


 2011 DEC 13 AM 9:02
 OFFICE OF PLANNING
MEMORANDUM

TO: District Board of Zoning Adjustment

FROM: Paul Goldstein, Case Manager
 Joel Lawson, Associate Director Development Review

DATE: December 13, 2011

SUBJECT: BZA Case No. 18290 - Request for a special exception under § 223 to construct a third floor addition above an existing two-story row dwelling and a three-story rear addition at 1414 A Street NE

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of § 223 special exception relief to permit a third-story addition above an existing two-story row dwelling, as well as a three-story rear addition, at 1414 A Street NE that does not comply with:

- § 403, maximum lot occupancy (excessive by 112 square feet)
- § 404, minimum rear yard (deficient by 6'5")

OP also notes that the Property is nonconforming to the minimum lot area (§ 401), although the size of the lot is not changing under the proposal.

On December 6, 2011, the Applicant filed a supplemental submission which made minor changes to the original proposal. The original self-certified application, although styled as a § 223 special exception case, actually would have required area variance relief for an excessive lot occupancy when an existing garage and a proposed elevated deck were included in the calculation. As such, the Applicant has now submitted an altered design which demolishes the existing garage and shrinks a proposed rear deck, among other changes, to bring the proposed lot occupancy down to 70%. The project remains substantially the same as the originally submitted version.

II. AREA AND SITE DESCRIPTION:
BOARD OF ZONING ADJUSTMENT
 District of Columbia

Address:	1414 A Street NE	CASE NO. <u>18290</u>
Legal Description:	Square 1056, Lot 28 (the "Property")	EXHIBIT NO. <u>28</u>
Ward/ANC:	6/6A	
Lot Characteristics:	The lot is rectangular in shape and measures 20' width by 56' depth for a total lot area of 1,120 square feet. It fronts on A Street to the south and a 10' wide public alley to the north.	
Zoning:	R-4: row dwellings and flats	
Existing Development:	There is a two-story row dwelling with a cellar and an attached single level rear garage with a roof deck.	
Historic District:	N/A	
Adjacent Properties:	To the east and west are abutting two-story row dwellings. To the north, across a public alley, are the rear yards of row dwellings. To the south (across A Street) are multi-family residential buildings.	
Surrounding Neighborhood Character:	The Square is composed of row dwellings. The neighborhood largely is characterized by low density residential uses.	

Board of Zoning Adjustment

District of Columbia

CASE NO. 18290

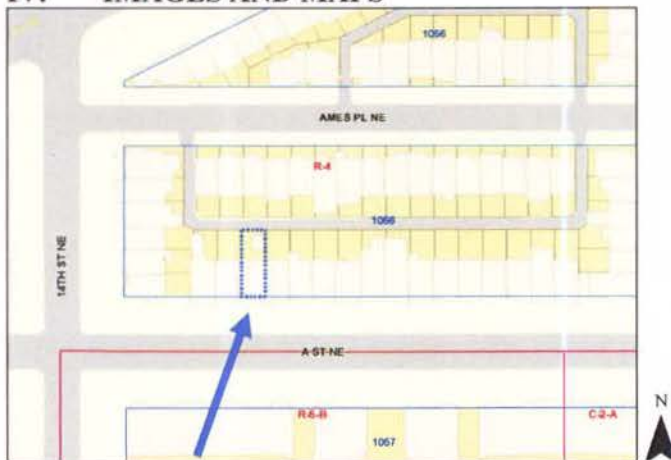
EXHIBIT NO. 28



III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Stephen & Elizabeth Allenbach
Proposal:	The Applicant proposes to construct a third floor above an existing two-story row dwelling and to add a new three-story and cellar addition to the back of the dwelling. The application indicates that the new third floor would raise the height of the dwelling (measured from the cornice line) by approximately 7'2" to a total of 34'. ¹ The three-story rear addition would extend approximately 6'6" into the rear yard. The revised application indicates that the existing garage would be demolished. In its place, a portion of a cellar level mudroom with a roof deck would extend an additional 4' into the rear yard at a height of ~7'9" above rear yard grade. The additions would have no windows facing neighboring properties to the east or west. The Applicant also indicated that the garage is not currently used for parking and that there would be sufficient rear yard space for a parking space if desired.
Relief Sought:	§ 223 - addition to a single family dwelling.

IV. IMAGES AND MAPS



Aerial view of the site (subject Property highlighted)



View looking south across Ames Place SE (subject property identified)

¹ The 34' height measurement was calculated from the raised front yard grade.

V. ZONING REQUIREMENTS

The following table, which reflects information supplied by the Applicant, summarizes certain zoning requirements for the project and the relief requested.

R-4 Zone	Regulation	Existing	Proposed	Relief:
Height (ft.) § 400	40' max.	26'10"	34'	Conforms
Lot width (ft.) § 401	18' min.	20'	20'	Conforms
Lot area (sq. ft.) § 401	1,800 sq. ft. min.	1,120 sq. ft.	1,120 sq. ft.	Non-conforming, but no relief required (existing condition)
Lot occupancy (building area/lot) § 403	60% max. 70% by special exception	70.6%	70%	Requires relief: exceeds matter of right lot occupancy by 112 square feet but conforms to the special exception standard
Rear yard (ft.) § 404	20' min.	8'6"	13'7"	Requires relief: deficient by 6'5"

VI. OFFICE OF PLANNING ANALYSIS

Special Exception: § 223

§ 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.

The Applicant is requesting special exception relief under § 223 for a third-story addition above an existing two-story single family row dwelling and a three-story rear addition which do not comply with the requirements of lot occupancy (§ 403) and rear yard (§ 404).

§ 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.

Although the addition would likely at times cast some additional shadow, the light and air available to neighboring properties should not be unduly affected by the proposal. The additions would raise the dwelling's height to 34' in a zone where 40' is permitted. The three-story rear addition also would extend only 6'6" into the rear yard. The Applicant has indicated that plans have been shown to neighbors. More specifically, OP has reviewed a letter submitted to the record from the neighbor to the west (1412 A Street) which supported the original application, and the Applicant indicates that the neighbor to the east (1416 A Street) has not raised any objections to the proposal.

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

The additions should not cause an undue impact to the privacy of use and enjoyment of neighboring properties. The addition would have no windows along the shared property lines to the east and west. The addition also should not have an undue impact on the privacy of the neighbor to the north who is separated from the subject Property by a 10' wide alley.

- (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.*

The additions would be visible from A Street as well as from a rear public alley. While the third floor would vary from the general pattern of two-story row dwellings along the subject block of A Street, the addition should not substantially visually intrude upon the character, scale, and pattern of houses. The Applicant indicates that the building would only extend an additional 7'2" above the dwelling's existing cornice line. The existing bay fronting on A Street would not be extended, which would allow the ornamental cornice line shared with other houses to be maintained. Additionally, the façade materials (brick) and treatments would match the existing dwelling.

- (d) In demonstrating compliance with (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 view from public ways.*

The Applicant has provided photos, elevation drawings, and a site plan showing the relationship of the addition to adjacent buildings and views from public ways.

VII. COMMUNITY COMMENTS

The Applicant has indicated that ANC 6A and the Capitol Hill Restoration Society voted in support of the original application, but OP has not received official submissions. OP has reviewed a letter in support of the project from the adjacent neighbor to the west (1412 A Street). To date, OP has not received any other submissions from neighbors.