



***DOCKET ITEM #5***  
***Text Amendment #2018-0004***  
***Residential Open Porches and Porticos***

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<b>Issue:</b> A) Initiation of a text amendment and B) Public Hearing and Consideration of a Text Amendment to the Zoning Ordinance to amend sections 2-145, 2-148.1, 2-183.2, 2-205, 2-205.1, 2-205.2, 7-202, 7-2504, and 11-1302 and to add new section 2-183.3 regarding residential open porches and porticos	Planning Commission Hearing:	May 1, 2018
	City Council Hearing:	May 12, 2018
<b>Staff:</b> Mary Christesen, Acting Land Use Division Chief, <a href="mailto:mary.christesen@alexandriava.gov">mary.christesen@alexandriava.gov</a> Mark Hamala, Senior Planning Technician, <a href="mailto:mark.hamala@alexandriava.gov">mark.hamala@alexandriava.gov</a> Sam Shelby, Urban Planner, <a href="mailto:sam.shelby@alexandriava.gov">sam.shelby@alexandriava.gov</a> Chrishaun Smith, Acting Zoning Manager, <a href="mailto:shaun.smith@alexandriava.gov">shaun.smith@alexandriava.gov</a>		

**Staff recommendation:** Initiation and APPROVAL of the Text Amendment subject to compliance with all applicable codes and ordinances.

## **I. Issue**

Front porches have long been common features of many homes in Alexandria. According to the National Association of Home Builders, the percentage of new homes with front porches grew from 42 percent in 1994 to 65 percent in 2016. Alexandria's development is following this trend in popularity. Of the 142 new homes constructed in Alexandria since 2008, 102 or 68% of them were constructed with front porches.

There are two provisions of the Zoning Ordinance that regulate front porches. Section 11-1302 permits construction of front porches in required front yards with special exception approval by the Board of Zoning Appeals (BZA). Section 7-2504, part of the residential infill regulations, allows front porches that meet certain criteria to be excluded from floor area. These sections of the Zoning Ordinance were established about 10 years ago to encourage the construction of front porches. Since then, 149 front porches have been constructed under these provisions. Based on the continuing demand for front porches and lack of complaints regarding their construction, staff feels that they are commonly accepted in neighborhoods throughout the City.

Staff proposes to further encourage open front porches by removing some regulatory barriers that experience shows are no longer necessary. Open front porches are neighborhood-friendly architectural features that support cohesiveness and a sense of community in the neighborhood. Staff proposes a text amendment that would allow porches meeting certain criteria to be permitted in required front yards without BZA approval, expand and clarify porch floor area exclusions, and amend the porch special exception standards. Staff recommends amendments to sections 2-145, 2-148.1, 2-183.2, 2-205, 2-205.1, 2-205.2, 7-202, 7-2504, and 11-1302 and the addition of new section 2-183.3 to accomplish this.

## **II. Background**

### ***A. Current regulations***

The Zoning Ordinance allows *porticos* defined by section 2-183.2, below, as permitted obstructions in required yards. A portico is defined as:

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.

Section 7-202(A)(9) allows porticos in any required yard with the following restrictions:

Porticos, provided that they do not extend more than six feet from the main building wall, do not extend more than nine feet in length, which dimensions include any roof overhang, and provided further that they remain open.

An open porch with dimensions larger than a portico must meet all required setbacks. The Zoning Ordinance defines a *front porch* under section 2-148.1 as follows:

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.

In April 2007, City Council approved Text Amendment #2007-0001, enabling the BZA to grant relief from required front yard setbacks for open front porches through the special exception process under Zoning Ordinance section 11-1302 as follows:

- (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:
  - (a) Limitation on yard and setback reductions:
    - (a) The porch deck shall project a maximum of eight feet from the front building wall plane.
    - (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.
  - (b) 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.

Prior to 2007, the only relief from the required front setback for a front porch was a variance. Currently, homeowners who wish to construct front porches that do not meet the aforementioned provisions must also seek variance approval. Zoning Ordinance section 11-1103 states that the BZA must not approve a variance unless it finds that the strict application of the zoning ordinance would unreasonably restrict the utilization of the property among other standards. Generally, applicants requesting variance approval for front porches have difficulty meeting these standards. Further, staff generally cannot recommend approval of these requests for these same reasons. Staff recommended Text Amendment #2007-0001 based on their finding that porches are generally a positive addition to a neighborhood and because they felt that the variance standards were too strict when applied to porch requests.

