INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 2-100 (DEFINITIONS) of Article 2 (DEFINITIONS); Section 7-202 (PERMITTED OBSTRUCTIONS) under Section 7-200 (PERMITTED STRUCTURES IN REQUIRED YARDS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS), and Section 11-1302 (SPECIAL EXCEPTION ESTABLISHED) of Division C (BOARD OF ZONING APPEALS), Article XI (DEVELOPMENT APPROVAL AND PROCEDURES), all of the City of Alexandria Zoning Ordinance (TA No. 2007-0001).

Summary

The proposed ordinance permit the BZA to approve by special exception certain open porches in required front yards.

Sponsor

Staff

Faroll Hamer, Director of Planning and Zoning
Ignacio B. Pessoa, City Attorney

Authority

§§ 2.04(w), 3.12, 9.12, Alexandria City Charter
§ 11-800, City of Alexandria Zoning Ordinance

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance

None
ORDINANCE NO. __________

AN ORDINANCE to amend and reorganize Section 2-100 (DEFINITIONS) of Article 2 (DEFINITIONS); Section 7-202 (PERMITTED OBSTRUCTIONS) under Section 7-200 (PERMITTED STRUCTURES IN REQUIRED YARDS) of Article VII (SUPPLEMENTAL ZONE REGULATIONS), and Section 11-1302 (SPECIAL EXCEPTION ESTABLISHED) of Division C (BOARD OF ZONING APPEALS), Article XI (DEVELOPMENT APPROVAL AND PROCEDURES), all of the City of Alexandria Zoning Ordinance (TA No. 2007-0001).

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2007-0001, the planning commission initiated on its own motion a text amendment to permit the BZA to approve by special exception certain open porches in required front yards, and

2. The City Council has approved the adoption of Text Amendment No. 2007-0001, and

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-100 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended by adding thereto the following new sections:

2-199.1 Awning or canopy. A small roof projection without columns made of fabric or solid material, usually suspended or cantilevered from the building wall entrance(s) and/or windows.

2-148.1 Front Porch. A covered landing attached to the exterior of a residential building and generally extending along a portion of or the entire length of the front building wall.

2-183.2 Portico. A small roof projection with or without columns or brackets above an open landing, attached to the exterior of the primary front entrance of a residential building.

2-205.1 Yard, front primary. The front yard of a corner lot which contains a building's main architectural entrance and is identified by the building's street address and number.
Yard, front secondary. The other front yard of a corner lot facing a street, which may include an entrance but not a building's main architectural entrance.

Section 2. That section 7-202 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

7-202 Permitted obstructions. The following obstructions shall be permitted when located in a required yard and placed so as not to obstruct light and ventilation and when otherwise permitted by law:

(A) In all yards:

(1) Open fences which do not exceed three and one-half feet in height.

(2) Awnings or canopies provided they do not project more than four five feet in depth from the existing building face.

(3) Bay or display windows, projecting 20 inches or less into the yard and gutters, eaves, cornices or window sills projecting 12 inches or less into the yard.

(4) Chimneys projecting 30 inches or less into the yard, provided that such projection does not reduce the width of the remaining side or rear yard to less than five feet.

(5) Arbors and trellises.

(6) Flag poles which do not exceed 15 feet in height.

(7) Open stairs, provided that the stairs do not reduce a side or rear yard to less than five feet.

(8) Ramps and similar structures necessary to provide access for the handicapped.

(9) Porticos, provided that they do not extend more than six feet from the main building wall, do not extend more than and nine feet in length, which dimensions include any roof overhang, and provided further that they remain open.
(B) In any yard except a front yard:

(1) Sandboxes, swings and other small items of children's play equipment.

(2) Clotheslines.

(3) Open and closed fences which do not exceed six feet in height.

(4) Small sheds, doghouses, dollhouses and structures used for storage, provided

(a) On land zoned R-20, R-12, R-8, R-5 or R-2-5 and used for
single-family dwellings, such structures may not exceed 80 square feet in
floor area in the aggregate and eight feet in height when measured at the
structure's highest point.

(b) On land zoned and used for semi-detached or townhouse dwellings,
such structures may only be placed in the rear yard at the rear property line,
may not exceed 50 square feet of floor area in the aggregate and seven feet
in height when measured at the structure's highest point.

(5) Freestanding air conditioning machinery, provided it can be demonstrated to
the director that it will not exceed a noise level of 55 decibels (55 dB(A))
when measured at any property line of the lot, and provided it is placed in a
location which has the least adverse impacts to adjoining lots of those
locations available.

