



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Project Manager
Joel Lawson, Associate Director Development Review
DATE: July 2, 2013
SUBJECT: BZA 18580 – Variance relief to allow an addition to a single family row dwelling at 331 L Street, NE

I. OFFICE OF PLANNING RECOMMENDATION

The Applicant has requested, pursuant to 11 DCMR § 3103.2, area variance from the following provision:

- §404.1, Rear Yard (20 feet required, 0 feet proposed) and
- § 403.2, Lot Occupancy (60% required, 70% by special exception, 83% existing and proposed)

Upon review of the submission, the following variance appears to be also necessary; but was not requested.

- § 2001.3, Nonconforming Structure Does not comply with lot occupancy (83%).

The Office of Planning (OP) notes that the lot is non-conforming to lot area and lot width. OP recommends **approval** of the variances for the lot occupancy, rear yard and the addition to a non-conforming structure to allow the small addition.

II. LOCATION AND SITE DESCRIPTION

BOARD OF ZONING ADJUSTMENT
District of Columbia

Address	331 L Street, NE	CASE NO. <u>18580</u>
Legal Description	Square 774 , Lot 805	EXHIBIT NO. <u>26</u>
Ward/ANC	6/6C	
Lot Characteristics	A backward “L” shaped lot that has an area of 592 square feet. The lot is 13.17 feet wide along the L Street frontage and extends 39.92 feet before a 3-foot wide portion of the property extends 13.17 feet west, towards a 10-foot wide alley.	
Zoning	R-4 – designed to include areas now developed primarily with row dwellings, (2) or more families and semi-detached single family dwellings.	
Existing Development	Single family row dwelling, permitted in this zone. The property is improved with a two-story, single family row dwelling.	



Historic District	n/a
Adjacent Properties	The property is bounded on all sides by single family row dwellings. The lots immediately east and west of the site are of the same approximate size (600 square feet). The lots to the south and east of the alley are much larger (approximately 1,000 square feet)
Surrounding Neighborhood Character	The lots surrounding the property are developed with single family row dwellings. Two blocks east are commercial and residential apartments in the C-2-B zone along 3 rd Street, NE.

III. SITE LOCATION



IV. PROPOSAL

Currently, the property is developed with a one-bedroom, single-family rowhouse with two stories in front and one story to the rear for a total of 810 square feet in size. The property was developed prior to 1958 and prior to the current zoning regulations. According to the application, the addition to the existing structures would provide an additional bedroom (150 square feet) and make the house more functional.

The applicant requested variances from the rear yard and lot occupancy regulations. However, the applicant is expanding a non-conforming structure that does not meet the lot occupancy requirement, and therefore relief from § 2001.3 is required.

V. ZONING REQUIREMENTS and REQUESTED RELIEF

The following table summarizes zoning requirements for the project and the relief requested.

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max.	18.58 ft	18.58 ft.	None required
Lot Width § 401	18 ft. min.	13.17 ft.	13.17 ft.	Existing Nonconformity
Lot Area § 401	1,800 sf. min.	591 sf.	591 sf.	Existing Nonconformity
Lot Occupancy § 403	60% max.	83%	83%	Required
Rear Yard § 404	20 ft. min.	6.05 ft.	6.05 ft.	Required
Side Yard	0 ft.	0 ft.	0 ft.	None Required
Addition to a Non-conforming Structure	Comply with % of lot occupancy	Does not comply (83%)	Does not comply (83%)	Required

VI. OFFICE OF PLANNING ANALYSIS

The application needs variance relief from; § 403, Lot Occupancy; § 404, Rear Yard; and § 2001, Nonconforming Structures. The standard by which the BZA should approve a variance is set forth in Section 3103.2 of the Zoning Regulations. The following demonstrates how these standards are met:

The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;

The applicant states that the subject property is unique due to an exceptional situation as the property was constructed prior to the institution of the current Zoning Regulations in 1958.

By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property.

To meet the current Regulations would mean reducing the size of the building which would require demolition and would make a small house even smaller. Therefore, it is a practical difficulty to the applicant to meet the required lot occupancy and rear yard which would continue to make it a non-conforming structure.

The lot size of 591 square feet and a building area of 810 square feet are small for a rowhouse. The existing lot occupancy is 83% which exceeds the 60% maximum in the R-4 zone (70% under § 223). The addition would retain the 83% lot occupancy. The applicant made an effort to reduce the size of the addition to make it more compliant with the lot occupancy and rear yard requirements and reduce the degree of the relief requested. However, because the existing building is small, the reduction would have made an inhabitable room and thus making it a practical difficulty for the applicant to meet the requirements.

The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

The proposed addition would not exceed the height of the existing building and would be similar in height to the adjacent buildings. The addition would not extend further into the rear yard than the existing structure and would not be viewed from the L Street or the alley. As a result, it would not likely have an impact on adjacent or nearby properties, and would not cause substantial detriment to the public good. The granting of the relief would not impair the intent, purpose and integrity of the zone plan and zoning regulations, as the property would continue to be used as a single family residence and would not result in building that is out of character with the surrounding residences.

VII. COMMUNITY COMMENTS

Advisory Neighborhood Commission (ANC) 6C reviewed the proposal on June 6, 2013 and recommended approval of the requested variances.