Since 2007, 47 applicants have requested special exception approval to construct open front porches. The BZA unanimously approved all 47 requests. To approve these requests, Zoning Ordinance section 11-1304 applies and states that BZA must consider the following issues as applicable:

- A) Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to adjacent properties.
- B) Whether approval of the special exception will impair an adequate supply of light or air to adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.
- C) Whether approval of the special exception will alter the essential character of the area or the zone.
- D) Whether the proposal will be compatible with development in the surrounding neighborhood.
- E) Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.
- F) In the case of fences, whether the size, configuration or other unusual characteristic of the lot requires an exception from the zoning requirements in order to provide a reasonable fenced area without creating significant harm to adjacent properties or the neighborhood.

In approving these 47 special exception requests, the BZA found that the proposed front porches would not significantly affect these issues.

In June 2008, City Council approved Text Amendment #2008-0005, establishing the residential infill regulations. These regulations intended to encourage open front porches because they can be a neighborhood-friendly design asset that fosters a sense of community and enhances the value of a homeowner's property and the neighborhood. Prior to the infill regulations, covered porches were included in floor area. 148 new dwellings have been constructed since adoption of the infill regulations. Of these, 102 were constructed with front porches. These regulations allowed porches meeting the following criteria to be excluded from floor area per section 7-2504 as follows:

- (A) Ground level covered front porches and porticos constructed under the standards of this section 7-2504 shall be excluded from floor area calculated under the provisions of section 2-145(A)(5).
- (B) Standards for porches.
  - (1) Extent of front porch exclusion. No portion of the floor area of the porch to be excluded under this section shall extend beyond the side walls of the front building façade.
  - (2) Size of porch. To be excluded under this section, a porch shall be a minimum of five feet deep and a maximum of eight feet deep. The maximum floor area to be excluded shall be 240 square feet.
  - (3) Construction above not permitted. To be excluded under this section, no second floor balcony, deck, or enclosed construction shall be permitted above the front porch or portico.

- (4) Must remain open. A ground level front porch or portico shall remain open and shall at no time be enclosed with building walls, glass, screens, or otherwise. Railings shall be permitted 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.

### ***B. Outreach***

Staff sent invitations via the City's e-news service to a public meeting that was held on Thursday, March 22<sup>nd</sup>. At that meeting, staff gave a presentation and held a discussion on the proposed text amendment. The Del Ray Citizen Association's Land Use Committee also invited staff to give a presentation on the proposed text amendment at the Committee's Tuesday, April 10<sup>th</sup> meeting. Members of the public expressed general support for the amendments and asked questions that helped to refine the proposal. Staff will give a final presentation to the Federation of Civic Associations at its Wednesday, April 25<sup>th</sup> meeting. Since this meeting will be held after the publication of this report, feedback received will be included in a separate memo if needed.

## **III. Discussion of Proposed Text Changes**

### ***A. Article II – Definitions and Standards***

Staff proposes amendments to the current definitions related to porches in section 2-148.1 and porticos in section 2-183.2 and the addition of section 2-183.3. With the proposed definition amendments, staff intends to provide more clarity in applying and interpreting the ordinance for both staff and the public.

Currently, porticos are permitted in all required yards but must be located above a primary front entrance. The current portico definition (section 2-183.2) would be amended and moved to section 2-183.3. The amended definition would allow porticos to adjoin any exterior entrance of a dwelling and would continue to be permitted in all required yards. Because porticos are primarily constructed to protect the exterior of an entrance from the elements and not used as living space, staff is comfortable with continuing to allow them in all required yards and to allow them above all building entrances. The revised definition continues to limit a portico's dimensions to six feet from a building wall (depth) by nine feet in length, including any roof overhang. The dimensional requirement would be removed from its current location in section 7-202.

