

City of Falls Church Village Preservation and Improvement Society
Post Office Box 6824 • Falls Church, Virginia 22040

www.VPIS.org • VillageSociety@yahoo.com

February 14, 2006

Mayor Daniel Gardner and Falls Church City Council Members
City Hall, Falls Church, Va. 22046

ACTION REQUESTED: Report to citizens on Implementation of City Development Codes

Dear Mayor Gardner and City Council Members:

Over the past several years, the City of Falls Church has faced significant development pressure, including the construction and renovation of many residential properties. The Village Preservation and Improvement Society (VPIS) recognizes that the City Council and staff have worked hard to develop local ordinances to protect the public interest, the environment, and community values while respecting the rights of local property owners.

We are, however, concerned that the recent, rapid rate of development may have resulted in inconsistent application of existing ordinances to different projects. Although any complex set of local ordinances must be subject to some interpretation, the number of cases of seemingly inconsistent implementation brought to our attention, and the degree of variation reported, suggest that an overall assessment of this situation is needed. Given these circumstances, we request that the Council ask the City Manager to conduct an evaluation of the recent implementation of local development ordinances, including the issues identified below, and provide a timely report to the Council and the public.

Some of the issues related to implementation of ordinances brought to our attention include:

- interpretation of ordinance provisions related to substandard lots;
- application of front and rear setback requirements, including how setbacks are measured and calculated;
- calculation of percentage of lots used for building, including calculation of pipestems;
- definition and measurement of a “yard;”
- interpretation of height limitations;
- determination of when a “renovation” is really a “tear-down;”
- coordinated implementation of zoning ordinance requirements and those of the Chesapeake Bay ordinance; and
- application of requirements for a stay of construction in the event of an appeal, including timing for filing an appeal.

The Village Preservation and Improvement Society, founded in 1885, is a nonprofit citizen volunteer organization in the City of Falls Church, Virginia. The Society is comprised of concerned citizens who address many important issues that face our community. The Society works to preserve our natural and built environment, historic structures and landmarks, and promotes cultural activities. Members are primarily residents of the City of Falls Church and former residents or neighbors who have an interest in Falls Church City. Members are of all political persuasions and are bonded by their interest in and a commitment to improving the City of Falls Church.

We appreciate that an exhaustive review of all the many decisions related to local development ordinances would be costly and time-consuming. It should be manageable, however, to select a reasonable sample of projects over the past several years and to review cases of potential inconsistent implementation identified by local residents in response to a request by the City for such public input. For example, cases that have been brought to our attention include:

- 807 Ridge Place;
- 604 East Broad Street;
- development along Maple Ave. near the Columbia Baptist Church; and
- development of the Green Gables property.


In addition to an assessment of development ordinance implementation, the Council should ask that the report include recommendations for improving the implementation of development related ordinances arising from cases of inconsistent implementation or from a need to clarify policy. A key issue that should be addressed in the report is whether additional guidance needs to be provided to City staff concerning when an interpretation of ordinances constitutes a variance that must be decided by the Board of Zoning Appeals. The report should also include any recommendations for changes to ordinances that would facilitate consistent implementation of ordinances or improve coordination among ordinances. A draft of the report should be subject to public review and comment.

We believe that an investment in this review and assessment of our development ordinances and implementation practices will save the City time and resources by identifying improvements to help avoid contentious debate over implementation of these ordinances in the future.

It is our view that the objection is not to the oversized house, per say. It is the impact that it has on the neighborhood. Good and conscientious design could mitigate that impact sufficiently -- to make the house visually fit into the neighborhood, to capture the storm water runoff, and to reduce other impacts to the affected neighborhood.

We hope that you and other members of the Council will support our request for an assessment by the City staff of issues related to implementation of local development ordinances. We look forward to working with you on this important matter.

Sincerely,



Barry Buschow; President; VPIS



Jeff Peterson, Vice President and Chair,
Design Development Committee

Letter approved by vote of the VPIS Board of Directors February 9, 2006

cc: City of Falls Church City Council
City of Falls Church Planning Commission
City of Falls Church Board of Zoning Appeals