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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: April 23, 2013

SUBJECT: BZA Case 18545 - request for special exception relief under § 223 to construct an addition to an existing semi-detached dwelling at 650 C Street, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

- § 403.2, Lot Occupancy (40 percent permitted, 67.7 percent proposed); and
- § 404.1, Rear Yard (20 feet required, 5.8 feet proposed).

The existing lot is also nonconforming for lot area and lot width.

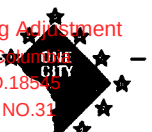
II. LOCATION AND SITE DESCRIPTION

Address	650 C Street, N.E.
Legal Description	Square 864, Lot 802
Ward	6
Lot Characteristics	Rectangular lot with no alley access
Zoning	R-4 – row houses, flats and conversions
Existing Development	Semi-detached dwelling, permitted in this zone.
Historic District	Capitol Hill
Adjacent Properties	Row houses and semi-detached dwellings
Surrounding Neighborhood Character	Moderate density residential

III. PROJECT DESCRIPTION IN BRIEF

BOARD OF ZONING ADJUSTMENT
District of Columbia

Applicant	Charles King	CASE NO. <u>18545</u>
Proposal	Construct two-story rear building addition	EXHIBIT NO. <u>31</u>
Relief Sought	§ 223 - Additions to One-Family Dwellings or Flats	



V. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40-foot max.	24.6 feet	No change	None required
Lot Width § 401	30-foot min.	20 feet	No change	None required ¹
Lot Area § 401	3,000 SF min.	1,600 SF	No change	None required ²
Floor Area Ratio § 401	None prescribed	--	--	None required
Lot Occupancy § 403	40% max. 70% by SE	61.1%	67.7%	Required
Rear Yard § 404	20-foot min.	10.8 feet	5.8 feet	Required
Side Yard § 405	8-foot min.	Min. 3.3 feet	3.3 feet	Required
Non-conforming structure § 2001.3 (b)	b)The addition or enlargement itself shall: (1)Conform to use and structure requirements; and	Semi-detached dwelling	Addition to semi-detached dwelling	Conforms to use Relief required for structure
	(2)Neither increase or extend any existing, nonconforming aspect of the structure; nor create any new nonconformity of structure and addition combined.	Nonconforming for rear yard, side yard and lot occupancy	Increase in lot occupancy, decrease rear yard	Relief required

The applicant proposes to construct a second-story over an existing one-story addition, and construct a two-story addition behind it not in conformance with the minimum rear yard requirement and the maximum lot occupancy permitted within the R-4. The building addition would conform to the minimum side yard requirement; however, a portion of the side yard of the existing structure does not conform.

VI. OP ANALYSIS

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

¹ The lot width is existing with no changes proposed.

² The lot area is existing with no changes proposed.

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.

223.2 The addition or accessory structure shall not have a substantially adverse effect 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 proposed building addition would provide a reduced rear yard of almost six feet for the subject property where it abuts the side yard of the adjoining lot to the north. Although slightly less than the minimum that would otherwise be required were this the side yard of the subject property, it is sufficiently wide such that light and air should not be unduly affected.

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

The proposed addition would be in conformance with the required side yards. Although the rear yard would be reduced, no windows would be provided on the north side of the building, and the rear lot line adjoins the side lot of the property to the north. No side yard is provided on the lot to the north, and that building has no windows or other openings facing the rear yard of the subject property. Therefore, privacy of use and enjoyment of neighboring properties would not be unduly compromised.

- (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 would not be visible from a street, alley or other public way.

- (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.*

Plans, photographs and elevation drawings were submitted as a part of the application.

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 is 67.7 percent, less than the maximum 70 percent permitted in the R-4.

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.

The Office of Planning 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.

The subject application would not result in the introduction or expansion of a nonconforming use.

VII. AGENCY COMMENTS

No comments were received from other District agencies.

VIII. COMMUNITY COMMENTS

Seven community members submitted letters to the file in support of the application, including the adjoining property owners to the north, east and west.

ANC6C, at its regularly scheduled meeting of April 10, 2013, voted to support the application.

Attachment: Location Map