Section 2-183.2 would provide a definition of a porch which is currently undefined. The proposed definition states that a porch is a covered structure that adjoins the exterior of a dwelling and is not enclosed with walls, glass, screens, or similar. Railings would continue to be permitted if they do not exceed the minimum height required by the Virginia Uniform Statewide Building Code (USBC) and are at least 50 percent open. The railing provision would move from sections 7-2504 and 11-1302 to reduce repeated references in the Zoning Ordinance. These amendments would require front porches and porticos to meet the definition of a porch, as described above under revised section 2-183.2. Front porches would also be required to adjoin a building wall with street frontage. Staff proposes to remove the language that currently requires that front porches be

attached to an exterior entrance. Staff feels this language could discourage wrap around porches and other porches in secondary front yards.

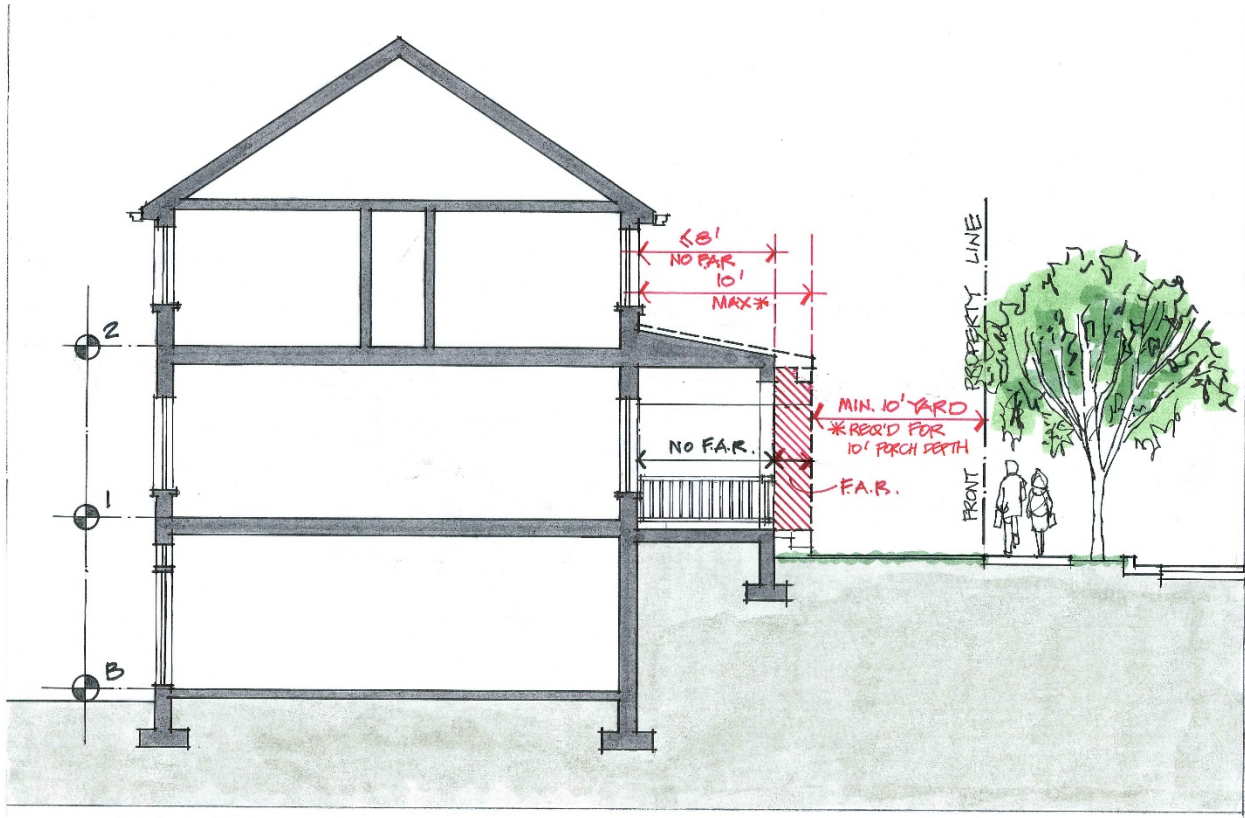
These amendments would also maintain a distinction between open porches and screened or three-season porches. Because these porches are enclosed, they would continue to be regulated like any other enclosed structure. As such they are subject to all floor area and setback rules and would not be affected by these amendments.

