



2013 MAY 14 PM 3:20

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Cochran, Case Manager
Joel Lawson, Associate Director Development Review
DATE: May 14, 2013

SUBJECT: BZA Case 18561 - request for special exception relief under § 223 to construct an addition to an existing detached dwelling at 6208 31st St., N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends the Board approve the following expedited relief requests for the subject property in the R-1-B zone, under the provisions of § 223:

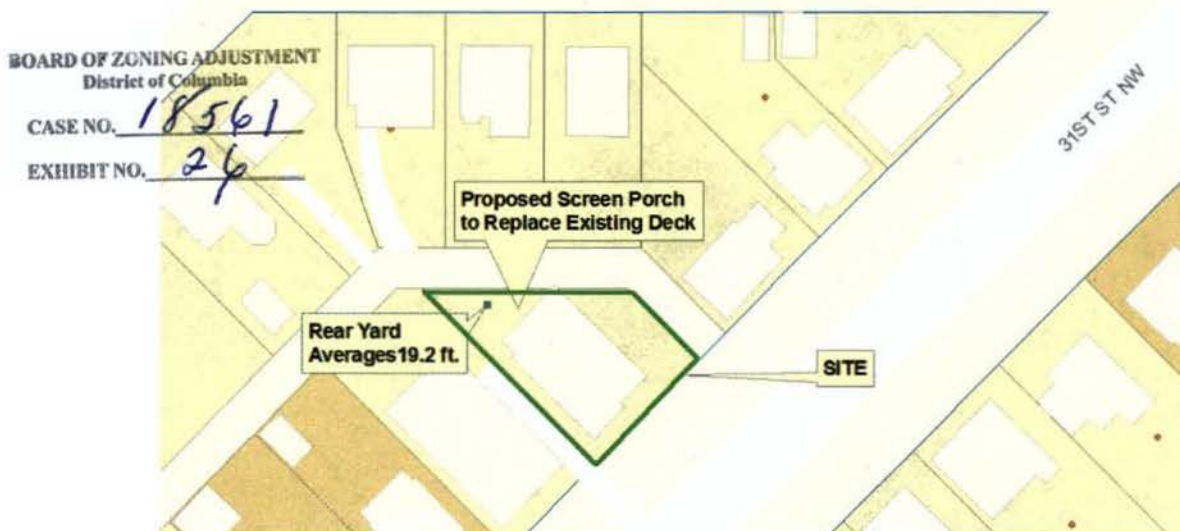
- § 404.1, Rear Yard (25 feet, on average, required, 19.2 feet, on average, proposed);
- § 2001.3 (b) (1) and (2) (addition has same degree of rear yard non-conformity as existing deck).

The property is also non-conforming for lot size (5,000 SF required by § 401.3; 4,366 SF provided).

II. LOCATION AND SITE DESCRIPTION

Address: 6208 31 st St. NW	Legal Description: Sq. 2333, Lot 62	Ward: 3	ANC: 3G
Historic District: none	Zoning: R-1-B – single family detached, low density		
Lot Characteristics	Irregular lot; alley access; slope downward from front to back		
Existing Development	Detached two-story dwelling with rear deck and stair to back yard.		
Adjacent Properties: detached dwellings		Neighborhood Character: Low-density residential (Barnaby Woods)	

TENNYSON ST NW



III. PROJECT DESCRIPTION

Applicant	Drey Samuelson and Lisa Herrick, owners & residents of property
Proposal	Convert existing rear deck in to screen porch; change exterior stair to yard
Relief Sought	§ 223 - Additions to One-Family Dwellings or Flats; § 404.1 non-conforming rear yard

V. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed	Relief
Height § 400	40-foot max.	26 feet	No change	None required
Lot Width § 401	50-foot min.	60 feet	No change	None required
Lot Area § 401	5,000 SF	4366 SF	No change	Existing Non-Conformity
Floor Area Ratio § 402	None prescribed	--	--	None required
Lot Occupancy § 403	40% max.; 70% by SE	38%	38.2%	Required
Rear Yard § 404	25-foot min.	19.2' ave.	19.2' average	Required
Side Yard § 405	8-foot min.	Min. 8-ft.	No change	None Required
Non-conforming structure § 2001.3 (b)	b)The addition or enlargement itself shall: (1)Conform to use and structure requirements; and	Detached dwelling with rear deck	Addition to detached dwelling. Reconstruction & enclosure of deck; reconfiguration of landing and stairs.	Conforms to use, but 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.	Non-conforming for rear yard	Extension of existing non-conformity	Relief required

The applicant proposes to construct a screen porch on top of its existing rear deck's structure. The applicant states that, to comply with the building code, it would be necessary to re-configure the landing and stairs from the deck/porch to the back yard. This would increase the lot occupancy from 38% to a still-conforming 38.2%. However, that increase would extend the existing non-conformity with § 404's minimum rear yard depth requirements, as averaged for an irregularly bounded rear lot line.

VI. OP ANALYSIS

§ 223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS

- 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 addition is adjacent to a 15 foot –wide alley on two sides and a driveway adjacent to a neighboring rear yard on the third side. The proposed enclosed screened porch and land is not likely to unduly affect the light and air available to neighboring properties.

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

The privacy of use and enjoyment of neighboring properties would not be unduly compromised. The proposed porch would be at the same elevation and occupy essentially the same area of the existing deck, and would be separated from neighboring properties by the alley and adjacent driveway.

(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. While it would be visible from a public alley, it would not likely intrude on the neighborhood's visual character in any substantial 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 38.2 percent, less than the 50 percent permitted in the 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.*

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:

The District Department of Transportation filed a letter of no objection. No comments were received from other District agencies.

VIII. COMMUNITY COMMENTS

ANC 3G voted on April 8, 2013 to recommend approval of the application. Two neighbors, including the owner of the southwest-adjacent property, had filed letters in support of the project as of May 6, 2013.