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District of Columbia
Office of Planning



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: V Brandice Elliott, Case Manager
Joel Lawson, Associate Director Development Review
DATE: June 18, 2013

SUBJECT: BZA Case 18586 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing detached dwelling at 4351 Klinge Street, N.W

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 405 9 (8 feet required, 3.85 feet proposed), and
- § 1543 4 (20 feet required, 13 feet proposed)

While the applicant has not requested relief for § 2001.3, Nonconforming Structures, the Office of Planning believes that this additional relief is necessary. The Zoning Administrator determined in an e-mail dated May 24, 2013, that relief for extending a nonconforming front setback under § 2001 3 would be required, but would be eligible for § 223 relief

II. LOCATION AND SITE DESCRIPTION:

Address	4351 Klinge Street, N W.
Legal Description	Square 1625, Lot 802
Ward	3, 3D
Lot Characteristics	The rectangular property is 6,750 square feet in area, with a frontage of 50 feet on Klinge Street The lot is accessible from a 15 foot wide public alley located along the north property line
Zoning	R-1-B/Wesley Heights Overlay – detached single family dwellings
Existing Development	Detached single family dwelling, permitted in this zone
Historic District	N/A
Adjacent Properties	Predominantly detached single family residences.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

EXHIBIT NO.

18586
32



III. PROJECT DESCRIPTION IN BRIEF

Applicant	Mary G. McGrath
Proposal.	The applicant proposes to construct a two story rear addition to an existing two story detached single family dwelling as well as a one story screened porch along the front of the dwelling. The rear addition would have a footprint area of 444 08 square feet, while the front porch would have a footprint area of 310.80 square feet.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-1-B/WH Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max	21 ft	40 ft	None required
Lot Width (ft.) § 401	50 ft. min	50 ft	50 ft.	None required
Lot Area (sq ft.) § 401	5000 sq.ft. min	6,750 sq ft	6,750 sq ft	None required
Floor Area Ratio § 401	None prescribed			None required
Lot Occupancy § 403	30 % max.	24 66 %	29 92 %	None required
Rear Yard (ft.) § 404	25 ft min	75 ft	67.25 ft.	None required
Side Yard (ft.) § 405	8 ft. min	3 85 ft	3 85 ft.	Required
Front Yard (ft) § 1543	20 ft min	13 ft.	13 ft	Required

V. OP ANALYSIS:

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

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*

Detached single family dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of § 405, Side Yard and § 1543, Front Yard.

223 2 *The addition or accessory structure shall not have a substantially adverse affect 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 applicant proposes to construct a two story addition to the rear of the existing dwelling, which would extend an existing 3.85 foot wide side yard along the west property line, where a side yard of eight feet is required. In addition, the existing front porch would be expanded,

¹ Information provided by applicant

creating a uniform setback of 13 feet from the front property line, where a setback of 20 feet is required by the Wesley Heights Overlay District. The Zoning Administrator has determined that relief from the front setback is eligible for § 223 relief, consistent with the Board decision for BZA case 17686, which permitted the extension of a nonconforming front setback under section 2001.3

The property located immediately west of the subject lot has been constructed 49 feet from the shared side property line. In addition, the view of the addition from the neighboring property would be obscured by an existing fence and an existing garage on that property. The neighbor has submitted a letter to the file indicating that they are supportive of the homeowner's request for relief, as it will not create any objectionable or adverse conditions to their property.

The proposed single story screened porch would encroach seven feet into the required 20 foot front setback. Existing landscaping and trees would screen the addition from the street, minimizing its impact on adjacent properties. The light and air available to neighboring properties should not be unduly affected.

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

The proposed rear addition would comply with setback requirements, with the exception of the west side yard, where the existing setback of 3.85 feet would be extended. The dwelling on the property located west of the subject lot has been constructed 49 feet from the shared property line, ensuring sufficient distance between the two dwellings. Further, the existing fence would screen the proposed addition.

The proposed screen porch in the front yard would expand the 13 foot front setback across the entire front of the dwelling. The screened porch would be one story, made visually transparent by the screens on the front and side of the porch. The front yard is lushly landscaped with mature vegetation, effectively screening the addition from the street. The elevation of the property is higher than sidewalk grade, removing the addition from eye level and screening it further from the street. Therefore, the privacy of use and enjoyment of neighboring properties should 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 rear addition would not be visible from the street. The fence located along the west property line, in conjunction with the neighboring 1.5 story garage, would further screen the addition from public ways.

The proposed screened front porch would maintain the existing 13 foot front setback and would be screened by the existing mature landscaping in the front yard. The applicant notes that the proposed expansion of the 13 foot front setback is not out of character for the neighborhood, as many of the homes in the Wesley Heights Overlay District, particularly along New Mexico Avenue, have reduced setbacks. In addition, there are several homes along Klinge Street that have front setbacks of less than ten feet. It is not anticipated that the proposed additions would substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.

