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MEMORANDUM

TO: District Board of Zoning Adjustment

FROM: *JS* Jennifer Steingasser, Deputy Director

DATE: May 1, 2012

SUBJECT: BZA Case No. 18347 - Request for a special exception under § 223 to construct a one-story detached private garage at 216 7th Street NE

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of § 223 special exception relief to permit a one-story detached private garage at 216 7th Street NE that does not comply with:

- § 403, maximum lot occupancy (excessive by approximately 132 square feet);
- § 2001, expansion of a non-conforming structure¹

II. AREA AND SITE DESCRIPTION:

Address:	216 7 th Street NE
Legal Description:	Square 865, Lot 88 (the "Property")
Ward/ANC:	6/6C
Lot Characteristics:	The lot is irregular in shape and measures approximately 23' in width along 7 th Street NE and ranges between approximately 64' to 80' in depth. The Property totals approximately 1,815 square feet in size. It fronts 7 th Street to the east and abuts a 16' wide alley to the west and a 10' wide alley to the southwest.
Zoning:	R-4: row dwellings and flats.
Existing Development:	A three-story row dwelling.
Historic District:	Capitol Hill Historic District
Adjacent Properties:	To the north and south are three-story row dwellings. Across the public alley to the west are the rear yards of a multi-family residential building and row dwelling.
Surrounding Neighborhood Character:	The Square is largely composed of row dwellings. Across from the Square to the east is the Specialty Hospital of Washington, an approximately 6-story building. The west side of the Square borders Stanton Park.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Rick and Alexis Juneja
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BOARD OF ZONING ADJUSTMENT
District of Columbia

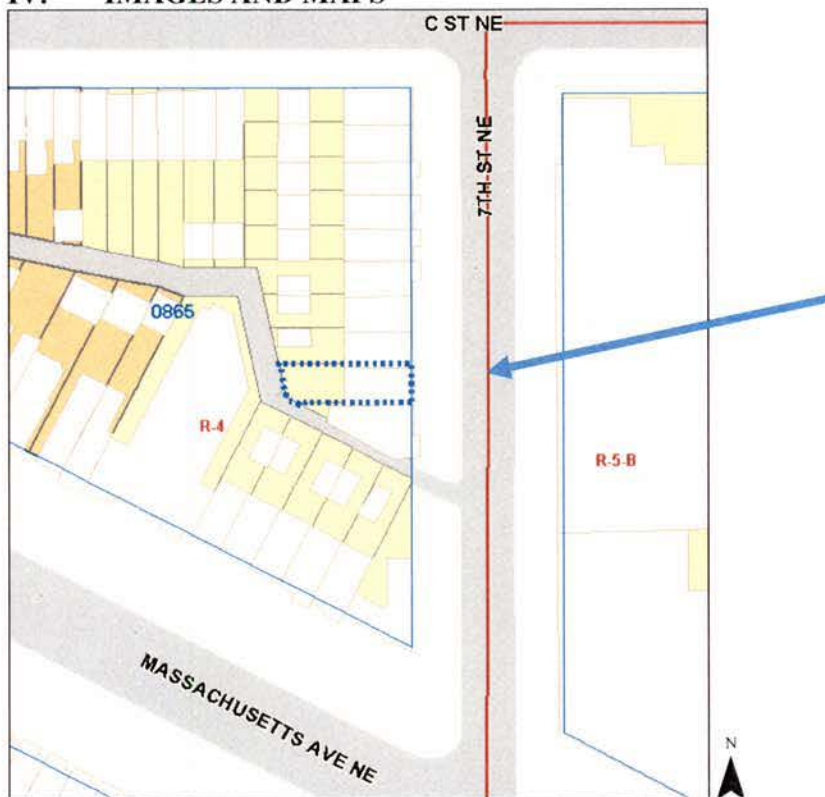
CASE NO. 18347
EXHIBIT NO. 29

¹ OP notes that the Applicant submitted a supplement to the record on April 18, 2012 to clarify that the project also would not comply with § 2001.3.



Proposal:	The Applicant is seeking zoning relief for a one-story detached private garage to be located in the Property's rear yard. The garage would measure 13' by 22', rise approximately 13' in height, and be located along the Property's north lot line. As part of the proposal, the Applicant would demolish an existing rear deck. The dwelling presently occupies approximately 62% of the lot, and the proposed lot occupancy would cover about 67%. Since the original submission, the Applicant shifted the location of the garage approximately one additional foot away from the rear property line. The repositioning reflected the Applicant's intent to comply with the minimum 12' setback from the alley centerline required under § 2300.2(b).
Relief Sought:	§ 223 – addition to a single family dwelling

IV. IMAGES AND MAPS



Aerial view of the site (subject Property highlighted)



View looking north across Massachusetts Avenue (subject property identified)

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:
Lot width (ft.) § 401	18' min.	~ 23'	~ 23'	Conforms
Lot area (sq. ft.) § 401	1,800 sq. ft. min.	1,815 sq. ft.	1,815 sq. ft.	Conforms ²
Lot occupancy (building area/lot) § 403	60% max. 70% by special exception	~ 62%	~ 67%	Relief needed: excessive by approximately 132 square feet; complies with 70% special exception allowance
Rear yard (ft.) § 404	30' min.	20'	38'	Conforms

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 one-story detached private garage behind an existing three-story single-family dwelling that does not comply with the requirements of lot occupancy (§ 403) and expansion of a non-conforming structure (§ 2001.3).

² According to OP's GIS data, the lot size may be slightly smaller than the figure represented in the application. The approximately 10 square foot difference should not alter the areas of relief required.

§ 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 restrained size and height of the addition should not unduly impact the light and air of the abutting properties to the north (218 7th Street NE) or south (214 7th Street NE). The Applicant also has submitted letters of support from both abutting neighbors.

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

The addition should not cause an undue impact to the privacy of use and enjoyment of neighboring properties. The garage would only be one-story tall and have no windows.

(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 proposed garage would not be visible from 7th Street, but would be visible from the abutting alley. Rear detached garages are a common feature of the subject alley network. The addition should not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage.

(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. AGENCY COMMENTS

DDOT submitted a memorandum, dated April 24, 2012, expressing “no objection” to the special exception.

VIII. COMMUNITY COMMENTS

The Applicant has indicated that ANC 6C voted to support the application, although OP has not received an official ANC submission. OP has reviewed letters of support from abutting neighbors to the north and south.