

**MEMORANDUM**

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen J. Mordfin, AICP, Case Manager
Joel Lawson, Associate Director Development Review

DATE: April 3, 2012

SUBJECT: BZA Case 18358 - expedited request pursuant to 11 DCMR § 3118 for special exception relief under § 223 to construct an addition to an existing row dwelling at 643 Orleans Place, N.E.

RECEIVED
 D.C. OFFICE OF ZONING
 2012 MAR 27 PM 4:31

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 406, Closed Courts (350-square foot area and 15-foot width required, 21-square foot area and 4.17-foot width proposed).

II. LOCATION AND SITE DESCRIPTION

Address	643 Orleans Place, N.E.
Legal Description	Square 855, Lot 279
Ward	6
Lot Characteristics	Rectangular lot with rear alley access
Zoning	R-4 – row dwellings, conversions and apartments
Existing Development	Row dwelling, permitted in this zone
Adjacent Properties	Row dwellings

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Andrew Serfass
Proposal	Addition of a spiral staircase within a shared closed court to provide access to a roof deck
Relief Sought	§ 223 - Additions to One-Family Dwellings or Flats

BOARD OF ZONING ADJUSTMENT
 District of Columbia

CASE NO. 18358

EXHIBIT NO. 29

Board of Zoning Adjustment

District of Columbia

CASE NO. 18358

EXHIBIT NO. 29



IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max.	23 ft.	23 ft.	None required
Lot Width § 401	18 ft. min.	15.83 ft.	15.83 ft.	None required
Lot Area § 401	1,800 SF min.	1,092 SF	1,092 SF	None required
Floor Area Ratio § 401	None prescribed	--	--	None required
Lot Occupancy § 403	60% max. 70% with SE	70%	70%	None required
Rear Yard § 404	20 ft. min.	15.5 ft.	15.5 ft.	None required
Court § 406				Required
-Width	15 ft. min.	4.17 ft.	4.17 ft.	
-Area	350 SF min.	35 SF	21 ft.	

V. OP ANALYSIS

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS 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.

Row dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of § 406, Courts.

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 proposed spiral staircase would be located within a closed court shared by one other neighboring property, the adjoining property to the west. The owner of that property, 641 Orleans Place, submitted a letter in support of the request. Therefore, OP concludes that light and air available to neighboring properties would not be unduly affected.

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

The addition of the circular stairwell within the shared closed court could only impact the neighbor to the west, with whom the applicant shares the court. The staircase would not be visible from any other property. As the neighbor with whom the applicant shares the closed court submitted a letter in support of the application, 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 applicant submitted drawings indicating that the proposed addition would not be visible from any public way, and therefore would not 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 application included plans, photographs and drawings representing the proposed addition.

- 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 proposed lot occupancy is 70 percent, equal to the maximum permitted within the R-4.

- 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 subject application would not result in the introduction or expansion of a nonconforming use.

VI. COMMUNITY COMMENTS

The single-member district commissioner for ANC 6C04 informed the Office of Planning by email that the ANC voted to support the application at its regularly scheduled meeting of March 14, 2012.

The adjoining property owners to the east and west submitted a letters to the file in support of the application.

Attachment:

Location Map

