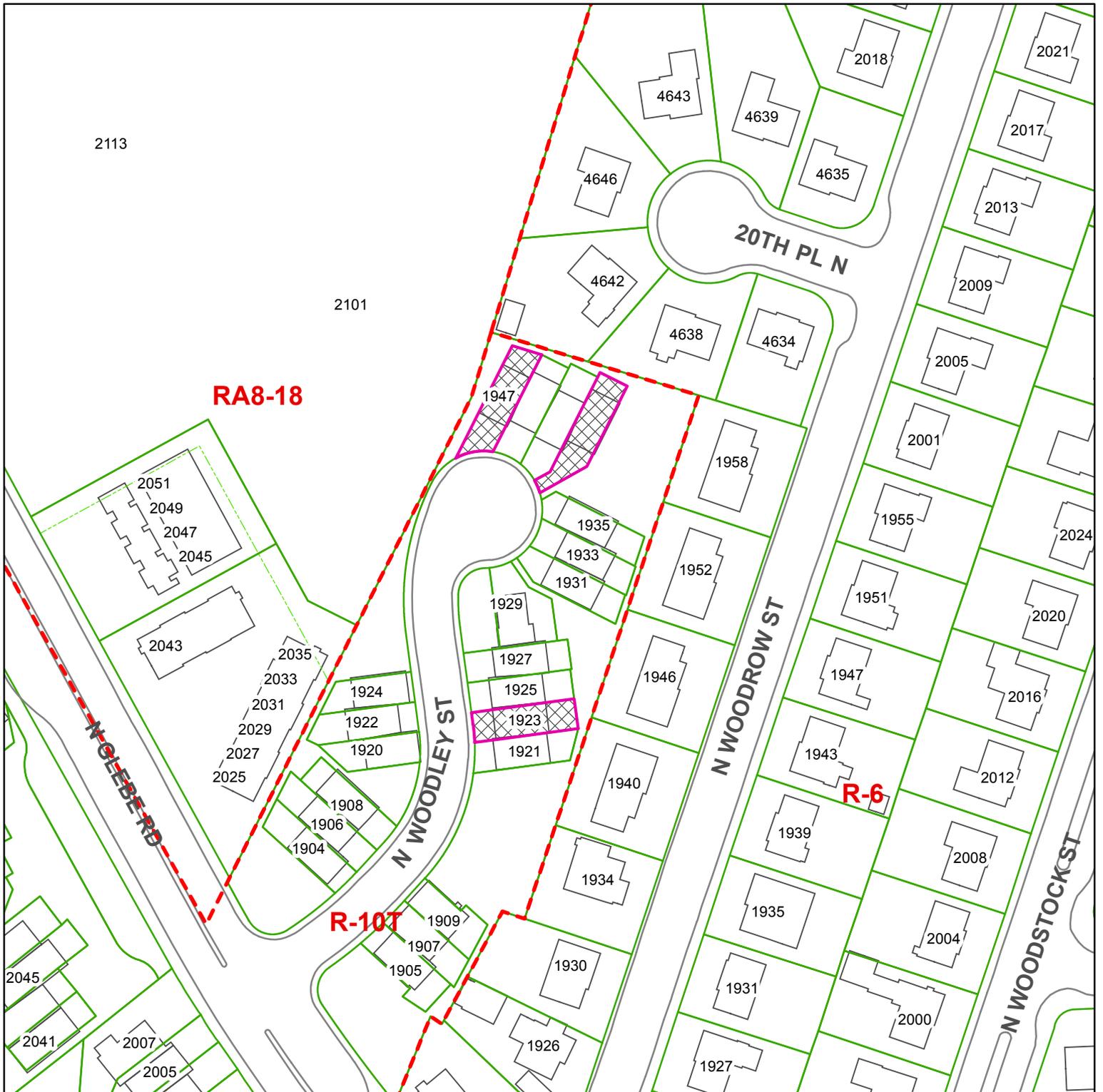
Gentlemen:

I live at 1945 N Woodley St., Arlington, VA. I have no objections to the construction of a ground-level sunroom in the backyard of 1947 N. Woodley St., the townhouse to the immediate left of mine.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Reed". The signature is stylized with a long horizontal stroke extending to the left.

(JASON REED, OWNER)



**SP# 91**

**1923, 1941, 1947 N. Woodley St.**

**RPC 07-008-037, -044, -047**

Note: These maps are for property location assistance only.  
They may not represent the latest survey and other information.

**Department of Community Planning, Housing and Development**



 Case Location(s)  
Scale: 1:1,200

**Planning Division**