

Board of Zoning Adjustments
441 4th Street, NW
Washington, DC 20001

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Property Address:
Vanessa Manchester
1231 F Street, NE
Washington, DC 20002

Application for Variance and Special Exception

The homeowner, Vanessa Manchester, seeks both a special exception (§ 223.1) and a variance (§ 2500.4) from the Board of Zoning Adjustments to build a detached, two-story garage on the property located at 1231 F Street, NE (Lot 0113, Square 1007). As explained below, the application for the variance and for the special exception meet the burden of proof as required by the District of Columbia.

I. Special Exception of DCMR Zoning Regulations Title 11, § 223.1

The homeowner requests a special exception from § 223.1 to construct a new detached garage and new stairs and landing at the rear entrance to the main house. The allowable lot occupancy by right is 60%. The homeowner requests a special exception to allow for a 65.9% lot occupancy.

In order to meet the requirements for a special exception, the homeowner must address the following: 1) how the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map; and 2) how allowing the use will not adversely affect the use of the neighboring property.

- 1) The proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map.

The proposed garage renovation is not a departure from the current use of the property. There is an existing dilapidated garage on the property. The special exception to the lot occupancy regulation, if granted, will not result in an unintended use of the property. Rather, the property at issue is currently a garage and will be used as such following the renovation.

The homeowner requires an increase in lot occupancy due to a unique site condition in which the grade at the alley is 6.7 feet higher than the grade in the rear yard. (See Existing Site Plan A200). The difference in grade requires the addition of a staircase to circulate from the rear yard to the garage. The new staircase has been designed as an enclosed u-shape stair to minimize its impact on the rear yard. In addition, a new stair with landing and awning attached to the main house will be constructed at the rear entrance to the house. The current staircase does not have a landing area. The new stairs and landing will bring this egress condition up to code, but will also slightly increase lot occupancy.

Thus, the design of the new garage and the addition of a landing area seek to maximize safety and enjoyment of the rear yard. These are purposes that are in keeping with the intent and purpose of zoning regulations. The proposed garage renovation will result in a typical-sized garage capable of accommodating modern vehicles.

2) Allowing the use will not adversely affect the use of the neighboring property.

Since the use of the property is to remain the same, there will be no increase in traffic or noise in the alley.

There will be slight increase in the shading of the neighboring property adjacent to the east. The shading will occur in late afternoon only in the rear yard and will not impact lighting into the main building. This is not a significant change as there is existing shade cast over both the homeowner's property and the adjacent property to the east caused by a large tree on the property to the west of the homeowner.

The homeowner has obtained letters from the adjacent neighbors to the east supporting the garage renovations and anticipates obtaining a letter of support from the neighbor to the west. No objections to the design have been raised.

II. Variance from DCMR Title 11, § 2500.4

The homeowner requests a variance from § 2500.4 to construct a new detached garage with "Pop Up" structure for roof access. The allowable building height for an accessory structure is 15 feet measured from the building elevation facing the rear yard. The homeowner requests a variance to allow the building height to be measured from the grade at the alley side of the rear yard. The homeowner also requests a variance to the height restriction to construct a roof top access. Additionally, the homeowner requests the right to construct a basement level underneath the garage.

To qualify for a variance, the homeowner must address the following: 1) the physical characteristics of the property make it difficult for the owner to use the property in compliance with the Zoning Regulation, including topography, and creates financial hardship for the owner in using the property consistent with the Zoning Regulations; 2) granting the application will not be a substantial detriment to the public good; and 3) granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map.

- 1) The topography of the property makes it difficult for the owner to use the property in compliance with the Zoning Regulations and creates financial hardship for the owner in using the property consisting with the Zoning Regulations.

The homeowner's property represents a unique site condition in which the grade at the alley is 6.7 feet higher than the grade in the rear yard. (See Existing Site Plan A200). The current conditions do not allow for the construction of a standard garage. The approximate ceiling height in the garage, if built in compliance with § 2500.4, would be 7 feet. This is

insufficient height to accommodate modern vehicles. Therefore, the homeowner requests that the building height be measured from the alley.

The unique topography of the site creates a financial hardship on the homeowner because of the necessity to build an extensive foundation and circulation from the garage level to the backyard. This includes unusually deep foundation walls on three sides of the garage and the construction of a staircase to account for the change in grade. Since the homeowner is incurring these additional expenses, the homeowner requests the right to use the space enclosed by these unusually large foundation walls as a basement. The homeowner would like to utilize this space for general use/storage.

Additionally, because the required stairs add to the lot coverage and expense, there is less useable space in the rear yard. Thus, the topography of the site creates a financial hardship on the homeowner who is spending funds to construct a garage whose usable space is constricted by accommodations for the grade. Finally, the quality of the space in the rear yard is lessened due to the required stairs for the garage leading to the rear yard as required by the grade of the property. Therefore, the homeowner would like to recoup desirable outdoor space through deck space on top of the garage.

2) Granting the variance will not be a substantial detriment to the public good.

As there is no change in the intended use of the property, there is no expected increase in traffic or noise in the alley as a result of the proposed garage. Any increased level of shade will be minimal and has the consent of neighboring homeowners. (See attached letters from adjacent homeowners). In fact, the proposal has the support of the neighbors as it would be a significant improvement to the condition of the alley.

3) Granting the variance will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map.

The proposed project is not a change in intended use from the existing structure. The variance will allow the homeowner to construct a usable garage in keeping with the general intent of the zoning scheme. Further, as seen in Photos and Alley Diagram A003, the proposed garage would be consistent in scale and character with existing structures in proximity to the homeowner's property.