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DEPARTMENT OF CODE ADMINISTRATION

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**PP # 2012-17**

**DATE: MARCH 1, 2013**

**TO: CODE ADMINISTRATION CUSTOMERS AND STAFF**

**FROM: JOHN CATLETT, DIRECTOR**

**SUBJECT: RESIDENTIAL CONSTRUCTION WITHIN THREE FEET OF A LOT LINE**

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This policy is intended to provide clarity on the requirements for residential construction within 3 ft of a lot line. Construction shall remain within recorded lot lines unless an adjacent property owner allows construction or maintenance access on their property by way of a written letter of approval. Verbal agreements are not permissible (refer to "Construction Site Access" below).

Any permanent construction extending beyond lot lines, either above ground: eaves, soffits, gutters, bay or bow windows, etc.; or below ground: footings, foundation drainage, foundation walls, etc.; is prohibited unless authorized by the adjacent property owner to allow permanent construction to encroach on their property by way of a permanent land easement. Such easements should be submitted to the Department of Code Administration for review and approval by the Building Official, his/her designee, and the City Attorney (as required). Once preliminary approval is obtained, the document should be recorded with the City's Clerk of the Circuit Courts and the recorded version submitted to this office prior to permit issuance. Such easements require the City to be a third party signature.

To address construction site access, future maintenance access, roof water drainage, foundation drainage installation, etc. the following items are requirements prior to permit issuance:

**Prior to Permit Issuance - Plans shall include, as applicable**

- Adjoining property owner notification (refer to "Adjacent Property Owners Notification" below).
- Exterior walls within 3ft of a lot line: provide all fire-resistant rated wall assemblies, refer to the current Virginia Residential Code (VRC) for further requirements and restrictions.
- Dimensioned exterior wall cross section(s) denoting drywall, framing, siding and projections (windows, gutters, down-spouts, soffits, eaves, etc.).
- Dimensioned footing and foundation plans, cross-sections and proximity to lot lines.
- Dimensioned underpinning foundation systems (horizontal or vertical) and proximity to lot lines.
- Dimensioned foundation drainage discharge location(s) and proximity to lot lines. Note - it is prohibited to

discharge foundation drainage onto adjacent properties. For further discharge requirements and restrictions, please contact Transportation & Environmental Services (T&ES).

- Dimensioned openings to include vent stacks, exhausts, ventilation, windows, skylights, doors, etc. Refer to the current Virginia Residential Code (VRC) for further requirements and restrictions.
- Roof water run-off direction(s) and discharge location(s). Note - it is prohibited to discharge or shed roof water run-off onto adjacent properties. For further discharge requirements and restrictions, please contact Transportation & Environmental Services (T&ES).

### **After Permit Issuance**

- Wall Check Surveys are required for all new construction, additions, enclosed porches, sunrooms and construction that exceeds the original footprint of the structure on which it is attached. The wall check shall be submitted prior to constructing walls above the foundation. The purpose is to ensure the proposed structure is placed on the lot as approved by the City. Please note, any construction above the foundation without benefit of a City approved wall check survey is strictly at the owner's risk.

### **Adjacent Property Owner(s) Notification**

- Prior to permit issuance, the applicant shall submit copies of written notification distributed to the adjoining property owners within 3ft of a lot line. This notification will advise neighboring properties of the scope of the construction project, proposed start and completion dates and contact information for construction site related issues. The notification is not intended to solicit approval or rejection of a proposed project, but simply serves as a notification of the intended work. The notification may be hand-delivered or delivered via U.S. Mail. Documented proof of delivery must be provided prior to permit issuance.

### **Construction Site Access**

- Prior written permission from the property owner is required when construction personnel need access through an adjacent property in order to perform construction. If permission is granted, any damage done to the adjacent property during construction must be corrected to pre-construction conditions prior to final inspection approval. It is recommended that pictures of the adjoining property are recorded - date and time stamped – documenting before and after construction conditions. When the adjoining property owner denies permission, construction shall remain within the project site lot lines.

**APPENDIX A – SAMPLE NEIGHBOR NOTIFICATION LETTER**

Month, Day, Year

George Washington  
123 Flat Street  
Alexandria, Virginia 22314

Ref: BLD2012-010000

Dear Mr. Washington,

The purpose of this letter is to inform you of planned construction at *(project address)*. The construction consists of *(project description i.e.: a two-story rear addition with full basement)*. The construction should start on or about *(project start date*” and should be completed around *(Project Completion Date)*.

The contractor for the job is *(owner or contractor name)*. In keeping with the City of Alexandria’s noise ordinance, the work will not start before 7:00 a.m, Monday - Friday, or 9:00 a.m. on Saturdays. The work will stop at 6:00 p.m. each day and will not occur on Sundays or holidays.

We intend to abide by all required codes and ordinances and complete the project in a timely manner once started. If you should have any questions or concerns during the project, please contact *(project point of contact)* at *(phone number)* and/or *(email address)*.

Sincerely,

Project Point of Contact  
Project Address

This notice was delivered via:

- U.S. Mail
- Hand Delivered