

Owner/Applicant

Daniel McKay & Caroline Rozeira de Mariz
1315 T St NW, Unit 2
Washington, DC 20009
(202) 489-3839
danielmckayusa@gmail.com

RECEIVED
D.C. OFFICE OF ZONING
2013 JUL 23 PM 3:09

Agent

Will Teass, AIA
Tektonics Architecture
515 M St SE, Suite 116, Washington DC 20003
(202) 683-6260
will@tektonics.com

Statement of Existing / Intended Use

The property located at 1351 T St NW is currently owned by Daniel McKay & Caroline Rozeira de Mariz and is used as an owner-occupied two-family flat row house residence. The property appears to lack a certificate of occupancy for a two-family flat, and the Owner is filing a building permit application with DCRA for a two-family flat conversion concurrent with this application. Two-family flats are permitted as a matter of right in the R-4 zone.

The intended use shall remain as a two-family flat row house. The owner is seeking zoning relief to construct a partial third floor addition, located at the rear (north property line) of the site and abutting a public alley, and a roof deck over a portion of the new third floor addition.

Summary of Variances

In order to accommodate a third floor addition, the Owner / Applicant seeks a special exception as set forth in Section 223 (Zoning Relief for Additions to One-Family Dwellings or Flats (R-1) and for New or Enlarged Accessory Structures. As per Section 223, the Board of Zoning Adjustment is authorized to grant a special exception from Section 2001.3 related to the issue of maximum lot occupancy. In addition, the Owner / Applicant seeks a variance from the open court width as set forth in Section 406, and a special exception from the Roof Deck setback 411.11 / 400.7.

- Proposed lot occupancy of 70%. The maximum lot coverage, as set forth in Section 403, for a row house in an R-4 district is 60%. The proposed lot occupancy, including the existing structure, non-complying courts, third floor addition and reconfigured deck is 70%. A special exception of 10% is required.
- Proposed non-complying open court. The minimum open court dimension, as set forth in Section 406, for a two-family flat is 10'. The existing structure forms a non-complying court that measures between 3.7' at its narrowest point. The third floor addition and roof deck design aligns the east wall of the proposed addition with the structure below and extends the non-conforming open court. A variance of 6.3' is required.
- Proposed non-complying roof structure. Housing for roof stair structures are required to be setback from the exterior walls a distance equal to the height. The proposed structure is aligned to the west property line in order to stack the new stair over the proposed stairs. A variance of 11.7' is required.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18637
EXHIBIT NO. 4
Board of Zoning Adjustment
District of Columbia
CASE NO. 18637
EXHIBIT NO. 4

Background

The property is located at 1351 T St NW, Lot 8 of Square 137. It is currently zoned R-4, and is within ANC 1B. It is located in the Greater U Street Historic District. The lot measures 18.0' wide by 100' deep, and is 1,800 square feet. A 10' public alley borders the north edge of the property and T Street NW, a 90' public right of way borders the south edge. The east lot line borders Lot 7 (1313 T Street NW). The adjacent property has been improved with a single-family row house, and the rear portion of the lot is used for parking. The west lot line borders Lot 9 (1317 T Street NW). The adjacent property has been improved with a single-family row house, and the rear portion of the lot is used for parking.

The Applicant seeks to remove an existing third floor addition and construct a third floor addition over the existing two-story portion. The dimensions of the proposed addition are 13.6' wide x 32.1' deep, for a total lot area of 437 sf / 21%. The height of the proposed addition is approximately 13.0'. The dimensions of the roof deck are 19.2' x 13.4'. The area of the roof deck and associated stair structure is 330 sf, approximately 31% of the total roof area.

Historically, the property has been used as a two-family flat. The Owner purchased the property in September 2011 with the ground floor in use as a separate rental unit. The Owner is taking the necessary steps to bring the current use into conformance with the zoning code, and has filed a building permit application with DCRA. The applicant also proposes to enlarge the existing cellar and create new window well openings. The new openings have been designed in consultation with the Historic Preservation office.

Lot Occupancy

The existing structure, including deck and stairs, as well as the non-complying open court, has a lot occupancy of 76%. The applicant proposes to remove the existing non-conforming deck and replace with a new spiral stair that leads from the ground to the new roof deck located over the proposed addition. The Applicant is requesting a special exception to increase the lot occupancy by 10%, to a total lot occupancy of 70%.

Open Court

The existing open court is 3.7' at its narrowest point. The zoning required minimum for an open court is 10' (for a two-family flat) as per Section 406. The proposed third floor addition will align with the edge of the building below. It is not technically feasible to enlarge the existing court. Also, the third floor addition could only be 8' wide if the open court standard were applied, which is not practical width. Therefore the Applicant is requesting a variance of 6.3'

Roof Structure Setback

The proposed roof deck will be accessed by a new roof stair and enclosing structure setback from the north and south roof edges by 19.8' and 25.9' respectively. Due to the narrowness of the lot, and the practicality of stacking the proposed stairs over the new stairs, the Applicant seeks relief from setback requirements of Section 400.7 of 0' from the west property line. The height of the proposed roof stair structure is 11.7' above the roof, therefore the Applicant is requesting a variance of 11.7'.

Conclusion

The burden of proof for special exception is two-fold, and the Applicant must demonstrate the following:

1. How the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map

The R-4 zone permits two-family flat development; therefore the Applicant's request is consistent with Zoning Regulations and surrounding properties.

2. How allowing the use will not adversely affect the use of the neighboring property – ie. traffic, noise, lighting, etc.

The existing use of property as a two family row house with one parking spaces will remain unchanged. No additional traffic or noise will be generated as a result of granting this special exception. The design and massing of the addition has been carefully considered to minimize the impact of natural light onto the adjacent properties.

Additionally, special exceptions granted under section 223 are required to meet the following criteria:

1. Not unduly affect light and air available to neighboring properties

As our shadow studies show, the addition on the Applicant's property will have minimal impact on light and air for the adjacent properties. The property across the alley will not be affected.

2. Not compromise the privacy of use and enjoyment of neighboring properties

Adjacent properties will enjoy the same degree of use and privacy as they currently have now. The Applicant has made a good faith effort to contact adjacent property owners and review the specifics of the project. The property to west (1317 T Street NW) is a rental apartment house and the Owner does not live in the area. The property to the east (1313 T Street NW) is a single-family residence, and the Owner has reviewed the application with them in person. In addition, the Applicant has contacted the neighbors across the alley (1314 Wallach St NW / 1316 Wallach St NW), who are most directly affected by the addition, and has obtained letters of support which are included in the application.

3. Not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage

The proposed addition is located on a public alley; therefore there will be no impact on the subject street frontage. The neighbor to the west has a similarly scaled building mass to the proposed design.