



2013 MAR 22 PM 3: 32

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
 Joel Lawson, Associate Director Development Review

DATE: March 26, 2013

SUBJECT: BZA Case 18523 – 1726 18th Street, NW

I. RECOMMENDATION

With regards to this proposal to build small additions to an existing single family dwelling, the Office of Planning (OP) recommends **approval** of the following variance relief:

- § 402, FAR (1.8 permitted, 3.54 existing, 3.59 proposed);
- § 403, Lot Occupancy (60% permitted, 84.8% existing on upper floors, 86.8% proposed on second floor;
- § 406, Open Court Width (11.4' required, 6' existing, 4' proposed);
- § 2001.3, Additions to Nonconforming Structures (nonconforming for lot occupancy, extend existing nonconformities of lot occupancy, FAR and court width).

II. LOCATION AND SITE DESCRIPTION

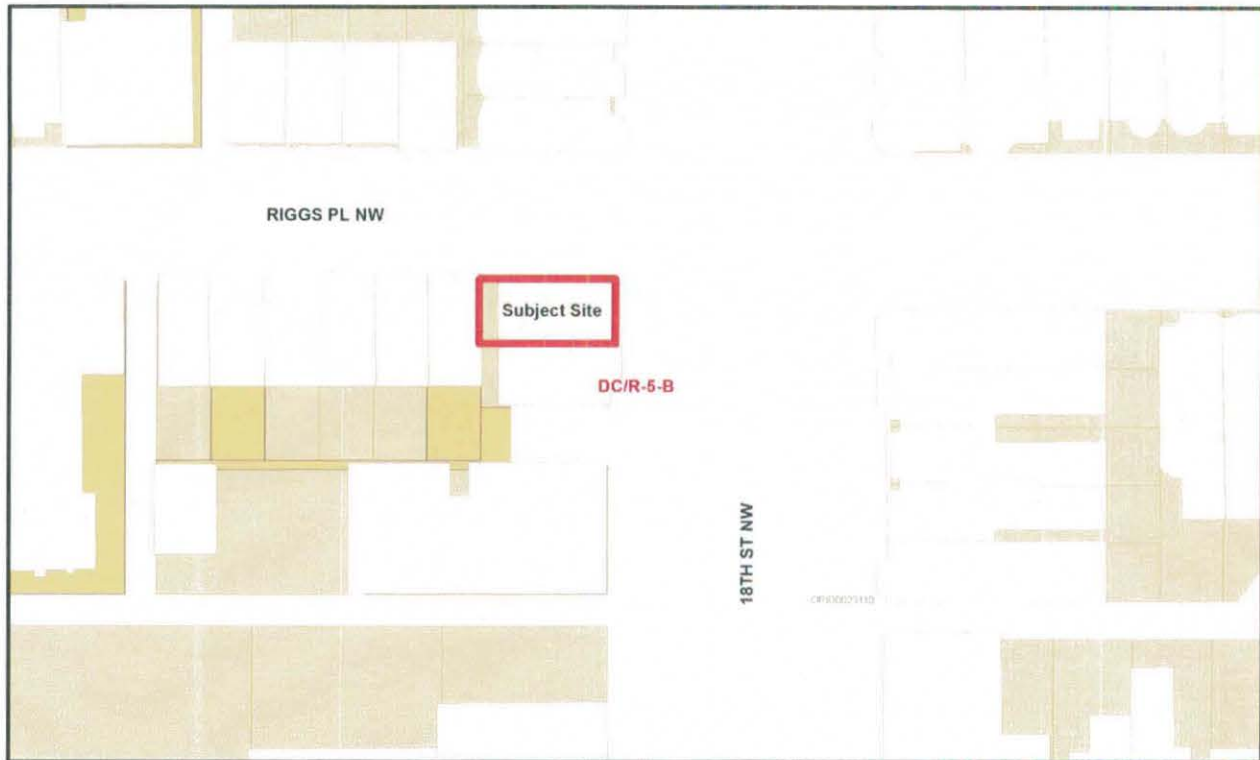
		BOARD OF ZONING ADJUSTMENT District of Columbia
Address	1726 18 th Street, NW	CASE NO. <u>18523</u>
Legal Description	Square 133, Lot 133	EXHIBIT NO. <u>25</u>
Ward and ANC	2, 2B	
Lot Characteristics	Rectangular Lot – 20' x 40.1'	
Zoning	DC / R-5-B – Apartment Residential with Dupont Circle Overlay	
Existing Development	Existing single family residence occupying the entire lot at ground level and nearly all the lot on upper levels	
Historic District	Dupont Circle Historic District	
Adjacent Properties	Residential rowhouses to the south and west.	
Surrounding Neighborhood Character	Residential uses nearby, including rowhouses and apartment buildings; Institutional, non-profit and retail about a block away to the south and north.	