Staff also proposes minor technical corrections to sections 2-205 (yard, front), 2-205.1 (yard, front primary), and 2-205.2 (yard, front secondary). The current front yard definition (section 2-205) states that the required front yard is the minimum horizontal distance between the street line and the main building or any projection thereof not permitted under section 7-202(A). Because street line is not defined, staff proposes to remove and replace it with front lot line. Further, based on the proposed changes to section 7-202 in III. C. of this report, the reference to section 7-202(A) in this definition would be amended to section 7-202.

The current primary front yard definition (section 2-205.1) states that a property's primary front yard contains both the building's entrance and is identified by the address and street number. Staff proposes deleting the reference to address and street number since primary front yards of many corner lots within the City contain an entrance but not the property's address and street number. Staff also proposes minor technical corrections to the definitions of both primary and secondary front yards to ensure that they properly address both corner and through lots.

***B. Sections 2-145 – Floor Area and 7-2504 – Open Front Porches and Porticos***

Currently, the definition of floor area (section 2-145(A)(5)) excludes porches that meet the standards of section 7-2504 (entitled "open front porches and porticos") from floor area. Staff proposes to delete section 7-2504 in its entirety and amend section 2-145(A)(5) to allow exclusions of up to eight feet in depth for all porches. For porches that are greater than eight feet deep, only the portion of the porch that is greater than eight feet deep would count toward floor area. See figure 1 below



**Fig. 1 - Porch Floor Area**

Staff feels that the BZA's porch special exception case history speaks strongly to the fact that a porch does not add impactful mass to a dwelling. As such, a porch would not affect light and air supply to adjacent properties and are compatible additions to existing dwellings and their surrounding neighborhoods. Further, section 2-145 excludes the area underneath a second story balcony up to eight feet in depth. Staff is comfortable excluding up to eight feet of porches because they have a similar visual effect to second story balconies.

The Zoning Ordinance now requires townhouse dwellings or properties within the Old and Historic Alexandria and Parker-Gray Districts to include porches in floor area. Staff proposes to apply the same porch exclusions for these properties as described in the previous paragraph. Many of these properties have dwellings constructed right at the front property line and therefore do not have front porches. This exclusion would allow homeowners more flexibility with additions. For example, many of these properties have front porches that are currently enclosed. If these porches were remodeled to make them open, they could then be excluded from floor area and could allow an addition elsewhere on the lot. Porch additions in the Old and Historic Alexandria and Parker-Gray Districts would still be required to comply with all applicable review as required by section 10-103 and 10-203.

As stated previously, staff proposes to delete section 7-2504 in its entirety. The standard from this section that porch railings must remain open and be no taller than the maximum height permitted by the Virginia Uniform Statewide Building Code (USBC) has been moved to the new definition for porches (section 2-183.15). Staff has found, after ten years of implementation, that the other

standards in this section are too restrictive and confusing. The confusing nature of these standards has led staff to create a guidance memo for the public and staff to ensure consistent implementation and interpretation.

The proposed amendments for porches are not only simpler but would also be more “neutral” in that they would not just incentivize front porches, they would also allow for the exclusion of porches of varying sizes and locations on different facades. These relaxed standards would allow for more design flexibility and would, for example, allow wrap-around porches and porches that extend along the full length of a dwelling’s front façade, even on properties where floor area is a limiting factor. The amendments would also allow open articulation on all of a dwelling’s facades instead of just the front and would encourage the construction of more functional porches.

### ***C. Section 7-202 - Permitted Obstructions***

Front porches are now only permitted in required front yards if they have received special exception approval. With staff’s proposal, single-story front porches would be permitted in any required front yard as long as the porch does not project more than ten feet from the building wall. The porch would be required to be located on the first floor or ground level and the front yard would not be permitted to be reduced to less than 10 feet. Staff feels that a ten-foot projection for a front porch would allow more design flexibility and the creation of more functional front porches. Further, staff is comfortable reducing the minimum front yard from 15 to 10 feet. This minimum was established by Text Amendment #2007-0001. Staff then felt that it was important to maintain a minimum 15-foot front yard because it “...in part acts as a transition area between public and private space. Also, loss of existing landscaping could occur.” Staff feels that a 10-foot minimum front yard would maintain a transition area and allow room for landscaping.

