

Average Front Setback & Threshold Height Draft Legislation

This draft legislation addresses the following Infill Task Force recommendations:

- Allow front setback to meet average of existing setbacks (B.1.)
- Permanently adopt interim threshold height regulation (A.4.)

7-1002 Average Residential-residential setback and front door threshold in line with existing development.

(A) — Unless a different rule is specified for average setbacks, wherever the major portion of a block is developed, and the ~~majority of the~~ buildings built on one side of a street between two intersecting streets or between one intersecting street and a street dead end have been built with a different ~~minimum~~ setback than prescribed for the zone in which such buildings are located, no front of a residential building hereafter erected or altered shall ~~project beyond the~~ vary by more than 20% from the minimum average setback line so established; ~~provided, that no~~ regardless of the minimum setback prescribed for the zone, except that no new building or alteration may be closer to the street line than the residential building that exists closet to the street line. ~~dwelling shall be required to set back a distance more than ten feet greater than the setback required by the regulations of the zone in which it is located.~~

(B) Whenever the major portion of a block is developed, no front door threshold of a single family, two-family or townhouse residential building erected or altered after [January 20, 2007] shall exceed the average height of the front door threshold of the residential buildings built on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent, provided, that additional front door threshold height may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and city council determines that the proposed construction will not detract from the value of and will be of substantially the same residential character as adjacent and nearby properties. For the purpose of this paragraph, the height of the front door threshold is defined as the vertical distance between the average existing grade along the front of the building to the top of the threshold. The front door threshold shall accurately reflect the actual location of the first floor of the building, and in all cases the front door threshold shall be measured to the top of the threshold or the top of the highest elevation of the finished first floor, whichever is greater.

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- (C) For the purposes of this section 7-1002, where the number of buildings on one side of a street between two intersecting streets or between one intersecting street and a street dead end is either fewer than five or where the distance between streets as specified above is less than 200 feet or where the number of buildings is greater than 15 or where the distance between streets as specified above is greater than 600 feet, the director may designate an appropriate block for purposes of calculating average front setback and front door threshold height without regard to intersecting streets subject to an administrative protocol similar to that applied in substandard lot cases, and subject to city council approval as part of the special use permit, if there is one, granted pursuant to this section 7-1002.