

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: April 5, 2016

SUBJECT: BZA Case 18514A – minor modification for a special exception under § 223, not meeting the lot occupancy requirements (§ 403), a variance from the parking space dimensions requirement under § 2115.1, and a variance from the garage setback requirement under § 2300.2(b), to allow a detached garage addition serving a one-family dwelling at 1120 Park Street, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of a minor modification to the BZA's Order 18514 granting approval of the Applicant's garage plan.

II. PROPOSED MODIFICATION

In the original application, the BZA approved relief needed to construct a 9 foot ½ inch wide by 15 foot 5 ½ inches long (158 square feet) detached accessory garage with roof deck, accessible from the 15-foot public alley. The structure would be set back approximately 1.5 feet from the west property line due to the presence of the neighbor's existing garage, which encroaches onto the Subject Property. Specifically, the BZA granted the following variance and special exception relief:

- § 2115.1 Minimum Parking Space Size (9 ft. x 19 ft. required, 8.33. x 14.33 ft. proposed); and
- § 2300 Setback from Center of Alley (12 ft. required, 8.5 ft. proposed).
- § 403.2 Lot Occupancy (53.4% existing, 70% permitted by special exception, 70% proposed).

The Applicant in this case proposes to modify the approved plans by proposing a thicker wall adjacent to the neighboring property at 1118 Park Street NE, changing the garage's exterior materials from concrete masonry units (CMU) to brick, changing the roof deck materials to a post/railing design, increasing the height of the garage by one foot, to 13 feet 10^{5/8} inches, increasing the length of the garage by one inch to 15 feet 5 ½ inches, increasing the garage width by ½ inch to 9 feet ½ inch, and replacing the "captain's ladder" to the roof deck with a spiral staircase.

The application notes that although the modified plans would include a thicker wall on the west side of the garage than the original plans, the opening for the parking space would remain the same width, meaning that the usable width of the parking space (approved in the Order) would not change.

The Applicants are concurrently submitting the modified plans for approval by the Historic Preservation Review Board (HPRB).

III. OFFICE OF PLANNING ANALYSIS

The BZA determined in Case 18514 that the Applicant possessed an exceptional situation resulting in a practical difficulty. However, the Applicant's modified plans include mainly revised construction details addressing potential issues with walls of the garage without affecting any of the aspects for which variances were granted by the Board. Therefore, OP's analysis focuses on the updated design proposed by the Applicant.

The modification would not result in a substantial detriment to the public good. The proposed modifications are minimal in scope. The proposed 8.5 ft. setback from the alley centerline would be unchanged and would be consistent with other nearby accessory buildings and fencing. It should not unduly affect the light and air available to neighboring properties. The Applicant continues to propose a detached garage that is of a modest height, one story or approximately 14 ft. tall. Detached garages are found in the rear yards of a number of other properties on the block.

Privacy of use and enjoyment of neighboring properties should not be impacted. The proposed garage would not feature windows on the east or west sides and would be flush against the adjoining property lines. Furthermore, the proposed garage would screen the Applicant's parking from view from the alley and the adjoining properties.

The modified garage also should not substantially visually intrude upon the character, scale and pattern of the alley upon which the garage will front. The alley is characterized by a variety of fencing types, roll-up gates, and garages. The proposed structure would match the depth of the adjacent garage.

IV. COMMUNITY COMMENTS

At its regularly scheduled and properly noticed meeting on March 10, 2016, ANC 6A voted 7-0 (with 5 Commissioners required for a quorum) to support the Applicant's request.

The neighbor residing at 1118 Park Street NE, Patricia Schaub, initially indicated opposition to the proposed modification. However, according to the Applicant, Ms. Schaub no longer opposes the proposed plans.