



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Paul Goldstein, Case Manager
 W Joel Lawson, Associate Director Development Review
DATE: March 19, 2013

SUBJECT: BZA Case 18520 - expedited request pursuant to § 3118 for special exception relief under § 223 to construct an addition to an existing detached dwelling at 5507 Broad Branch Road NW.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 405.9 (8' minimum side yard required, 3' is proposed).

OP also notes that the proposal is non-conforming for § 2001.3 – an extension of a non-conforming aspect of a structure – and is supportive of granting this additional relief.

II. AREA AND SITE DESCRIPTION

Address:	5507 Broad Branch Road NW
Legal Description:	Square 2014, Lot 9 (the "Property")
Ward:	3G
Lot Characteristics:	The Property is roughly rectangular in shape and measures approximately 50' in width and about 100' in depth. It has 5,176 square feet of land area. The Property abuts a 16' wide public alley to the east. There is an approximately 15' deep building restriction line on the site's west side.
Zoning:	R-1-B: Detached dwellings
Existing Development:	There is an existing one-story detached dwelling.
Historic District:	N/A
Adjacent Properties:	Detached dwellings are adjacent to the Property to the north and south. To the Property's east (across a public alley) and west (across Broad Branch Road) are also detached dwellings.
Surrounding Neighborhood Character:	The Square, and the neighborhood more generally, is largely characterized by detached dwellings.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Susan and Robert Okun
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BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18520

EXHIBIT NO. 23

Board of Zoning Adjustment

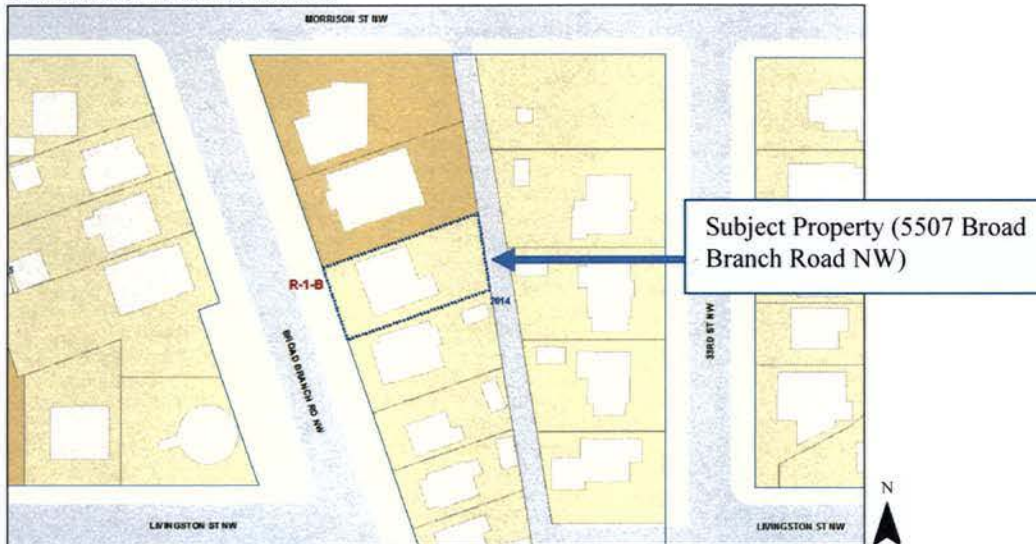
District of Columbia

CASE NO. 18520 CITY

EXHIBIT NO. 23

Proposal:	The Applicant requests a special exception to construct a covered front porch. The porch would measure 9' deep by 17'9" wide, spanning approximately half of the front façade, and rise approximately 18' above front grade. The porch would be open on 3 sides and unscreened. It also would extend an existing non-conforming 3' side yard on the north side of the dwelling. The site's lot occupancy would rise to about 30%. The Applicant indicates that proposed front steps and lead walk would require a public space permit.
Relief sought:	Special exception pursuant to § 223

IV. IMAGES AND MAPS



Aerial view of the subject site (outlined and identified)



View looking east across Broad Branch Road (subject property identified); Source: OP (2009 image)

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.

Single family uses are a permitted use in the subject zone. The Applicant is requesting special exception relief under § 223 from the requirements of § 405. OP also identified non-compliance with § 2001.3 due to the extension of a non-conforming side yard.

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 of a front porch should not unduly affect the light and air of neighboring properties. The addition is moderate in scale and would be located more than 20' from adjacent dwellings.

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

OP does not anticipate that the privacy of use and enjoyment of neighboring properties would be unduly compromised by the front porch addition to the existing one-story detached dwelling.

(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 and photographs 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.*

The proposed lot occupancy would be approximately 30%, which is permitted by right in the subject R-1-B zone.

- 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*

OP 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.*

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

V. COMMUNITY COMMENTS/ANC

The Applicant has indicated that ANC 3G unanimously voted to approve the application, although OP has not received an official submission to date. The Applicant also provided OP with a petition executed by four neighbors, including the neighbor directly to the north, indicating no objection to the proposal.