



Department of Planning and Zoning

Zoning Administration Division

Zoning Details

February 2008

NOTE: the slides included in this presentation are intended to provide a basic understanding of the issues addressed; they do not encompass all the regulations related to each issue.

Functions of the Zoning Permit Review Branch (ZPRB)

- Custodian of Zoning Property (“street”) files
- Zoning Review of Building Permits
- Issue Non-Residential Use Permits (Non-RUPS), also referred to as occupancy permits
- Track expiration of Special Exceptions, Special Permits and Variances
- Residential Building Height Certification

Functions of the Zoning Permit Review Branch (ZPRB)

- ❖ Review Site Plans for Proffer and Development Condition compliance to determine if actions must occur prior to building permit approval or issuance of Non-RUP.
- ❖ Review House Location Plats for single family detached dwellings for compliance with development plan, grading plan, required yards (required 30 days after issuance of Residential Use Permit)

Home Occupation Permit

- Form available on-line; no fee
- Home based businesses, provided no signs, no stock in trade stored/displayed/sold; no signs/no customers or clients
- School of special education (such as piano instruction), classes limited to 4 students at one time, 8 all day
- Two (2) non-transient roomers or boarders

Temporary Special Permits

- Issued for plant/Christmas tree sales, retail or other promotional activities, carnivals, fairs, contractors' offices, rental/sales offices and material yards associated with new development
- Issued for specified time period and subject to conditions

Review of Bulk Regulations

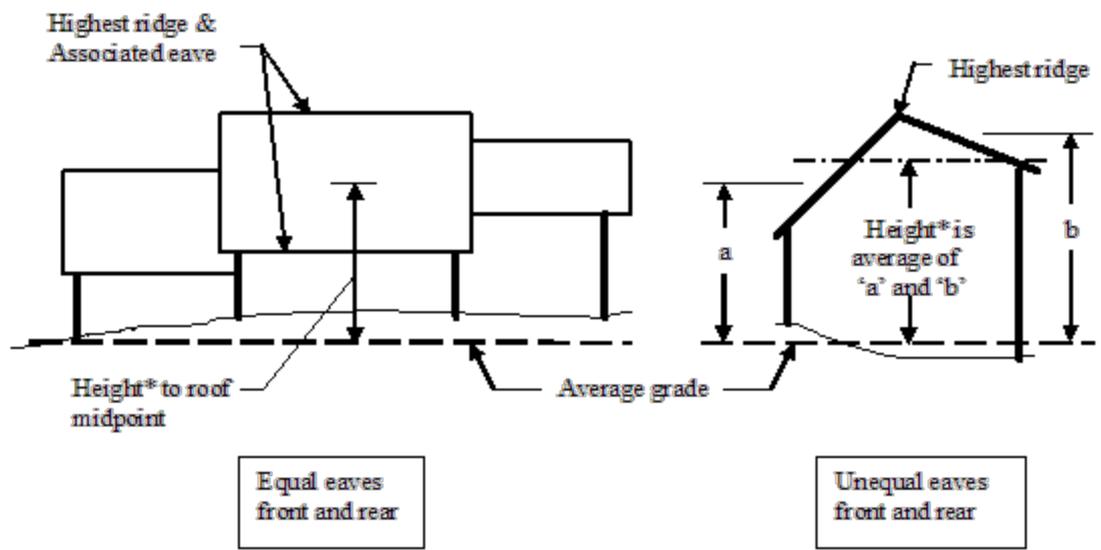
Building Height

- **HEIGHT, BUILDING:** The vertical distance to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip and gambrel roofs measured from the curb level if the building is not more than ten (10) feet distant from the front lot line, or from the **GRADE** in all other cases.
(Reference Illustration 2 in Appendix 2)

Building Height

GRADE: A reference plane representing the *average of finished ground level adjoining a building at all exterior walls*. For the purposes of this Ordinance, the determination of grade associated with the height of an accessory structure shall be deemed the lowest point of finished ground level adjacent to the structure.

Building Height



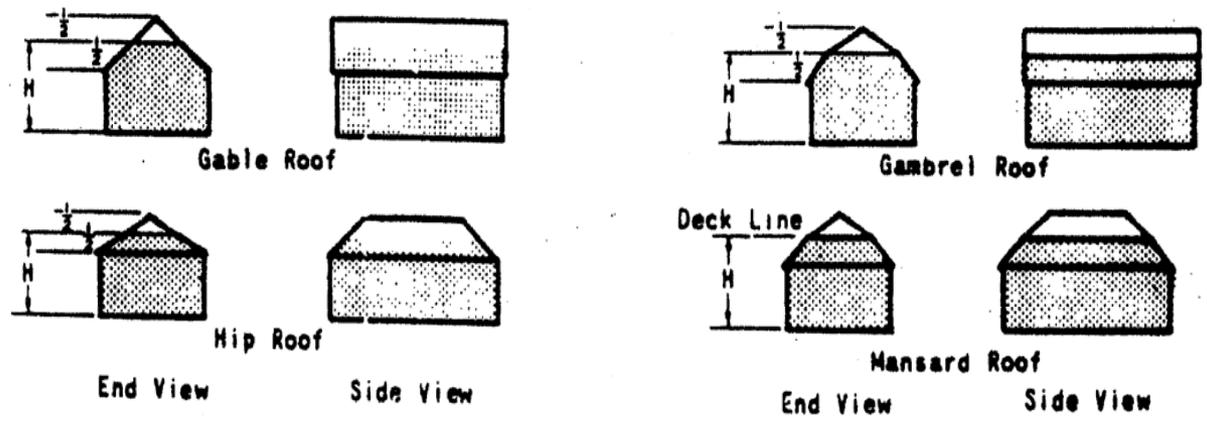
*Height not to exceed that permitted by the zoning ordinance