All porches would be required to comply with side and rear yard setbacks, open space, and vision clearance requirements. Staff feels that the BZA’s porch special exception approval history demonstrates that porches are a welcome feature of dwellings in the City. The BZA unanimously approved all these requests and no citizens spoke or submitted statements in opposition. The BZA found that all the requests met the required special exception standards of Zoning Ordinance section 11-1304, namely that they were not detrimental to the neighborhood or adjacent properties, did not impair adequate supply of light or air to adjacent properties, did not alter the essential character of the area or zone, and that they were compatible with development in the surrounding neighborhood.

For most properties in the City, the required front yard is determined by the average prevailing front setback within each blockface. Zoning ordinance section 7-2503 states that the average prevailing setback shall be determined by the front setbacks of buildings within a blockface. Staff interprets “front setbacks of buildings” to include any projections of the buildings within a blockface; including permitted obstructions listed in section 7-202. Section 7-2503 also requires most new single and two-family dwellings to be constructed at the average prevailing setback. Staff recognizes that, over time, with the construction of front porches under these proposed amendments, there could be a cumulative effect on average front setback within the City’s blockfaces. If several property owners within the same blockface construct front porches as permitted under these amendments, the block’s average front setback could be reduced; allowing



new dwellings and additions closer to the street over time. Although staff proposes no changes to how section 7-2503 is implemented at this point, this section will be comprehensively studied and amended as necessary in a later text amendment. Staff intends to bring forward this proposal in fall 2018. In the meantime, because front porches do not affect light and air supply to adjacent properties and do not alter a blockface's essential character in and of themselves, staff is comfortable with this proposal.

***D. Section 11-1302 – Special Exception Established***

Staff proposes to amend section 11-1302 to allow all other front porches that do not meet the revised standards in section 7-202 to be considered for special exception approval. This would allow homeowners to request special exception approval for open front porches that would:

- Exceed 10 feet in depth
- Reduce a front yard to less than 10 feet
- Provide noncomplying side and/or secondary front yards
- Exceed height beyond a single-story and

Staff feels that requests for porches that meet any of the conditions above should still be eligible for special exception approval because they could be compatible with existing building architecture, neighboring properties, and blockface character. These requests would also likely not meet the standards required for variance approval.

Some front porches would still require a variance for approval, including those that extend beyond the front building façade and do not meet required side or secondary front yard setbacks and porches in the required vision clearance. All other porches located on side or rear façades that do not meet setbacks would also require variance approval.

Section 11-1302 currently states that only lots in single-family, two-family, or townhouse zones may be subject to special exception approval. Staff proposes to amend this section to allow lots developed with single-family, two-family, or townhouse dwellings to be eligible for special exception approval. This would include dwellings that are located in non-residential zones which are relatively common within the Old and Historic Alexandria and Parker-Gray Districts.

**IV. Recommendation**

Staff recommends initiation and approval of the text amendment.

Staff: Mary Christesen, Acting Land Use Division Chief  
Mark Hamala, Senior Planning Technician  
Sam Shelby, Urban Planner  
Chrishaun Smith, Acting Zoning Manager

## V. Proposed Text Changes

Note: **New text is bold and underlined**

~~Deleted text is shown with a strikethrough~~

### Article II – Definitions

#### Section 2-100 - Definitions

##### Section 2-145 Floor area.

A. For residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts), the floor area of the building or buildings on a lot or tract or tract of land (whether "main" or "accessory") is the sum of all gross horizontal areas under roof on a lot. It shall include all space which is deemed habitable space by the Virginia Uniform Statewide Building Code (USBC) or seven feet or more in height, whichever is less. These areas shall be measured from exterior faces of walls or any extended area under roof, and are to be measured from the shared lot line in the case of party walls. Floor area with a ceiling height 15 feet or greater shall be counted twice. Floor area with a ceiling height 25 feet or greater shall be counted three times. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:

- (1) Stairs, and elevators. The term stairs includes ramps and other similar structures deemed necessary to provide access to persons with disabilities.
- (2) Floor space used for utilities, which may include accessory water tanks, cooling towers, mechanical and electrical equipment, and any similar construction not susceptible to storage or occupancy (but not including ductwork, pipes, radiators or vents).
- (3) Basements.
- (4) Attic floor are with a ceiling height of 7 feet or less and where the space with the ceiling height of 7 feet or more is less than 4 feet wide, as measured from the attic floor or floor joists if there is no floor, to the bottom of the roof rafters.
- (5) **Porticos and portions of porches up to eight feet in depth located on the first or ground floor without second-story enclosed construction above the portico or porch.** ~~front porches and porticos in accordance with section 7-2504.~~
- (6) Free-standing garages to the rear of the main building in accordance with section 7-2505.

