



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM:  Joel Lawson, Associate Director Development Review

DATE: December 1, 2011

SUBJECT: Waiver of Rules for Late Submittal on BZA # 18305

BOARD OF ZONING ADJUSTMENT
2011 DEC -1 PM 12:56

The attached report concerning BZA Application #18305 is being submitted less than 7 days prior to the Board of Zoning Adjustment consideration of the item scheduled for public hearing. The Office of Planning respectfully requests that the Board of Zoning Adjustment waive its rule and accept the report into the record.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18305
EXHIBIT NO. 25

Attachment





MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
Joel Lawson, Associate Director Development Review

DATE: November 15, 2011

SUBJECT: BZA Case 18305 - expedited request pursuant to 11 DCMR § 3118 for special exception relief under § 223 to construct an addition to an existing single-family dwelling at 3118 New Mexico Ave., NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends approval of the following special exception relief to allow the proposed addition to the subject residence under § 223, not meeting the rear yard requirement in the WH/R-1-B District:

- § 404.1 required rear yard (25 feet required, 19.1 feet proposed).

II. LOCATION AND SITE DESCRIPTION:

Address	3118 New Mexico Ave., NW
Legal Description	Square 1625, Lot 0023
Ward	3
Lot Characteristics	Irregular-shaped lot abutting a 15-foot wide alley to the west with frontage on New Mexico Avenue to the east.
Zoning	WH/R-1-B – detached single family dwellings.
Existing Development	Detached single-family dwelling, permitted in this zone.
Adjacent Properties	Predominantly single family detached dwellings on large lots to the north and south.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Veronique Rodman
Proposal	The applicant is proposing a renovation to residential structure on a non-conforming lot, due to its lot size. The renovation would include in part, the addition of a sun room on the first floor level at the rear of the house. The latter would extend into the existing 25-foot rear yard by approximately 6 feet, thereby reducing the existing 25-foot deep rear yard to 19 feet.
Relief Sought	§223 - Additions to a One-Family Dwellings or Flats. The proposed addition would have no impact on the provisions of the Wesley Heights Overlay as no mature trees would be removed to accommodate the addition.

IV. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed	Relief
Height (ft.) § 400	40 ft. max.	28 ft.	40 ft.	Conforming
Lot Width (ft.) § 401	50 ft. min.	50 ft.	50 ft.	Conforming
Lot Area (sq.ft.) § 401	5,000 sf. min.	4,555.5 sf.	4,555.5 sf.	Existing non-conformity
Floor Area Ratio § 401	None prescribed	-	-	None required
Lot Occupancy § 403	40 % max.	24 %.	28%	None required
Rear Yard (ft.) § 404.1	25 ft. min.	25.9 ft.	19.1 ft.	Relief required
Side Yard (ft.) § 405	8 ft. min.	9.3 ft.	9.3 ft.	Conforming

V. OP ANALYSIS

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.*

Single-family dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of § 404.1 - rear yard.

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;*



Zoning Map – Subject Property

The proposed 6-foot deep rear sunroom addition is not anticipated to have an undue effect to the light and air of neighboring properties, as the existing side yards would be maintained. The single-story addition at the rear would be no taller than 9 feet as shown in the submitted plans. The

residence at Lot 24 to the subject property's south is located on its lot, such that the proposed sunroom addition would align more with that property's rear yard where no portion of that home currently exists. The addition would have no impact on the residence to the north as it would be for the most part, obscured from view by the subject residence's existing garage and the existing privacy fence, which would be maintained by the applicant.

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

As can be seen in the applicant's photos, and the aerial shown above, the property is well screened and has large trees between the subject property and the abutting residences to the north and south. The proposed sunroom would not be visible to adjacent properties as it would not be taller than the existing privacy fencing on the property.

(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

The addition would neither be visible to the street frontage along New Mexico Avenue, nor would it appear out of character or scale with the pattern of houses as viewed from the alley at the rear.

(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 provided sufficient graphical representations, including plans and photo exhibits in support of its application for review.

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 existing lot occupancy at 24% and the proposed lot occupancy at 28% would remain within the permitted maximum lot occupancy of 40% for single-family residential structures in the R-1-B District, and well below the 50% maximum permitted by special exception review pursuant to § 223.

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 any other special treatment for this addition.

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

The addition to a residential use is permitted in the R-1-B District.

VI. COMMUNITY COMMENTS

ANC 3D voted unanimously to approve the addition at its regularly held meeting on October 5, 2011. The recommendation dated October 6, 2011 has been submitted to the Board under separate cover.

VII. CONCLUSION

OP recommends approval of the application as presented, since access to available, light, air and the maintenance of privacy of adjacent residences would not be adversely affected by the sun room's addition.