Building Height

A2-4

ILLUSTRATION 2

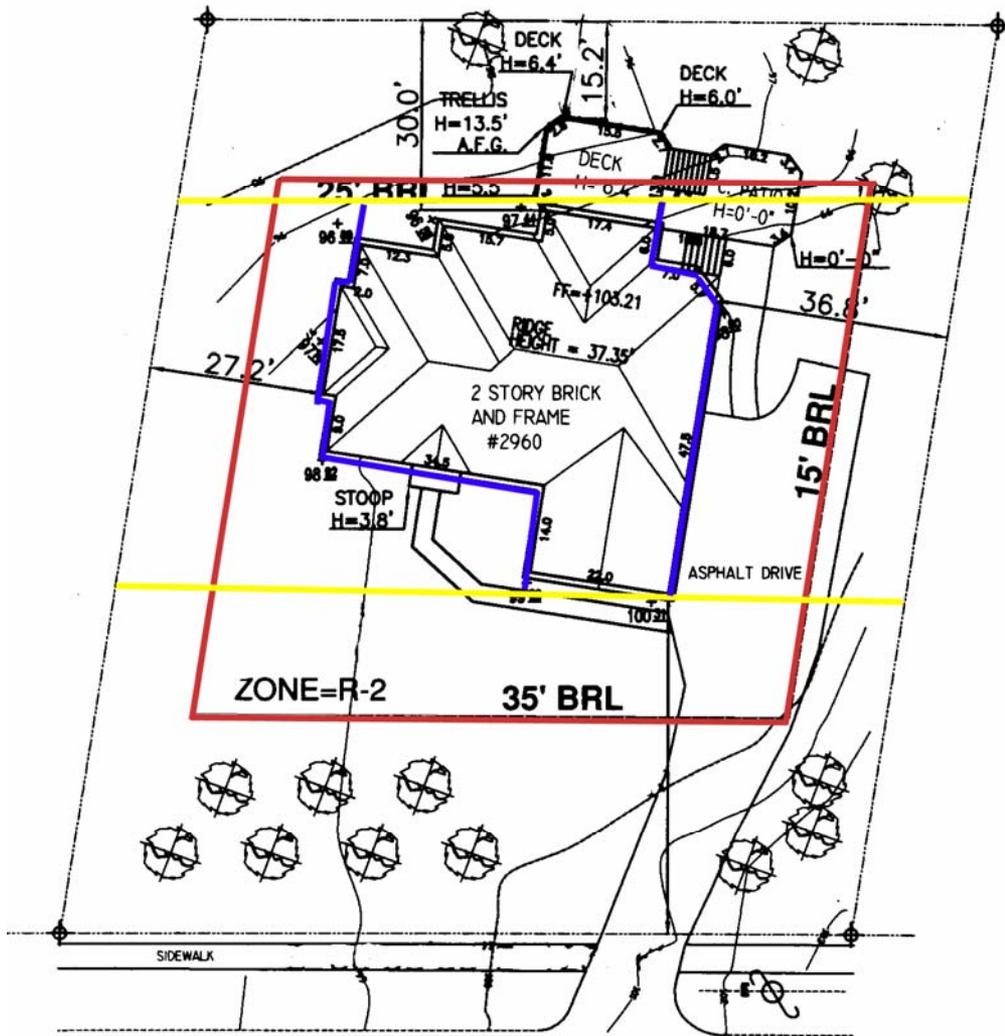
BUILDING HEIGHT



Definitions of Yards

- YARD: Any open space on the same lot with a building or building group lying between the building or building group and the nearest lot line, unobstructed from the ground upward and unoccupied except by specific uses and structures allowed in such open space by the provisions of this Ordinance. On any lot which is occupied by an attached dwelling, no minimum required yard shall be occupied by any part of a vehicular travel way or parking space that is owned and maintained by a homeowner's association, condominium, or by the public.
- For the purpose of this Ordinance, there shall be a distinction between '**yard**' and '**minimum yard required**'. The minimum yard requirements set forth in this Ordinance represent that minimum distance which the principal building(s) shall be set back from the respective lot lines.

Yards and Minimum Required Yards



- = BRL = Building Restriction Lines; Denotes Minimum Required Yards or "setbacks"
- = Front and Rear Yards
- = Side Yards

Yards Continued

- YARD, FRONT: A yard extending across the full width of a lot and lying between the front lot line and the principal building.
 - On a corner lot, the two (2) yards lying between the principal building and the intersecting streets shall both be deemed to be front yards.
 - On a through lot, the two (2) yards lying between the principal building and the two (2) or more public streets shall be deemed to be front yards and shall be controlled by the provisions for same, except as qualified in Sect. 2-413 for residential lots having reverse frontage, and except in those instances where one (1) of the public streets is an alley.
 - On a pipestem lot or a lot abutting a pipestem driveway, any yard contiguous to the pipestem driveway shall be deemed a front yard and shall be subject to the provisions of Sect. 2-416.