- (7) Architectural features up to a maximum projection of 30 inches extending beyond an exterior face of a building wall or column.
  - (8) Space under open balconies (decks) and similar structures projecting from the first floor or below.
  - (9) Space under open balconies and similar structures projecting from a floor above the first floor up to a maximum depth of 8 feet.
  - (10) Retractable awnings not enclosed by a wall, pole, or fence on three sides and that do not use poles or posts for structural support.
  - (11) Sheds and other accessory buildings in accordance with section 7-202(B)(4)
- B. For properties except for those specified in subsection A. above, the floor area of the building or buildings (whether "main" or "accessory") on a lot or tract or tract of land is the sum of all gross horizontal areas under roof on a lot. These areas shall be measured from the exterior faces of walls or any extended area under roof and are to be measured from the shared lot line in the case of party walls. It shall include all space which is deemed habitable space by the Virginia Uniform Statewide Building Code (USBC) or seven feet or more in height, whichever is less. It shall include all space within an above grade parking garage. This space shall be based on permanent construction whether or not provided with a finished floor or ceiling. Excluded from floor area shall be:
- (1) Stairs and elevators. The term stairs includes ramps and other similar structures deemed necessary to provide access to persons with disabilities.
  - (2) Floor space used for utilities, which may include accessory water tanks, cooling towers, mechanical and electrical equipment, and any similar construction not susceptible to storage or occupancy (but not including ductwork, pipes, radiators or vents).
  - (3) Lavatories of which only a maximum of 50 square feet of each lavatory can be excluded. The maximum total of excludable area for lavatories shall be no greater than of 10% of gross floor area.
  - (4) Basements (except shall be included for purposes of calculating the off-street parking requirements pursuant to Article VIII).
  - (5) Architectural features up to a maximum projection of 30 inches extending beyond an exterior face of a building wall or column.
  - (6) Space under open balconies (decks) and similar structures projecting from the first floor or below.
  - (7) Space under open balconies and similar structures projecting from a floor above the first floor up to a maximum of depth of 8 feet.
  - (8) Retractable awnings not enclosed by a wall, pole, or fence on three sides and that do not use poles or posts for structural support.

- (9) Loading spaces of which only a maximum of 850 square feet for each required loading space per section 8-200(B)(2) can be excluded.
- (10) Any floor area that was used as a private or public garage prior to [date of adoption] that had a headroom less than 7 feet 6 inches.
- (11) Floor areas excluded as part of a development site plan that were approved prior to March 17, 2018 within a Coordinated Development District.
- (12) Sheds and other accessory buildings in accordance with section 7-202(B)(4)
- (13) Porticos and portions of porches up to eight feet in depth located on the first or ground floor without second-story enclosed construction above the portico or porch.**

Section 2-148.1 - Front porch.

**A porch that adjoins a building wall which faces a street.**

~~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.~~

Section 2-183.2 – **Porch** Portico.

**A covered, open structure that adjoins the exterior of a dwelling. A porch shall not be enclosed with walls, glass, screens, or similar. Railings shall be permitted no higher than the minimum height required by the Virginia Uniform Statewide Building Code (USBC) and with balusters evenly spaced so as to leave at least 50 percent of the perimeter length of the railings open.** ~~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.~~

**Section 2-183.3 - Portico.**

**A porch that adjoins any entrance of a dwelling, does not project more than six feet from a building wall, and is not more than nine feet in length. These dimensions shall include any roof overhang.**

Section 2-205 – Yard, Front.

