



ZONING ADMINISTRATOR ADVICE
April 26, 2013

SUBJECT: PIPE-STEM LOTS

ISSUE:

Development on Pipe-stem lots. What legislative approvals are needed to create or modify requirements on pipe-stem lots?

RELEVANT ACZO CITATIONS:

Section 1 *Definitions: "Lot, pipe-stem.* A residential lot that complies with the minimum requirements for frontage, lot area, lot width, lot depth, and building placement in the zoning and subdivision ordinances, and that has a narrower "stem" portion, which does not meet the lot width requirement but provides the required frontage and access to a generally larger and more buildable "pipe" portion of the lot. (Ord. No. 90-14, 6-28-90; 3-18-03)

Section 31.A.16. a. Pipe-stem lots: Pipe-stem lots may only be created as part of a Unified Residential Development pursuant to Subsection 31.A.13.

Development on pipe-stem lots shall satisfy all applicable zoning and subdivision requirements, including those for minimum lot area, setback and yards, coverage, parking and building height, and all the following requirements, unless otherwise modified by use permit:

(1) In a "stem" portion of any pipe-stem lot: any side yard shall satisfy the requirements in Subsection 32.D.

(2) In the "pipe" section of any pipe-stem lot: any side yard shall be a minimum of twenty-five (25) feet in depth.

b. Where no dwelling unit has been constructed on a pipe-stem lot that was recorded before March 18, 2003, a one-family dwelling unit may be constructed by-right in accordance with all applicable zoning requirements. Modification of these requirements may only be made by use permit approval pursuant to Section 36.G.

RESPONSE:

Section 31.A.16.a. regulates newly created pipe-stem lots (pipe-stem lots created after March 18, 2003). Creation of these lots must be approved by a Use Permit from the **Arlington County Board** for a Unified Residential Development.

Development on these newly created lots must satisfy all applicable zoning and subdivision requirements, including those for minimum lot area, setback and yards, coverage, parking and building height, unless modified by a Use Permit from the **Arlington County Board**.

Section 31.A.16.b. regulates development on pipe-stem lots created prior to March 18, 2003.

Where no dwelling unit has been constructed on an existing pipe-stem lot (recorded prior to March 18, 2003), a one-family dwelling may be built by-right if it meets all zoning ordinance requirements.

Modifications to minimum lot area, setback and yards, coverage, parking and building height on an existing pipe-stem lot (recorded prior to March 18, 2003) where no dwelling unit has been constructed may be approved by application for a Use Permit to the **Arlington County Board** in accordance with Section 36...

Where a single-family dwelling exists on a pipe-stem lot recorded prior to March 18, 2003, modifications to setback and yards may be approved by application for a Use Permit to the **Board of Zoning Appeals** in accordance with Section 36...

Where a single-family dwelling exists on a pipe-stem lot recorded prior to March 18, 2003, modifications to minimum lot area, coverage, parking and building height may be approved by application for a Variance to the **Board of Zoning Appeals** in accordance with Section 36.