

APPLICATION OF KEVIN A. PLANK--1404 35TH STREET, NW

STATEMENT OF COMPLIANCE

RECEIVED
D.C. OFFICE OF ZONING
2012 AUG -6 PM 2:27

Introduction

The property is located at 1404 35th Street, NW (Square 1247, Lot 847). The property is zoned R-3, and is also located in the Old Georgetown Historic District. Lot 847 is L-shaped, with 27 ft. of frontage on 35th Street and 10 ft. of frontage on O Street. Lot 847 wraps around Lot 846 (not a part of this application), which is located at the corner of 35th and O.

The semi-detached house on Lot 847 fronts on 35th Street, and the accessory garage building fronts on O Street. The R-3 zoned property is nonconforming in a number of respects. Although the average lot width is 34 ft., using the ten foot interval method of lot width measurement (30 ft. minimum for semi-detached dwelling), the lot area is 1950 sq. ft. (minimum of 3000 sq. ft. for semi-detached dwelling). The lot occupancy is 63% (40% maximum permitted). The rear yard measures 17.03 ft. (minimum 20 ft. required). The side yard is 4.5 ft. (minimum 8 ft. required).

Proposed Project

The property owner simply proposes to increase the depth and usable space within the existing accessory garage by extending it out four feet toward O Street, as shown on the plans. The front face of the garage building is currently set back 15 ft. from the property line along O Street, and will be set back 11 ft. from the property line under this proposal. This will increase the percentage of lot occupancy from 63% to 65%. Note that the nonconforming side yard for the semi-detached dwelling is less than 5 ft., and therefore is included in the percentage of lot occupancy calculation under the definitions of "percentage of lot occupancy" and "building area" in the Zoning Regulations. Even though this area is open to the sky, it comprises 8.46% of the existing percentage of lot occupancy.

There will be no change to any other zoning measurement as a result of this modest addition to the garage.

The enlargement of the garage has already been reviewed and approved by the Old Georgetown Board and the Commission of Fine Arts (in conjunction with other work to the dwelling which does not require BZA review). Copies of the approval documents are attached.

Compliance with Section 223

Section 223.2. The modest front addition to the garage will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property.

a. The light and air available to neighboring properties will not be unduly affected. The existing garage abuts an existing one-story carport on the neighboring property to the east of the garage, at the intersection of 35th and O, as shown on the survey. The extension of

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18458
EXHIBIT NO. 7

Board of Zoning Adjustment
District of Columbia
CASE NO. 18458
EXHIBIT NO. 7

the subject garage by 4 ft. will bring the front of the garage to approximately the same front plane as the adjacent carport. The existing dwelling on the adjacent property to the west on O Street is a semi-detached dwelling with a side yard that abuts the subject garage building. The 4 ft. extension of the garage will have no impact on light and air to that adjacent dwelling.

b. The privacy of use and enjoyment of neighboring properties will not be unduly compromised. For the same reasons as set forth above, the modest 4 ft. front extension of the garage will have no adverse effect on the use and enjoyment of either of the neighboring properties.

c. The addition to the accessory garage, as viewed from the street, will not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage. To the contrary, as shown on the plans, the design of the new front extension of the garage is a significant improvement over the existing garage façade, and has been approved by both the OGB and the CFA.

d. The attached plans and photographs of the existing garage and the adjacent properties, and the drawings illustrating the proposed 4 ft. garage extension, show the relationship of the proposed addition to the adjacent buildings and views from public ways. There will be no adverse impact to any adjacent properties.

Section 223.3. The lot occupancy of the existing structures and the new 4 ft. extension of the garage will not exceed 70%. The existing lot occupancy is 63%, and the proposed lot occupancy is 65.5%.

Section 223.4. There is no need for any other special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties. The OGB and CFA have already reviewed and approved the garage addition.

Section 223. This proposal does not represent an expansion of a nonconforming use.

Section 3104.1. This proposed modest addition to the garage will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to adversely affect the use of neighboring property.

On behalf of the owner, we respectfully request expedited review and approval of this request. Thank you.

RECEIVED
D.C. OFFICE OF ZONING
2012 AUG -6 PM 2: 27