Yards Continued

- YARD, REAR: A yard extending across the full width of the lot and lying between the rear lot line of the lot and the principal building group.
 - On a corner lot, the rear yard shall be that yard on the opposite side of the building from the front lot line, which extends from the front yard line on the one side to the opposite side lot line. Where corner lots are designed for single family detached dwellings in the R-E through R-8 Districts, the rear yard may be of such minimum dimension as the side yard requirements for that district. (Reference Illustration 3 in Appendix 2)
- YARD, SIDE: A yard between the side lot line of the lot and the principal building, and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot lines, as may be. (Reference Illustration 3 in Appendix 2)

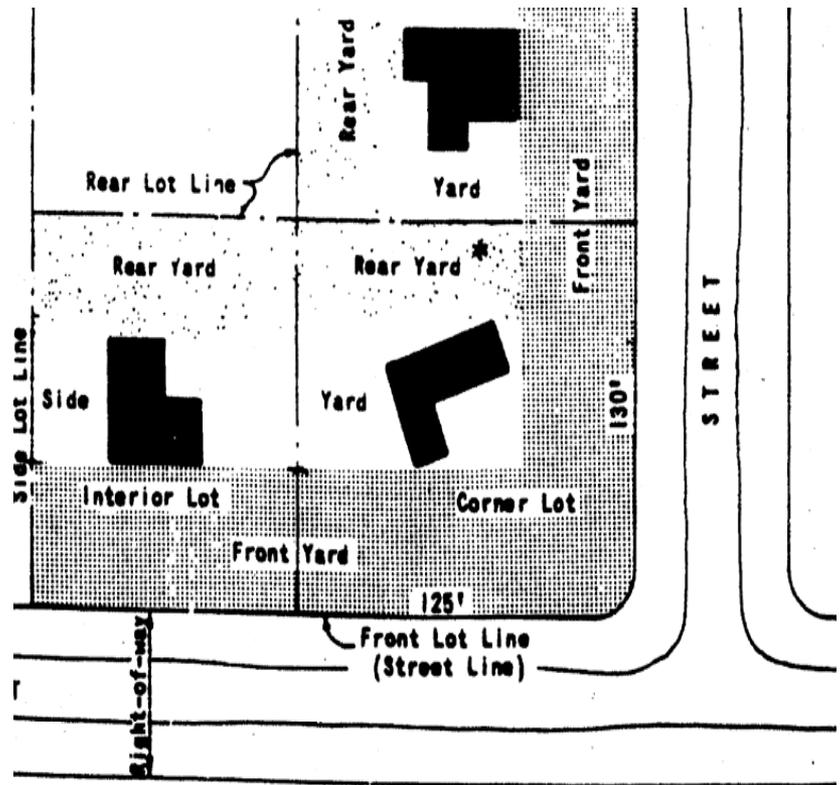
Lot Lines Defined

- **LOT LINE, FRONT:** A street line which forms the boundary of a lot; or, in the case where a lot does not abut a street other than by its driveway, or is a through lot, that lot line which faces the principal entrance of the main building.
- On a corner lot, the shorter street line shall be deemed to be the front lot line, regardless of the location of the principal entrance or approach to the main building. (Reference Illustration 3 in Appendix 2)
- **LOT LINE, REAR:** That lot line that is most distant from, and is most nearly parallel with, the front lot line. If a rear lot line is less than ten (10) feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a ten (10) foot line parallel to the front lot line, lying wholly within the lot for the purpose of establishing the required minimum rear yard.
- **LOT LINE, SIDE:** A lot line which is neither a front lot line nor a rear lot line as defined herein.

Lots Defined

LOT: For the purpose of this Ordinance, a parcel of land that is designated at the time of application for a special permit, a special exception, a Building Permit, or Residential/ Non-Residential Use Permit, as a tract all of which is to be used, developed or built upon as a unit under single ownership. A parcel of land shall be deemed to be a lot in accordance with this definition, regardless of whether or not the boundaries thereof coincide with the boundaries of lots or parcels as shown on any map of record.

Corner and Interior Lots



*For single family detached dwellings in the R-E through R-8 districts the minimum required rear yard on a corner lot may equal but shall not be less than the minimum side yard requirement for the district.

DEFINED: LOT, INTERIOR:

