



MEMORANDUM

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TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: May 29, 2012
SUBJECT: BZA Case 18356 - request for special exception relief under § 223 to construct an addition to an existing one-family dwelling at 4626 Garfield Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

§ 405.9, Side Yards (8 feet required, 1 foot, 10 inches proposed).

II. LOCATION AND SITE DESCRIPTION

Address	4626 Garfield Street, N.W.
Legal Description	Square 1408, Lot 800
Ward	3
Lot Characteristics	Large lot with no alley access
Zoning	R-1-A – one-family low density detached dwellings. WH – Wesley Heights Overlay District
Existing Development	One-family detached dwelling, permitted in this zone.
Adjacent Properties	One-family detached dwellings
Surrounding Neighborhood Character	Low density residential

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Stephen H. Greer
Proposal	Construction of attached garage to side of dwelling
Relief Sought	§ 223 - Additions to One-Family Dwellings or Flats

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IV. ZONING REQUIREMENTS

R-1-A Zone	Regulation	Existing	Proposed	Relief
Height § 400	2 stories	2 stories	2 stories	None required
Lot Width § 401	75 ft. min.	111 ft.	111 ft.	None required
Lot Area § 401	7,500 SF min.	18,845 SF	18,845 SF	None required
Floor Area Ratio § 1543.3	9,538 SF/ 0.51 max	5,698 SF/ 0.30	5,948 SF/ 0.32	None required
Lot Occupancy § 1543.2	30% max.	18.4%	20.8%	None required
Rear Yard § 404	25 ft. min.	52.3 ft.	52.3 ft.	None required
Side Yard § 405	8 ft. min.	21.7 ft.	1.83 ft.	Required

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.

One-family detached dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §405.

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 addition would be one and one-half story in height and at a lower elevation than the dwelling on the adjoining property to the east. It would be partially below grade as it adjoins the property to the east, serving as a retaining wall for the neighbor's side yard. Therefore, light and air available to neighboring properties should not be unduly affected.

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

The proposed addition would be partially below grade and have no windows on the east side of the structure. Shrubbery would be planted along the common lot line, screening the proposed garage and driveway from the property to the east. It would also be blocked from view on the west by the existing dwelling and partially screened by the existing pool house in the rear yard from the dwelling to the south. Therefore, privacy of use and enjoyment of neighboring properties would not be unduly compromised.

(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 proposed addition, as viewed from the street, would be consistent with the existing architectural style of the dwelling and would not substantially visually intrude upon the character, scale and pattern of houses along the street frontage.

- (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 submitted plans, photographs and elevation drawings to represent the relationship of the proposed addition to adjacent buildings and from public ways.

- 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.*

Although the subject property is zoned R-1-A, for which a maximum lot occupancy of 50 percent is permitted, it is also located within the Wesley Heights Overlay District, for which a maximum lot occupancy of thirty percent is permitted. The proposed lot occupancy is 20.8 percent, consistent with the more restrictive overlay requirement.

- 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.*

The Office of Planning makes no recommendations for special treatment.

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

The granting of this request would not result in the introduction or expansion of a nonconforming use.

VI. COMMUNITY COMMENTS

The applicant informed the Office of Planning that ANC 3D, at its regularly scheduled meeting of May 2, 2012, voted to support the application, subject to a list of conditions.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

Attachment: Location Map

