

733 Kentucky Ave SE

Summary of Zoning Relief | 20 October 2017

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Summary of Relief

Pursuant to 11 DCMR Subtitle X, Chapter 9 for a special exception from the rear yard requirements of Subtitle E § 205.4 to construct a rear addition to an attached row dwelling in the RF-1 zone at the premises 733 Kentucky Avenue SE (Square 1077, Lot 106).

The Board of Zoning Adjustment is authorized to grant relief to from development standards of Subtitle E as a special exception as noted in Subtitle E, Chapter 52, Section 5201.1.

Specifically, the Applicant is seeking relief from the following regulations of Subtitle E, Chapter 2:

- E 205.4 Notwithstanding §§ 205.1 through 205.3, a rear wall of an attached or semi-detached building shall not be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property.

Background

The property is located at 733 Kentucky Ave SE, Lot 106 of Square 1077 in the Barney Circle neighborhood which is also within the ANC 6B boundary. It is zoned RF-1. The lot width is 15.7 feet wide which is below the minimum required 18'. The property is 115.53' deep on the western property line and 120.8 feet deep on the eastern. The property is 1,850 square feet in lot area which is slightly larger than the 1,800 sf minimum of 1,800 square feet (Table E § 201.1).

Given the narrow width of the existing property, a rear addition is required to create more viable living spaces including bedrooms. Subtitle E 205.4 limits that addition to ten feet past the furthest rear wall of any adjoining principal residential building on an adjoining property. This would significantly impact the ability to create a usable bedroom and living spaces at the rear of the existing building. The applicant is seeking relief from the ten-foot limit to construct a fifteen-foot rear addition to the existing building.

The applicant is not seeking relief from any other sections of the zoning regulations at this time.

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Conclusion / Burden of Proof

Per Subtitle E, Section 5201.2 the applicant shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- a) The light and air available to neighboring properties shall not be unduly affected;
Response: The abutting property to the west has a shed structure located along that edge and a fall privacy fence. The proposed addition would have minimal impact to light and air. The proposed addition also includes an open court at the second floor to allow for more light and air to the western property. The light well / dog leg of the property is on the opposite property line therefore the addition would have minimal impact on available light and air to that property.
- b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
Response: The privacy of use and enjoyment to neighboring properties is essentially unchanged with the proposed addition.
- c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage;
Response: The proposed addition is generally in harmony, both in scale and architectural character and is located entirely in the rear of the property so it is not visible from the street frontage.
- d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways;
Response: Refer to submitted architectural plans, elevations, and site plan.

Per Subtitle X, Section 901.2 the Board of Zoning Adjustment is authorized to grant special exceptions, provided that the special exceptions:

- a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
Response: The proposed construction of an addition to a single family, attached row dwelling is consistent with the purpose and intent of residential flat zones.
- b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
Response: The requested relief from the ten-foot rear addition limit yard setbacks will not adversely affect the use of the neighboring properties.
- c) Subject in specific cases to the special conditions specified in this title.
Response: This is not applicable to this application.