A yard extending across the side of a lot measured between the side lot lines and being the minimum horizontal distance between the ~~street~~ **front lot** line and the main building or any projection thereof not permitted in section 7-202(A). For a corner lot, the two yards lying between the main building and the intersecting streets shall both be deemed to be front yards and any additional yards shall be deemed to be side yards. For a through lot, the two or more yards lying between the main building and the two or more public streets shall be deemed to be front yards.

Section 2-205.1 - Yard, front primary.

The front yard of a corner **or through** lot **facing a street**, which contains a building's main architectural entrance ~~and is identified by the building's street address and number.~~

Section 2-205.2 - Yard, front secondary.

The other front yard or yard(s) of a corner **or through** lot facing a street, which may include an entrance but not a building's main ~~architectural~~ entrance.

Article VII – Supplemental Zone Regulations

Section 7-200 – Permitted structures in required yards

Section 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 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, window sills, and roof overhangs projecting 30 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. If a wall on a dwelling on an adjacent lot has any windows or doorways that have a sill lower than eight feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new arbor or trellis' setback shall be five feet from that shared lot line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.
- (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 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. If a wall on a dwelling on an adjacent lot has any windows or doorways that have a sill lower than six feet, measured from grade, facing the shared property line and located within

three feet of that shared property line, the new fence shall not exceed three and a half feet in height along the width of those window(s) or doorway(s). If the fence has a setback of five feet or more from that shared lot line, it is permitted to be taller than three and a half feet but shall not exceed six feet in height. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.

- (4) Sheds and other small accessory buildings:
  - (a) For lots developed with single and two-family dwellings, not located in a historic district, such structures may not exceed 100 square feet in floor area in the aggregate and may have a building height no greater than 10 feet.
  - (b) For lots developed with townhouse dwellings or single or two-family dwellings located within a historic district, such structures may not exceed 65 square feet of floor area in the aggregate and may have a building height no greater than eight feet.
  - (c) If a wall of a dwelling on an adjacent lot has any windows or doorways that have a sill lower than eight feet, measured from grade, facing the shared property line and located within three feet of that shared property line, the new small shed or structure used for storage's setback shall be five feet, including any roof overhang, from that shared lot line. This setback from that shared lot line is required at the location of the affected window(s) or doorway(s) and is required to extend along the width of those window(s) or doorway(s) and shall extend for a minimum of five feet in each direction from that window or doorway.
- (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.
- (7) Free-standing private garages to the rear of the main building in accordance with section 7-2505.
- (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) **For any residential lot, single-story front porches with a maximum depth of 10 feet shall be permitted in any required front yard provided that the porch shall be located on the first floor or at ground level and the front yard shall not be reduced to less than 10 feet.**

**~~Section 7-2504 – Open front porches and porticos.~~**

- ~~(A) – Ground level covered front porches and porticos constructed under the standards of this section 7-2504 shall be excluded from floor area calculated under the provisions of section 2-145(A)(5).~~
- ~~(B) – Standards for porches.~~
- ~~(1) – *Extent of front porch exclusion.* No portion of the floor area of the porch to be excluded under this section shall extend beyond the side walls of the front building façade.~~
- ~~(2) – *Size of porch.* To be excluded under this section, a porch shall be a minimum of five feet deep and a maximum of eight feet deep. The maximum floor area to be excluded shall be 240 square feet.~~
- ~~(3) – *Construction above not permitted.* To be excluded under this section, no second floor balcony, deck, or enclosed construction shall be permitted above the front porch or portico.~~
- ~~(4) – *Must remain open.* A ground level front porch or portico shall remain open and shall at no time be enclosed with building walls, glass, screens, or otherwise. Railings shall be permitted 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.~~

Article XI – Development Approvals and Procedures

Division C – Board of Zoning Appeals

Section 11-1300 – Special exception

**11-1302 - Special exception established.**

A lot **developed** with ~~in~~ a single family, two family, or townhouse **dwelling** 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.
- (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 percent of the length of the building along the side containing such wall.
- (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.~~
    - (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.~~
  - (12) The applicant for a ~~ground level covered~~ front porch shall demonstrate by clear and convincing evidence that the proposed front 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 front porch shall extend beyond either the end of the walls of the front building facade **unless such extension complies with the regulations for the zone in which it is located.** ~~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.~~
  - (23) 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.