Any lot, including a through lot, other than a corner lot

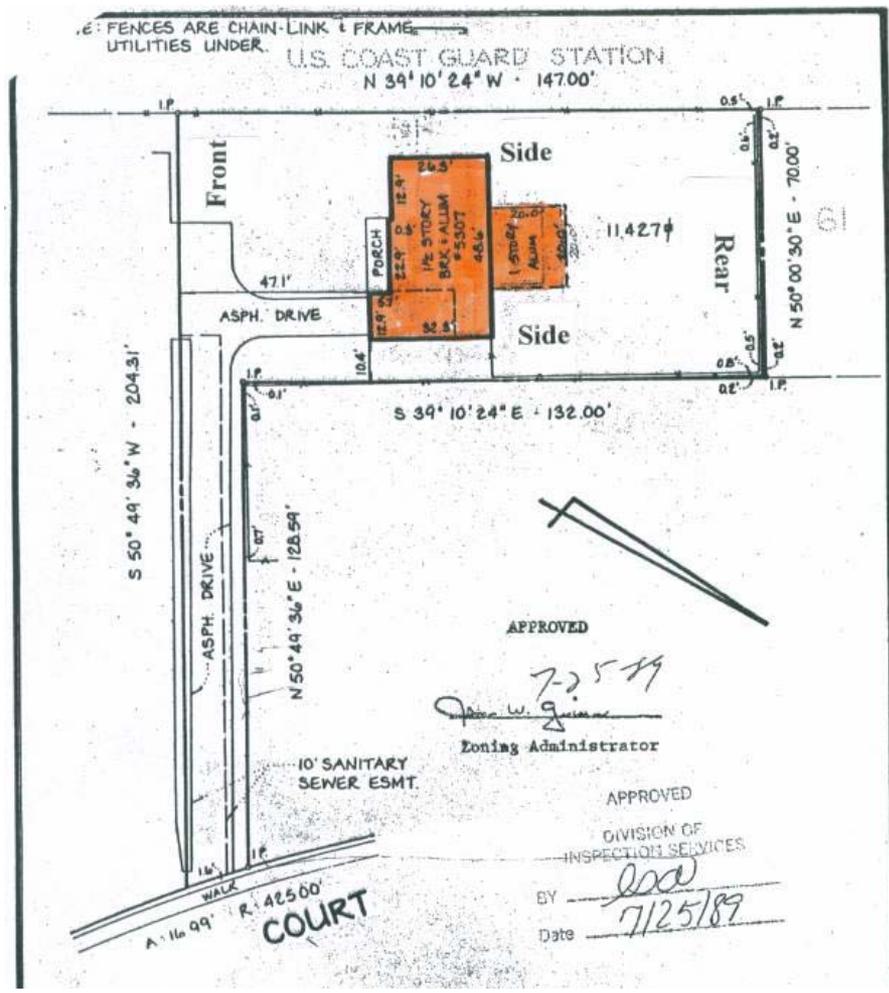
DEFINED: LOT, CORNER:

A lot at the junction of and abutting on two (2) or more *intersecting streets* when the interior angle of intersection does not exceed 135 degrees;
provided, however, that when one of the intersecting streets is an interstate highway, the resultant lot shall not be deemed a corner lot.

On a corner lot, the shorter street line shall be deemed to be the front lot line, regardless of the location of the principal entrance or approach to the main building (from definition of Front Lot Line)

On a corner lot, the two (2) yards lying between the principal building and the intersecting streets shall both be deemed to be front yards (from definition of Front Yard)

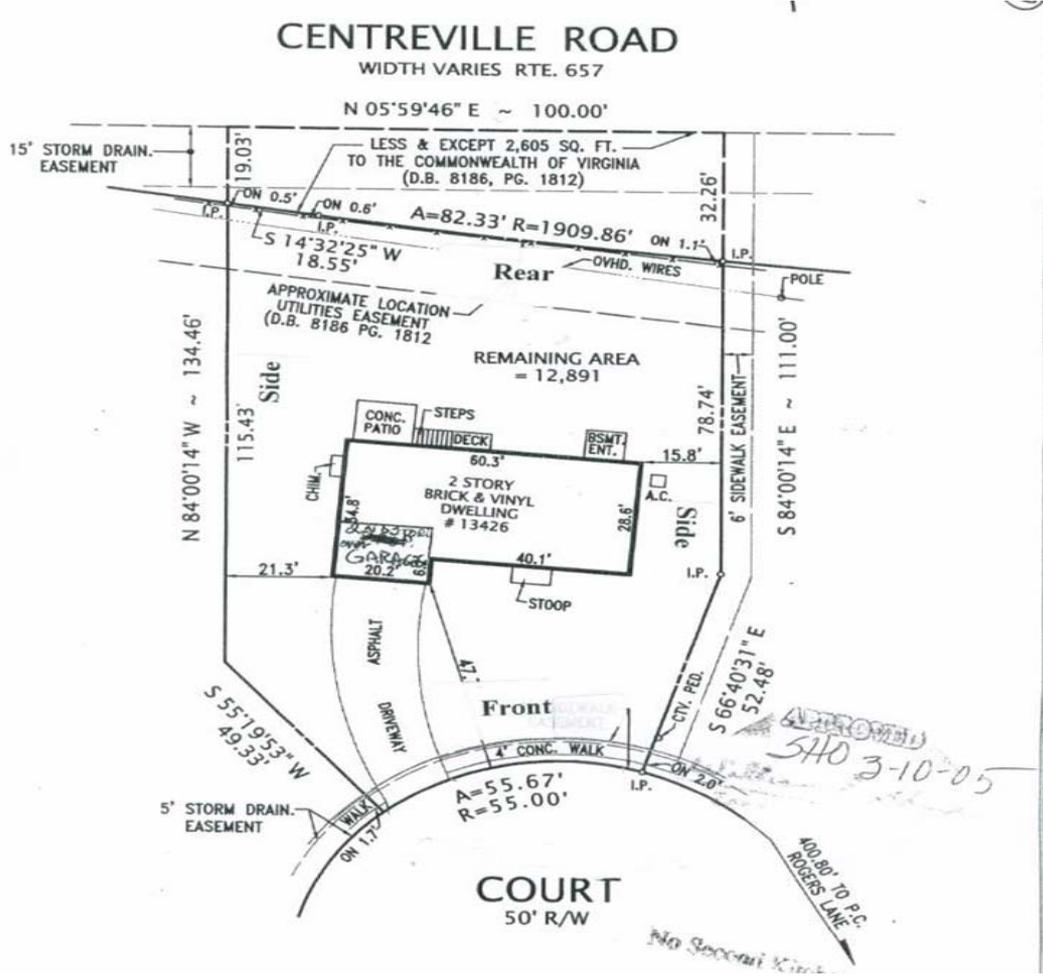
Pipestem Lot



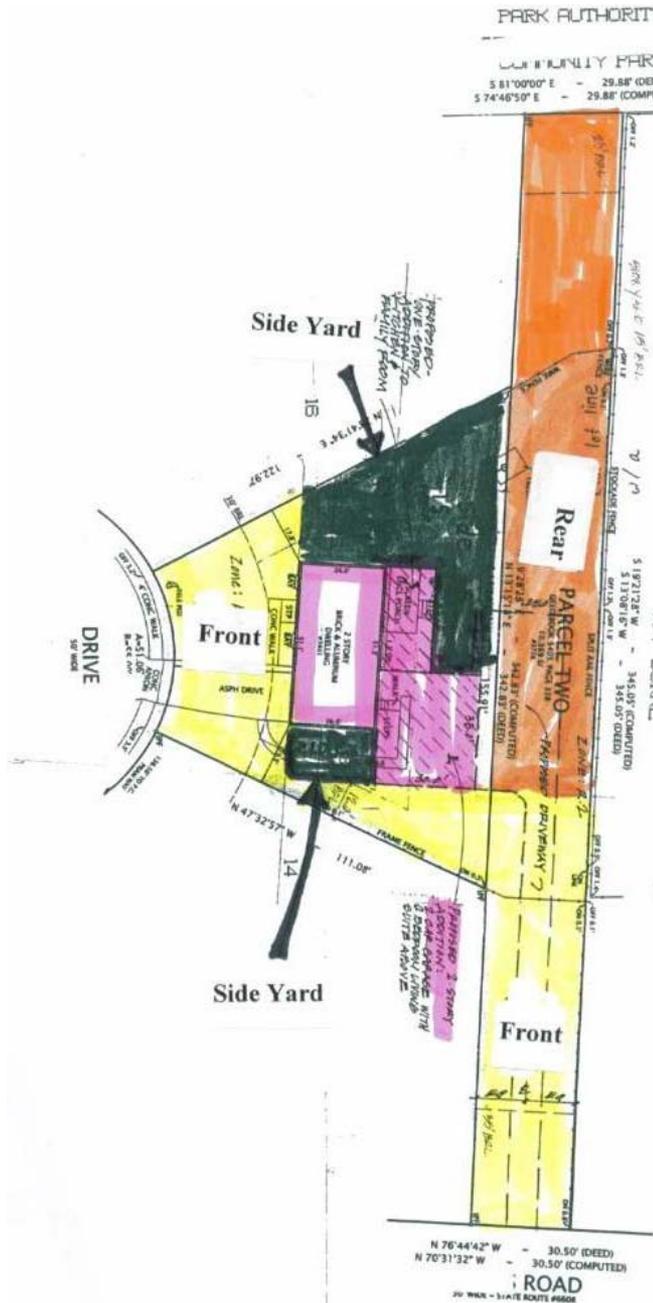
LOT, PIPESTEM; a lot approved with the provisions of Sect. 2-406 (discusses when pipestem lots may be permitted) which does not abut a public street other than by its driveway which affords access to the lot.

LOT LINE, FRONT: A street line which forms the boundary of a lot; or, ***in the case where a lot does not abut a street other than by its driveway, or is a through lot, that lot line which faces the principal entrance of the main building.***

Reverse Frontage Lot



LOT, REVERSE FRONTAGE: A residential through or corner lot, intentionally designed so that the front lot line faces a local street rather than facing a parallel major thoroughfare.



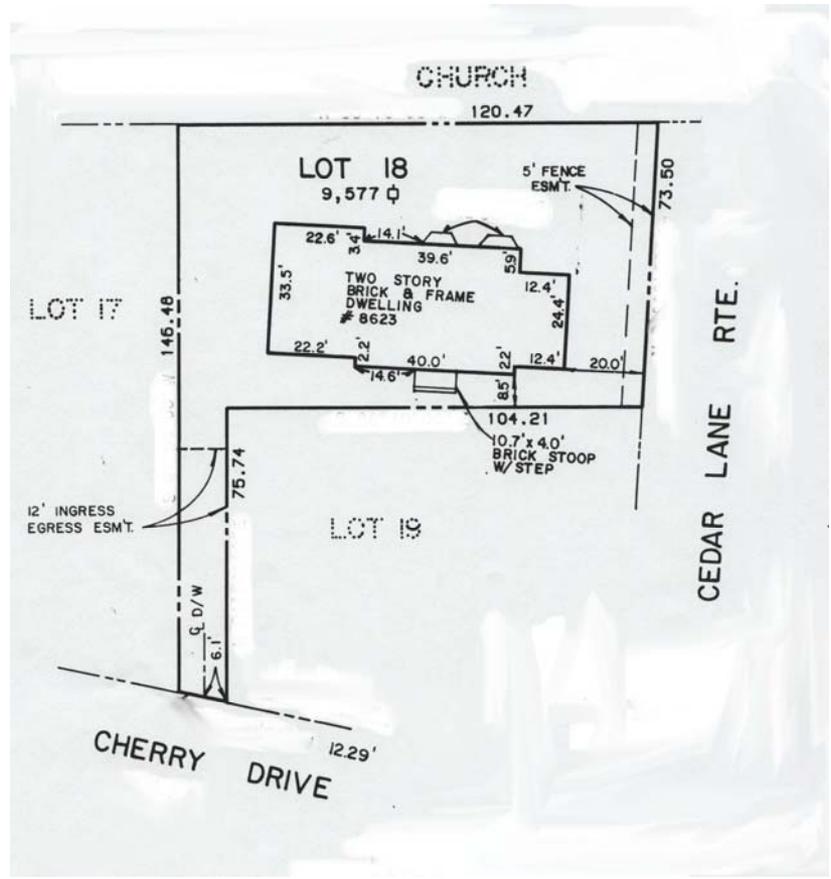
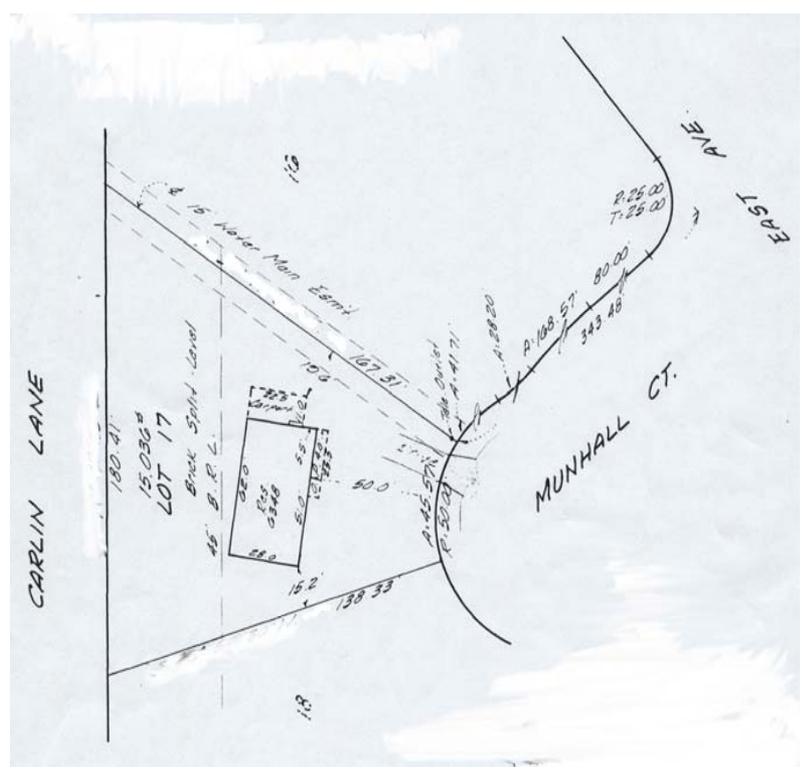
Through Lot

LOT, THROUGH: An interior lot, but not a corner lot, abutting on two (2) or more public streets, but not including an alley.

On a through lot, the two yards lying between the principal building and the two or more public streets shall be deemed to be front yards and shall be controlled by the provisions for same, except as qualified in Sect. 2-413 (reverse frontage) and except in those instances where one of the public streets is an alley (from definition of YARD, FRONT).

Through/Reverse Frontage Lots

- LOT, REVERSE FRONTAGE: A residential through or corner lot, intentionally designed so that the front lot line faces a local street rather than facing a **parallel** major thoroughfare



FLOOR AREA RATIO (F.A.R.)

0.5 Lot: 10,000 sq. ft.
Building: 5,000 sq. ft.



1 STORY ON HALF LOT



2 STORIES ON QUARTER LOT

1.0 Lot: 10,000 sq. ft.
Building: 10,000 sq. ft.



4 STORIES ON QUARTER LOT



2 STORIES ON HALF LOT



1 STORY ON ENTIRE LOT

FLOOR AREA RATIO:

Determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

LOT WIDTH: the width of a lot along a line parallel to the front lot line and lying at a distance from said street line equal to the required minimum front yard on said lot.

Section 2-412: Permitted Extensions into Minimum Required Yards

- Permits extension into minimum yards for certain features such as balconies, eaves, **stoops**, bay windows and carports.
- Stoops may extend five feet into any yard, but not closer than five feet to any lot line and **may not exceed ten feet in width.**
- This section also includes regulations for decks. Decks are permitted to encroach in certain instances. The Zoning Ordinance makes a distinction between decks that have any floor height greater than four feet above the finished ground level and those that do not.

Sect. 2-412 Continued

For lots in the PDH, PDC, PRC and PRM Districts, the minimum required yard shall be deemed to be one-half of the distance of the yard that has been established by the location of the principal structure on a lot. In other districts where minimum yard requirements are determined by a specific distance between buildings, the lot lines shall be established by a line located between the buildings drawn at the midpoint and perpendicular to the shortest line between them.