(6) Open terraces and decks not over two feet above the average level of the
adjoining ground and two feet above ground at any property line of the lot
but not including a roofed-over terrace or porch.

(C) In the Old and Historic Alexandria and the Parker-Gray Districts, the requirement of
sections 7-202(A)(1) and 7-202(B)(3) may be waived or modified by the board of
architectural review where the board finds that a proposed fence would be
architecturally appropriate and consistent with the character of the district.

(D) In any residential zone a ground level covered open front porch is permitted to
project a maximum of eight feet from the front building wall into the required
front yard, or primary front yard if a corner lot, of a single-family, semi-detached,
duplex or townhouse dwelling; provided that a special exception under section
11-1302 of this ordinance is approved.
Section 3. That Section 11-1302 of the City of Alexandria Zoning Ordinance be, and the same hereby is, amended to read as follows:

11-1302 Special exception established. A lot in a single family, two family or townhouse zone may be the subject of a special exception from the following zoning requirements pursuant to this Section 11-1300:

(A) fences on corner lots; and,

(B) yard and setback requirements for enlargement of a dwelling, as follows:

(1) Yard and setback requirements applicable to the extension or enlargement of a single family, two family or townhouse dwelling only, within any one noncomplying plane of such dwelling.

(2) As used in this subsection, the term noncomplying plane means the vertical plane established by a wall, one story or more in height, of a main building which wall:

(a) does not comply with the yard or setback requirements of this ordinance,

(b) existed prior to the effective date of any change to the yard or setback regulations or restrictions applicable to such wall, and

(c) extends for more than 50% of the length of the building along the side containing such wall.

(3) The term noncomplying plane does not include any plane established in whole or in part by entrances, steps or other projections into a required yard.

(4) Nothing in this subsection shall be deemed to authorize the extension or enlargement of a single family, two family or townhouse dwelling beyond the height or floor area ratio permitted by the zone in which such dwelling is located, nor to authorize the approval of more than one special exception per dwelling under the provisions of this subsection.

(C) yard and setback requirements for a ground level, single story, covered front porch, limited to the main architectural entrance of a dwelling, facing a front yard, or primary front yard if a corner lot, and subject to the following requirements:

(1) Limitation on yard and setback reductions:

(a) the porch deck shall project a maximum of eight feet from the front building wall plane.

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(b) the front building wall plane shall be established by the wall of the
dwelling which extends for more than 50 percent of the length of the
building, and faces the front yard, or primary front yard if a corner lot.

(c) the front yard, or primary front yard if a corner lot, shall not be reduced
to less than fifteen feet from the front property line.

(2) The applicant for a ground level covered front porch shall demonstrate by clear
and convincing evidence that the proposed porch is compatible with the existing
building architecture, neighboring properties and neighborhood character, and will
comply with the following requirements:

(a) no portion of the porch shall extend beyond the end of the walls of the
front building facade, except where the resulting lot and structure retain a
side or front yard which complies with the zone requirements.

(b) the roof line of the porch shall be in scale with the existing building
architecture.

(c) no second floor balcony, deck, or enclosed construction shall be
permitted above the front porch.

(d) a ground level covered front porch shall remain open, and shall at no
time be enclosed with building walls, glass or screens; provided that
railings, no higher than the minimum height required by the building code,
and with balusters evenly spaced so as to leave at least 50 percent of the
perimeter length of the railings open, shall be permitted.

(3) Nothing in this subsection shall be deemed to authorize the extension or
enlargement of a single family, two family or townhouse dwelling beyond
the height or floor area ratio permitted by the zone in which such dwelling is located,
or to authorize the approval of more than one special exception per dwelling under
the provisions of this subsection.

Section 4. That Sections 2-100, 7-202, and 11-1302 of the City of Alexandria
Zoning Ordinance be, and the same hereby are, reordained as part of the City of Alexandria
Zoning Ordinance.
Section 5. That this ordinance shall become effective on the date and at the time of
its final passage, and shall apply to all applications for land use, land development or subdivision
approval provided for under the City of Alexandria Zoning Ordinance which are pending before
any city department, agency or board, or before city council, shall apply to all such applications
which may be filed after such date, and shall apply to all other facts and circumstances subject to
the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article
XII of the Zoning Ordinance.

WILLIAM D. EUILLE
Mayor

Introduction: 5/08/2007
First Reading: 5/08/2006
Publication:
Public Hearing:
Second Reading:
Final Passage: