



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item
Meeting of September 15, 2012

SUPPLEMENTAL REPORT – REVISED RECOMMENDATION

DATE: September 18, 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).

C.M. RECOMMENDATION:

Adopt the attached ordinance to approve an amendment to Site Plan #91 permitting a 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; defer the request for a deck in the rear yard of the townhouse at 1941 N. Woodley Street to the October 20, 2012 County Board meeting.

DISCUSSION: This report revises the County Manager's recommendation submitted with the report dated August 28, 2012, from approval for the rear-yard deck located at 1941 N. Woodley Street, to deferral to the October 20, 2012 County Board meeting. The recommendation to defer is a result of concerns identified from a surrounding property owner subsequent to the original report being distributed. A one (1) month deferral is recommended to allow adequate time for the applicant to work with their neighbor to address concerns related to height, size, placement, and screening of the subject rear yard deck. Staff continues to support the site plan amendment requests for the second-story deck at 1923 N. Woodley Street and the sunroom at 1947 N. Woodley Street; therefore the recommendations for the aforementioned sites remain.

This report also updates neighborhood positions on the requests. The Waverly Hills Civic Association submitted a letter received on September 17, 2012 (see attached). In the previously submitted report, it was written that the civic association was in support of the applicants' requests; the civic association has clarified that while they have no objections to the applicants' requests, they acknowledge that some of the adjacent single-family homeowners have expressed

County Manager:

BMD/GA

County Attorney:

GA *AWK*

1.

Staff: Matthew W. Pfeiffer, DCPHD, Planning Division

concerns. Furthermore, while one (1) of the surrounding single-family homeowners has provided a letter in support of the applicants' proposal (see attached) and the applicant has indicated that another has provided verbal support, at least one (1) of the single-family homeowners has expressed concerns related to the size and location of the proposed decks.

Also included in the report is a correction to the widths cited for the site plan common area located behind the subject townhouses. The previous report indicated that the site plan common area located behind all three (3) of the subject townhouses was approximately 6 – 10 feet in width. The common area located behind 1947 N. Woodley Street is five (5) feet in width; behind 1941 N. Woodley Street it varies between four (4) and six (6) feet in width; and behind 1923 N. Woodley Street it varies between 12 and 18 feet in width.

Finally, this report revises Condition #11 to require the applicants to obtain building permits for the deck and sunroom within one (1) year, as opposed to 60 days as was included in the original report. The original language included was consistent with that approved by the County Board for the deck at 1945 N. Woodley; the applicants expressed concerns that 60 days would not be a sufficient amount of time with which to complete an application for a building permit. In this case, staff supports allowing additional time for the applicants to acquire building permits provided that there is not a large time lapse between County Board approval and construction.

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 for the deck at 1923 N. Woodley Street and the sunroom at 1947 N. Woodley Street, 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 and -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 12 months of approval of this site plan amendment (September 18, 2013). 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.

Waverly Hills Civic Association

September 17, 2012

Arlington County Planning Division
2100 Clarendon Boulevard, Suite 700
Arlington, VA 22201

Re: Amendment to Site Plan #91

Staff:

Regarding the requested amendment to site plan #91, I would like to clarify that the Waverly Hills Civic Association's position is that we have no objections to the request. Further, we intend that our lack of objection should not diminish the merit of reasonable objections made by individual residents of our neighborhood. We feel that the explicit support indicated in the staff report dated August 28, 2012, might be incorrectly interpreted as support despite individual residents' objections, which is not the Civic Association's position.

However, in general, we do support the ability to improve one's home, including the use of variance requests and site plan amendments, so long as those improvements do not have an unreasonably negative impact on surrounding neighbors. We feel it is up to the impacted parties to work through the County's site plan review process to address any objections.

Sincerely,

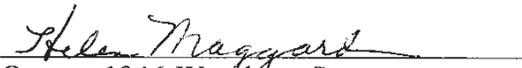
A handwritten signature in black ink, appearing to read "Paul Bolejack". The signature is written in a cursive style with a large, sweeping initial "P".

Paul Bolejack
Vice President, Waverly Hills Civic Association
4425 20th Rd N
Arlington, VA 22207

August 7, 2012

To Whom It May Concern:

My home is behind the back yard of Susan Hurd's townhouse at 1923 N. Woodley Street. Susan has discussed her plans with me and I have no objection to the 18 ft wide x 12 ft deep second story deck she is proposing.


Owner, 1946 Woodrow Street