Alterations to Dwellings in

P Districts

Sect. 16-403: Any alteration to a single family dwelling unit shall be governed by the regulations of that R zoning district which most closely characterizes the given development as determined by the Zoning Administrator. If, however, the desired alteration is not in substantial conformance with the approved final development plan, such alteration shall be allowed only after amendment of the final development plan in accordance with the provisions set forth in Sect.402 above.

Alterations to Dwellings in P Districts Continued

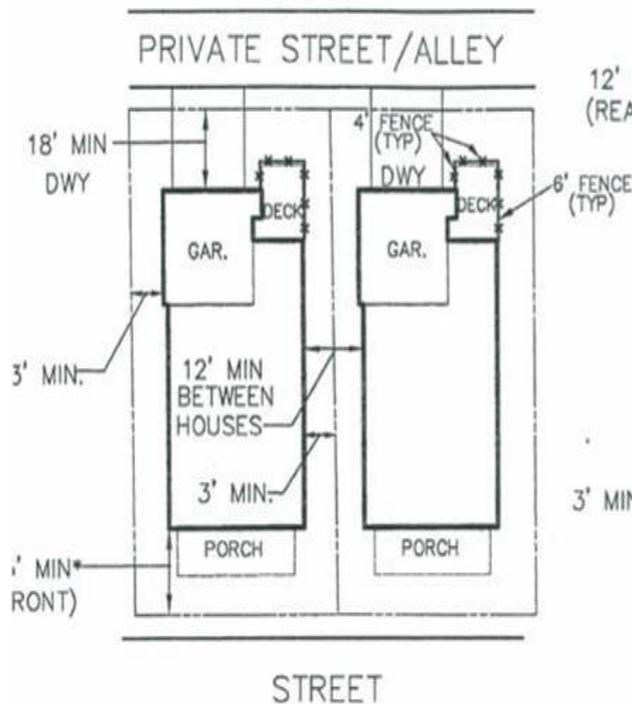
Proffers, which include Development Plans, supersede this provision if they define minimum yards. **Always check proffers and development plans** before proceeding with any development **(including decks)** on P-District lots. The next slide is an example of proffered yards.

Alterations to Dwellings in P Districts Continued

TYPICAL LOT/UNIT DETAIL

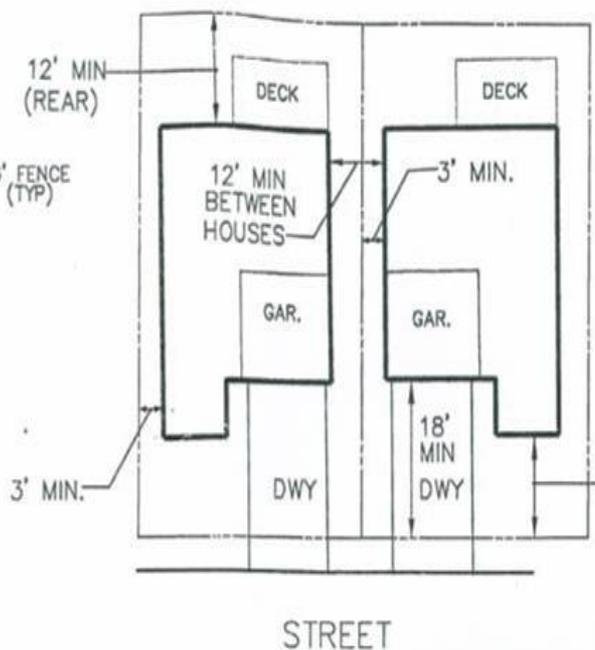
LAND BAY A

OPTION #1



* 15' FRONT SETBACK EXCEPT FOR 7' MINIMUM FRONT SETBACK FOR LOTS 40 & 9.

OPTION #2



* 15' FRONT SETBACK EXCEPT FOR 7' MINIMUM FRONT SETBACK FOR LOTS 32 & 33.

Location Regulations for Accessory Structures and Uses (Article 10)

An accessory use is defined in the Zoning Ordinance as:

ACCESSORY USE: Accessory uses as permitted by this Ordinance are subject to the provisions of Part 1 of Article 10. An accessory use is a use or building which:

1. Is clearly subordinate to, customarily found in association with, and serves a principal use; and
2. Is subordinate in purpose, area or extent to the principal use served; and
3. Contributes to the comfort, convenience or necessity of the occupants, business enterprise or industrial operation within the principal use served; and
4. Is located on the same lot as the principal use, except any building that is customarily incidental to any agricultural use shall be deemed to be an accessory use, whether or not it is situated on the same lot with the principal building.

Location Regulations for Accessory Structures and Uses (Article 10)

Continued

- Accessory storage structures with a height of 8 1/2 feet or less may be located anywhere in a side or rear yard
- No accessory structure may be located in any minimum required front yard or in any front yard on a lot containing less than 36,000 square feet.
- Article 10 also regulates height of fences; fences 7 feet in height are permitted in side and rear yards, but only a four foot fence is permitted in any front yard on lots less than two acres, absent special permit approval.