- (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

The applicant has provided drawings, including site plan and elevations, and photographs, which sufficiently represent the relationship of the proposed addition to adjacent buildings and views from public ways.

- 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 29.92 percent, which is less than the maximum of 30 percent permitted within the R-1-B/WH district without a special exception.

- 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 has no recommendations for special treatments for this application.

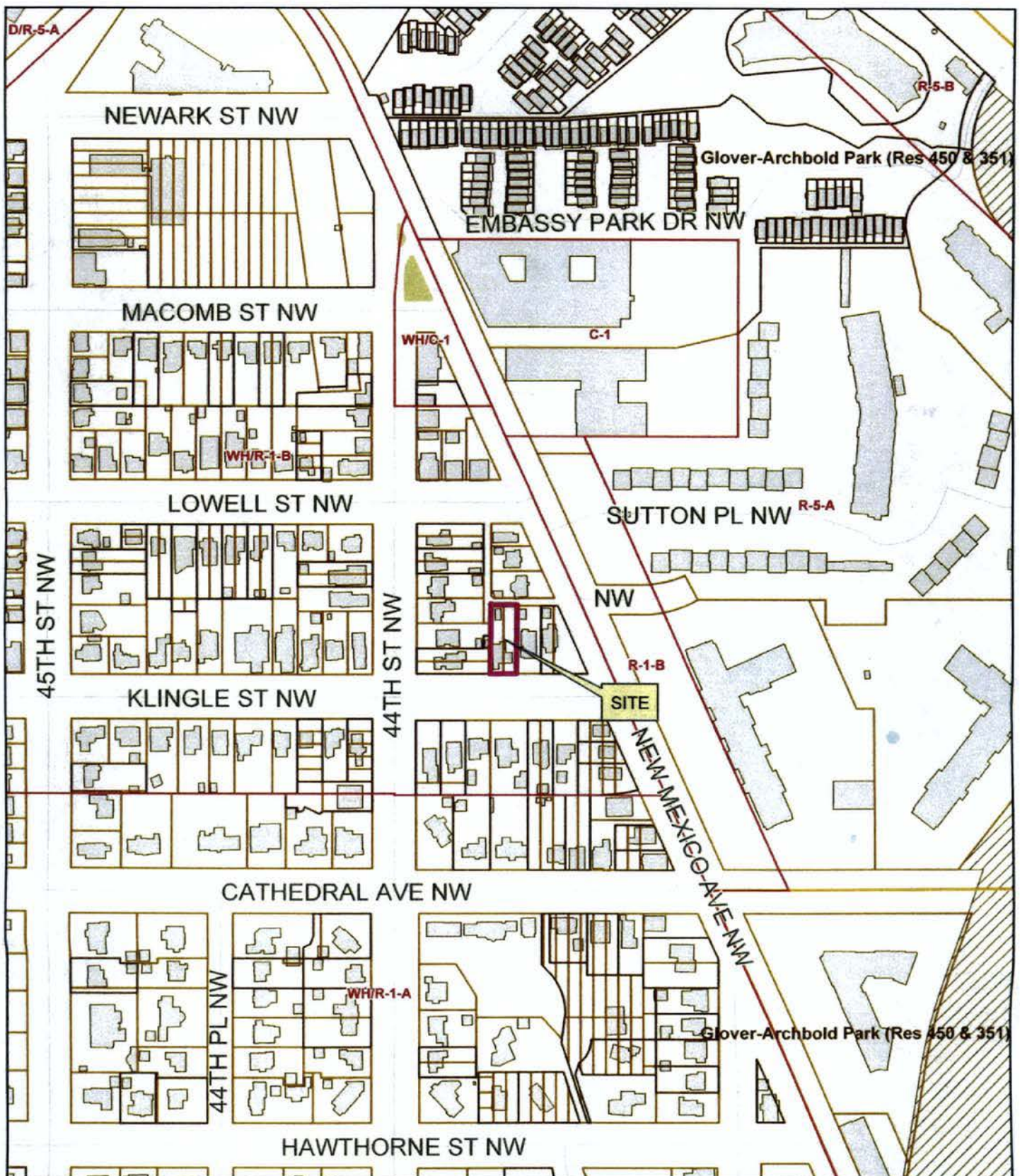
- 223 5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception*

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

VI. COMMUNITY COMMENTS

Advisory Neighborhood Commission 3D voted to recommend approval of the proposed addition at its regularly held meeting on June 5, 2013. In addition, a strong letter of support has been provided from the neighbor located immediately west of the subject property.

Attachment: Location Map



BZA Case 18586 - 4351 Klinge Street, N.W.

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