III. APPLICATION IN BRIEF

The subject site is a rectangular lot facing 18th Street with its north side facing Riggs Place. At 802 square feet it is one of the smallest lots on this square or on adjacent squares. Please refer to



the vicinity map. It is developed with a rowhouse structure that is used as a single family residence. The ground floor occupies 100% of the lot. Upper floors occupy 84.8% of the lot with the remaining open space consisting of an open court on the western end of the property. The owner proposes a small addition on the second floor in order to expand a substandard bathroom, and small additions on the roof including a stair enclosure and a storage compartment.



IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

DC / R-5-B	Regulation	Existing	Proposed	Relief
Height (ft.) § 400	50 ft. max.	41'4"	No change	Conforming
Lot Area (sf)	n/a	802 sf	No change	n/a
Lot Width (ft.)	n/a	20 ft.	No change	n/a
Floor Area Ratio § 402	1.8	3.54 (2,842 sf)	3.59 (2,879 sf)	Requested
Lot Occupancy § 403	60% max. (481 sf)	100% - basement 84.8% - upper floors (680 sf)	100% - basement 86.8% - 2nd floor (696 sf)	Requested
Rear Yard (ft.) § 404	15 ft.	0 ft.	No change	Existing Nonconforming
Side Yard (ft.) § 405	None required	n/a	None	Conforming
Open Court Width (ft.) § 406	11.4' (4 in. / foot of ht.; 34'4" est. ht.)	6'	4' min.	Requested

DC / R-5-B	Regulation	Existing	Proposed	Relief
Additions to Nonconforming Structures § 2001.3	The addition: a) Shall conform to lot occ. b) Shall conform to structure requirements; shall not extend an existing nonconformity	Nonconforming lot occupancy, FAR and court	Increasing nonconformities for lot occupancy, FAR and court	Requested

V. ANALYSIS

In order to be granted a variance, the applicant must show that they meet the three part test described in §3103:

- 1. Does the property exhibit specific uniqueness with respect to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situations or conditions?**

The subject lot is exceptionally small. It is one of the smallest lots on the square or on surrounding squares. The existing building occupies all of the lot at the ground floor and almost all of the lot at upper stories.

- 2. Does the extraordinary or exceptional situation impose a practical difficulty which is unnecessarily burdensome to the applicant?**

The exceptional conditions combine to form a practical difficulty for the applicant. The applicant wishes to make minor additions to their house in order to use their rooftop and expand their bathroom. But the practical difficulty would be unnecessarily burdensome to the applicant by limiting even minor changes to the house. The 16 square foot addition on the second floor would allow a slight increase in the dimensions of the bathroom, in order to bring it up to a size that allows easier use. The 21 square foot storage structure on the roof would allow storage of a grill, chairs or other outdoor accoutrements. These small changes would allow greater use and enjoyment of the subject property.

- 3. Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?**

Granting the requested relief would not impair the public good or the intent of the Zoning Regulations. The increase in lot occupancy on the second floor would have no discernible impact on adjacent properties. The property to the west has no windows facing into the court, and the property to the south gets light from the south, away from the subject site. Similarly, the decrease in court width would not impact light or air to nearby properties. The extension of the bathroom would have no windows so could not impact the privacy of the building to the south. The increase in FAR is minor and does not appreciably increase the bulk of the structure. In discussions with OP, the applicant has stated that the new structures on the roof would have

almost no visibility from any point on the ground, and that similar rooftop decks are common in the area.

While the Regulations intend to guide building patterns in a given zone, the subject structure and surrounding structures pre-date the existing regulations; The proposed changes would not significantly change the existing built form or deviate from the established character of the neighborhood.

VI. HISTORIC PRESERVATION

The subject site is located in the Dupont Circle Historic District. HPRB approval will be required prior to applying for building permits.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

OP is not aware of comments from any other District agency.

VIII. COMMUNITY COMMENTS

As of this writing the Office of Planning has received no comments from the ANC or the community.