Zoning Information on Commercial Site Plans

The ZPRB reviews site plans subsequent to review and approval by DPWES for all bulk regulations and items generally provided on site tabulations as depicted on the following slides

Zoning Information on Commercial Site Plans Continued

SITE TABULATIONS:

	LOT 1	LOT 2
AREA	65,081 SF OR 1.49 AC	48,719 SF OR 1.12 AC
AREA OF STREET DEDICATION	4646.48 SF OR 0.11 AC	0
USE	RETAIL	BANK
# OF LOTS	1	1
EXISTING BUILDING GROSS FLOOR AREA	13,869	0
EXISTING BUILDING NET FLOOR AREA	11,095	0
PROPOSED BUILDING GROSS FLOOR AREA	13,446	5,280
PROPOSED BUILDING NET FLOOR AREA	10,757	4,224
TOTAL FLOOR AREA RATIO	0.21	0.11
PROPOSED BUILDING HEIGHT	30'	28'
LOADING SPACES REQUIRED	1	1
LOADING SPACES PROVIDED	1	1
OPEN SPACE REQUIRED	15%	15%
OPEN SPACE PROVIDED	23%	30%
DENSITY (LOTS PER ACRE)	N.A.	N.A.

Zoning Information on Commercial Site Plans Continued

PARKING TABULATIONS:

PARCEL 115 (CVS)

RETAIL SALES ESTABLISHMENT RATE OF 5.0 SPACES FOR FIRST 1,000 NSF
+6.0 SPACES FOR EACH ADDITIONAL 1,000 NSF; 20% REDUCTION FOR
COMMERCIAL REVITALIZATION DISTRICT

11,686 GFA (MAIN LEVEL)

1,760 GSF (MEZZANINE AREA)

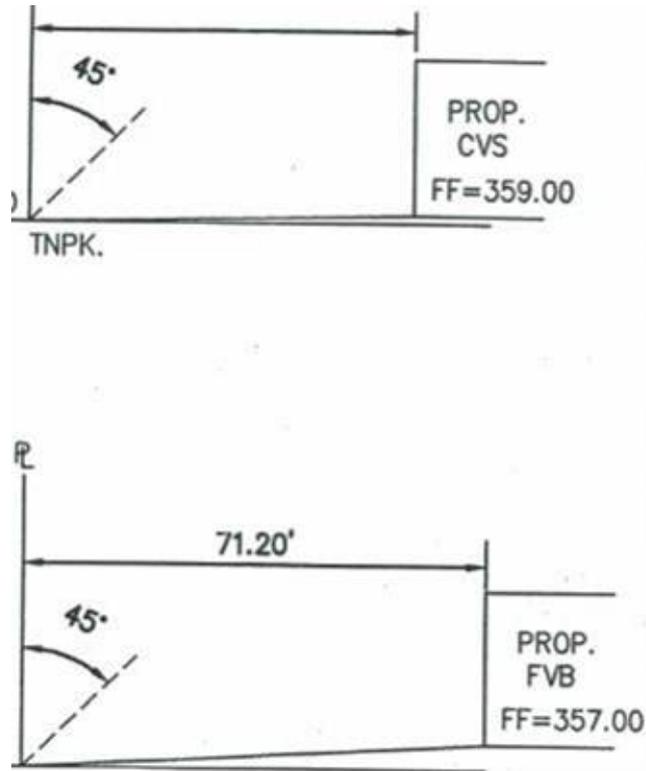
13,446 GSF; 10,757 NSF TOTAL

(10,757 NSF @ 5.0 SPACES FOR FIRST 1,000 NSF
+6.0 SPACES FOR EACH ADDITIONAL 1,000 NSF
- 20% REDUCTION FOR CRD = 51)

ZONING REQUIREMENTS

- 1) ZONING C-6
- 2) AVG LOT AREA N/A
- 3) MIN LOT AREA 40,000 SF
- 4) MIN LOT WIDTH 200'
- 5) MAX BUILDING HEIGHT 40'
- 6) MIN YARD REQUIREMENTS
FRONT 40' / 45' ABP SIDE NONE REAR 20'
- 7) MAXIMUM FAR 0.40
- 8) MAXIMUM DENSITY N/A
- 9) OPEN SPACE REQUIRED 15%
- 10) ANGLE OF BULK PLANE 45'
(DETAIL ON PAGE 3)
- 11) OVERLAY DISTRICT CRD, HIGHWAY, SIGN

Site Plan Information – Angle of Bulk Plane



BULK PLANE: An imaginary inclined plane rising over a lot, drawn at a specified angle from the vertical, the bottom side of which is coincidental with the lot line(s) of the lot, and which, together with other bulk regulations and lot size requirements, delineates the maximum bulk of any improvement which may be constructed on the lot. The angle of bulk plane shall be established in accordance with the provisions of Sect. 2-307. No portion of any structure may extend beyond such a plane, except for those structures set forth in Sections 2-412 and 2-506.

C-6 Bulk Regulations, Minimum front yard requirement: Controlled by a **45° angle of bulk plane**, but not less than **40** feet

Ordinance Administration Contacts

- Zoning Permit Review Branch 703-222-1082
- Zoning Resource Planner: 703-324-1314
- DPZ Website:
 - Zoning Ordinance
 - Status of Proposed Amendments
 - Frequently Asked Questions

Questions?