

**MEMORANDUM**

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TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager

Joel Lawson, Associate Director Development Review

DATE: September 6, 2011

SUBJECT: BZA Case 18243 - request for special exception relief under § 223 to renovate an accessory garage at 1231 F St. NE and variance relief from the proposed height and number of stories.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of:

- Special exception relief pursuant to § 223 to allow a detached garage proposed at 66% lot occupancy (garage and residence combined), where 60% is permitted; and
- Variance relief pursuant to § 2500.4 to permit the proposed two-story detached garage which exceeds:
 - the maximum height - 22 feet proposed where 15 feet permitted; and
 - the number of stories -- 2 stories proposed where 1 is permitted;

on condition that the area below the garage is used for storage purposes only.

II. LOCATION AND SITE DESCRIPTION

Address	1231 F Street NE
Legal Description	Square 1007, Lot 113
Ward	6
Lot Characteristics	Rectangular lot which slopes downward from front to rear, with a rear yard lower than the alley.
Zoning	R-4-- row dwellings and some multi-family dwellings.
Existing Development	Single-family row dwelling.
Historic District	N/A
Adjacent Properties	Attached row structures.
Surrounding Neighborhood Character	The square is entirely within the R-4 district which is comprised primarily of row dwellings, with some semi-detached structures and apartment dwellings.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18243

EXHIBIT NO. 24



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III. PROJECT DESCRIPTION IN BRIEF

Applicant	Vanessa Manchester
Proposal	To demolish an existing garage and replace it with a new two-story detached garage with basement and roof deck.
Relief Sought	§ 223 - Additions to a One-Family Dwellings or Flats § 3103 – Variance relief from § 2500.4 to permit a two-story, 22-foot tall garage structure where a single story and 15 feet are permitted.

IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed	Relief:
Height (ft.) § 2500.4 (Accessory structure)	15 ft. max.	16 ft. 8.5in	27.2 ft.	Required
Lot Width (ft.) § 401	18 ft. min.	20 ft.	20 ft.	None required
Lot Area (sq.ft.) § 401	1,800 sq.ft. min.	2,300 sq.ft.	2,300 sq.ft.	None required
Lot Occupancy § 403	60 % max.	59.26 %.	66 %	Required

V. OP ANALYSIS**A. Special Exception Relief****223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES**

223.1 An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

Accessory detached garages are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §403, lot occupancy.

223.2 The addition or accessory structure shall not have a substantially adverse affect 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;

The homeowner proposes replacing the existing garage with a new structure which would include a stairwell to provide access to the proposed basement level and upper roof deck. Due to the elevation of the alley almost 7 feet above the rear yard's grade, the newly constructed garage with basement would not appear to be taller than the existing or its abutting structures when viewed from the alley. The garage's location in the rear yard of the subject property is more than twenty feet (20 ft) from the attached row dwellings on either side of the subject property. Therefore, light and air to neighboring structures should not be adversely affected.

- (b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The privacy of abutting neighbors should not be unduly compromised as the garage's side elevations has no windows that would look directly into neighboring property. Proposed windows on the structure face the subject homeowner's rear yard and would essentially function to provide light to the stairwell, as shown in the plans. The proposed roof deck above the garage would enable visibility into neighboring yards. However, this is typical of existing decks and roof decks in row house districts throughout the city and the abutting neighbors have filed letters of support to the record citing the roof deck's use and the proposed height of the renovated garage.

- (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; and*

Although the alley's elevation is almost seven feet above the grade of the rear yard, the new garage would be of similar height to the surrounding garages and would not be out of scale or character as viewed from the alley. The garage would measure 9 feet in height above the alley's grade and the roof deck above would have a 2-foot tall railing. The stair-well structure would not be immediately visible from the alley as it is positioned to the back of the garage towards the rear yard.

- (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.*

The applicant's submission included the appropriate materials as required above.

- 223.3 *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The lot occupancy proposed at 66% is within the anticipated range for additions and accessory structures in this residential zone.

- 223.4 *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

OP does not suggest additional treatment to the proposed garage.

- 223.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

No other use is proposed beyond the use of vehicle storage within the garage and other storage in the proposed basement. Storage in accessory structures is an anticipated use in residential zones.

B. Variance Relief from § 2500.4 – ACCESSORY BUILDING HEIGHT AND NUMBER OF STORIES

i. Uniqueness Resulting in a Practical Difficulty

The property exhibits an exceptional condition in that the property's rear yard is approximately seven feet below the alley's grade. The severe grade change of seven feet necessitates a stair in the rear yard to access the garage. New stairs and landing have been combined within the renovated garage structure for efficiency. The required foundation for the garage structure includes a deep foundation and related excavation for structural retaining walls to accommodate the grade change. This results in a practical difficulty for the owner as it would create unusable space within a walled structure below the garage.

ii. *No Substantial Detriment to the Public Good.*

The applicant proposes to utilize the excavated space beneath the garage as storage and the space above the garage as passive recreation space in the form of a deck. As previously discussed, this does not present a substantial detriment to the public good, as there is no anticipated adverse impact to the light and air to abutting neighbors. The neighbors have submitted letters in support of the garage renovation, including the use of the deck, which would be anticipated to have the most impact on privacy.

The proposed garage would not be out of character with the neighborhood as viewed from the alley, as shown in the submission. Therefore, OP does not anticipate substantial detriment to the public good.

iii. *No Substantial Harm to the Zoning Regulations*

The Zoning Regulations would not be substantially harmed since the inclusion of the stair tower for access due to the substantial grade change of the site does not adversely affect the site's density. The lot occupancy would remain within the permitted range as anticipated under Section 223. Further, the garage would appear no greater than a single-story structure as viewed from the alley and the basement below grade would not be visible from public space.

VI. COMMUNITY COMMENTS

The adjacent neighbors, including to the west at 1225 F Street NE and the neighbors to the east at 1233 F Street NE have submitted letters to the record in support of the proposed garage renovation.

The proposal was presented to the ANC's 6A Economic and Development Zoning Committee on May 18, 2011. OP has no information regarding the ANC's final recommendation.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

OP has not received comments to date from other District agencies.

Attachment:

1. Location map

