

Project Manager: Steve Cochran

BZA Case No.: 18573, 4663 Greenwich Pkwy, NW Square 1350, Lot 80

ANC: 3D

Zone: R-3

Hearing Date: 06/25/13

OP Likely Recommendation: Deny if Use Variance;

Work With Applicant to Make into Special Exception & Recommend Approval



Proposal: Rent basement unit in rowhouse as an ADU

Requested Relief: Use Variance

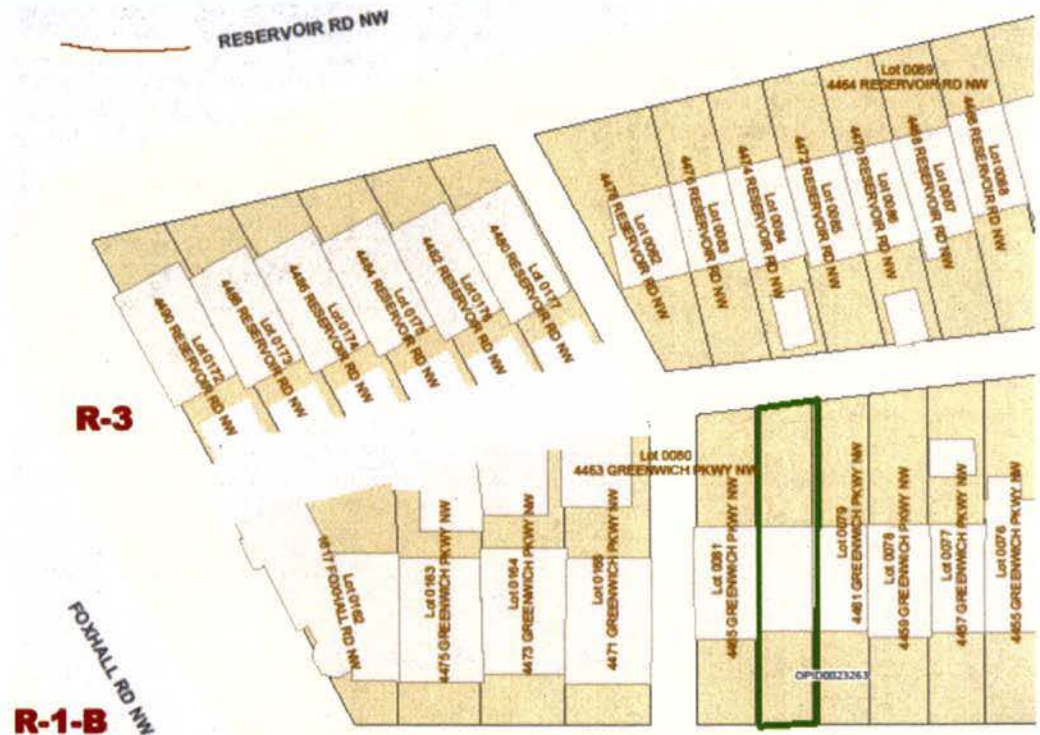
Issues:

- Generally inadequate application. No attorney or architect representation. Very basic information lacking.
- No demonstration of exceptional circumstances resulting in hardship to owner if relief not granted.
- Granting harm not likely to harm neighborhood, but may substantially harm zoning regulations.

Unless ADU size decreased, needs too much relief needed for Sec. 202.10 special exception criteria.

- Lot size deviation >50%
- Lot width relief (20' req.; 18' 6" existing)
- ADU occupies > 30% of GFA (25% max. permitted)

3 areas of relief needed. No more than 2 permitted as Special Exception.



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Board of Zoning Adjustment
District of Columbia
CASE NO. 18573
EXHIBIT NO. 27

BZA Case No.: 18573, 4663 Greenwich Pkwy. NW ADU Use Variance Request in R-3

Use Variance Test	Applicant Statement	OP Analysis
Exceptional Circumstances	Applicant has experienced a reduction in income and faces challenges in meeting mortgage payments.	- No information presented. Exceptional circumstances not demonstrated
Hardship	Absent the requested relief, the applicant would not be able to achieve additional rental income from the ADU to help pay the mortgage.	- No other information provided. Hardship not demonstrated.
No Substantial Harm to the Public Good	Only one person would be added to a house now occupied by only one person, not appreciably increasing noise, traffic, etc. The ADU tenant would have off-street parking accessed from the rear alley - The basement has been renovated and meets all codes and has separate front and rear entrances.	- Applicant statement likely correct. - Not illustrated, but achievable. - Essentially an ex post facto request for forgiveness
No Substantial Harm to Zoning Regulations	Addition of one person (i.e., one unit) would not be harmful to general purpose of the neighborhood zone or the neighborhood generally.	- R-3 zone intended to be single family zone. ADUs permitted as special exception, but only with restrictions intended to ensure congruence with low-density area: e.g. lot dimension, lot size, % of house devoted to ADU. - Does not now meet criteria for special exception, but could if only 25% of house.

BZA Case No.: 18573, 4663 Greenwich Pkwy. NW ADU, Special Exception Scenario

SE (Sec. 202.10)	Criteria	OP Analysis
Lot Size (a) (3)	4,000 SF required in R-3 1,848 SF provided	NO. 1,752 sf deviation greater than the 2% waiver permitted the ZA
House Size (b)	At least 2,000 sf, exclusive of garage, required SF not provided	TBD
ADU Size (c)	≤ 25% of house's GFA Neither SF nor % provided	TBD. Appears to exceed 25%; perhaps some could become storage or utilities area for overall house.
Internal only (d)	Yes, internal	OK
Entrance (e)	An additional entrance may not face street	OK. Entrance facing street already exists; is not <u>additional</u>
Owner-occupied (f)	House or ADU must be owner occupied	OK
Aggregate # Occupants (g)	No more than six between principal residence and ADU	OK. 1 in principal residence 1 in ADU
Home occupation (h)	No ADU if home occupation already on site	TBD
Waiver of Criteria (i)	BZA may waive no more than 2 of criteria	TBD
(i) (1)	Owner-occupancy not waive-able	OK
(i) (2)	Modification shall not conflict with single-family intent of R-3 zone	OK
Waiver of Criteria (i) (3)	Modification requiring more than 2 waivers must be a use variance	TBD