

Owner / Applicant

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BOARD OF ZONING ADJUSTMENT
 District of Columbia

CASE NO. 18510

EXHIBIT NO. 5

Statement of Existing / Intended Use

The property located at 721 10th Street SE is currently owned by Robert and Melissa Johnson and is used as an owner-occupied single-family row house residence. The intended use shall remain as a single-family row house residence. The owner is requesting a special exception to construct a detached garage, located at the rear (east property line) of the site and abutting a public alley.

Summary of Variances

In order to accommodate a detached private garage, the Owner / Applicant seeks a special exception as set forth in Section 223 (Zoning Relief for Additions to One-Family Dwellings or Flats (R-1) and for New or Enlarged Accessory Structures. As per Section 223, the Board of Zoning Adjustment is authorized to grant a special exception from Section 2001.3 related to the issue of maximum lot occupancy.

- Proposed lot occupancy of 70% (Section 403). The maximum lot coverage, as set forth in Section 403, for a row house in an R-4 district is 60%. As per Section 223.3, the maximum lot occupancy may be increased to 70% as a special exception in R-4 zones. The proposed lot occupancy, including the existing structure, non-complying courts, and proposed garage is 70%.

Background

The property is located at 721 10th St NE, Lot 806 of Square 959. It is currently zoned R-4, and is within ANC 6A. It is not within an historic district. The lot measures 20.0' wide and is approximately 100' deep, and is 2,017 square feet. A 15' public alley borders the south edge of the property and 10th Street NE, a 90' public right of way borders the west edge. A 30' public alley borders the east edge of the property. The north lot line borders Lot 807 (723 10th Street NE). The adjacent property has been improved with a single-family row house, and the rear portion of the lot is used for parking.

The Applicant seeks to construct a detached private garage for the storage of their automobiles, a use which is permitted under section 201. The dimensions of the proposed garage are 20' wide x 22' deep, for a total lot occupancy of 440 sf / 21%. The height of the proposed private garage is 13.7'.

There is evidence of a garage that was razed / demolished prior to the Applicant's ownership. Historical maps substantiate the existence of the garage. There are also a number of private garages on this square.

The subject property is less than one block from the busy H Street commercial corridor and street parking is scarce. The applicants are automobile enthusiasts and they wish to protect their property. They also plan to install domestic lifts within the garage in order to store their automobile collection. The desired interior vertical clearance for safe and reasonable lift access is 11'-0".

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Lot Occupancy

The existing structure and non-complying open court have a conforming lot occupancy of 48%. A private garage that does not exceed the 60% lot occupancy requirement would yield a garage of 242 sf and measure 12.1' x 20'. A garage of this size would not be practical for parking multiple vehicles. Therefore, the applicant is requesting a special exception for a garage that measures 20'x22' (440 sf).

Conclusion

The burden of proof for special exception is two-fold, and the Applicant must demonstrate the following:

1. How the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map

The R-4 zone permits accessory structures / private garages, therefore the Applicant's request is consistent with Zoning Regulations and surrounding properties. An existing garage of approximately the same size was located on the property, as evidenced by the Baist map excerpt. It was demolished at some point prior to the current owner obtaining the property. The applicant has reviewed the shadow studies with the adjacent neighbor at 721 10th St NE and he does not have any concerns.

2. How allowing the use will not adversely affect the use of the neighboring property – ie. traffic, noise, lighting, etc.

The existing use of property as a single family row house with two parking spaces will remain unchanged. No additional traffic or noise will be generated as a result of granting this special exception. The design and massing of the garage has been carefully considered to minimize the natural light impact to the adjacent properties.

Additionally, special exceptions granted under section 223 are required to meet the following criteria:

1. Not unduly affect light and air available to neighboring properties

As our shadow studies show, the private garage on the Applicant's property will have minimal impact on light and air for the property to the north. The property across the alley is a three-story apartment house, and will not be affected.

2. Not compromise the privacy of use and enjoyment of neighboring properties

Adjacent properties will enjoy the same degree of use and privacy as they currently have now. The Applicant has met with the neighbors and has obtained letters of support for the Project.

3. Not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage

The proposed private garage is located on two public alleys, therefore there will be no impact on the subject street frontage. In addition to the existing garages located on the alley, the adjacent north property has a roll-up garage door for vehicular parking access. There are two additional private garages on the square, as well as additional commercial entrances on the alley.