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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Project Manager
Joel Lawson, Associate Director Development Review
DATE: October 15, 2013

SUBJECT: BZA Case 18658 - Request for special exception relief under § 223 to construct an addition to an existing semi-detached dwelling at 1421 Swann Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

Kenneth Scott Davies and Edel Quinones proposes special exception review pursuant to § 223 and § 403.2 and § 2001.3, lot occupancy to allow a 2-story addition to the existing rowhouse at 1421 Swann Street, N.W.

The Office of Planning (OP) recommends **approval** of the following:

- § 403.2 and § 2001.3, Lot Occupancy (40 percent by-right, 70% by Special Exception, 69.99% proposed)

The existing lot is also nonconforming for lot area and lot width.

II. LOCATION AND SITE DESCRIPTION

Address	1421 Swann Street, N.W.
Legal Description	Square 206, Lot 115
Ward	2
Lot Characteristics	Rectangular lot adjacent to a 9.33-foot wide alley.
Zoning	R-4 – rowhouses, flats and conversions
Existing Development	Rowhouse dwelling, permitted in this zone.
Historic District	Greater U Street Historic District
Adjacent Properties	To the east and west and north, 2-story rowhouses; and to the south 3-story rowhouses.
Surrounding Neighborhood Character	2-story rowhouses and 3-story garden apartments.

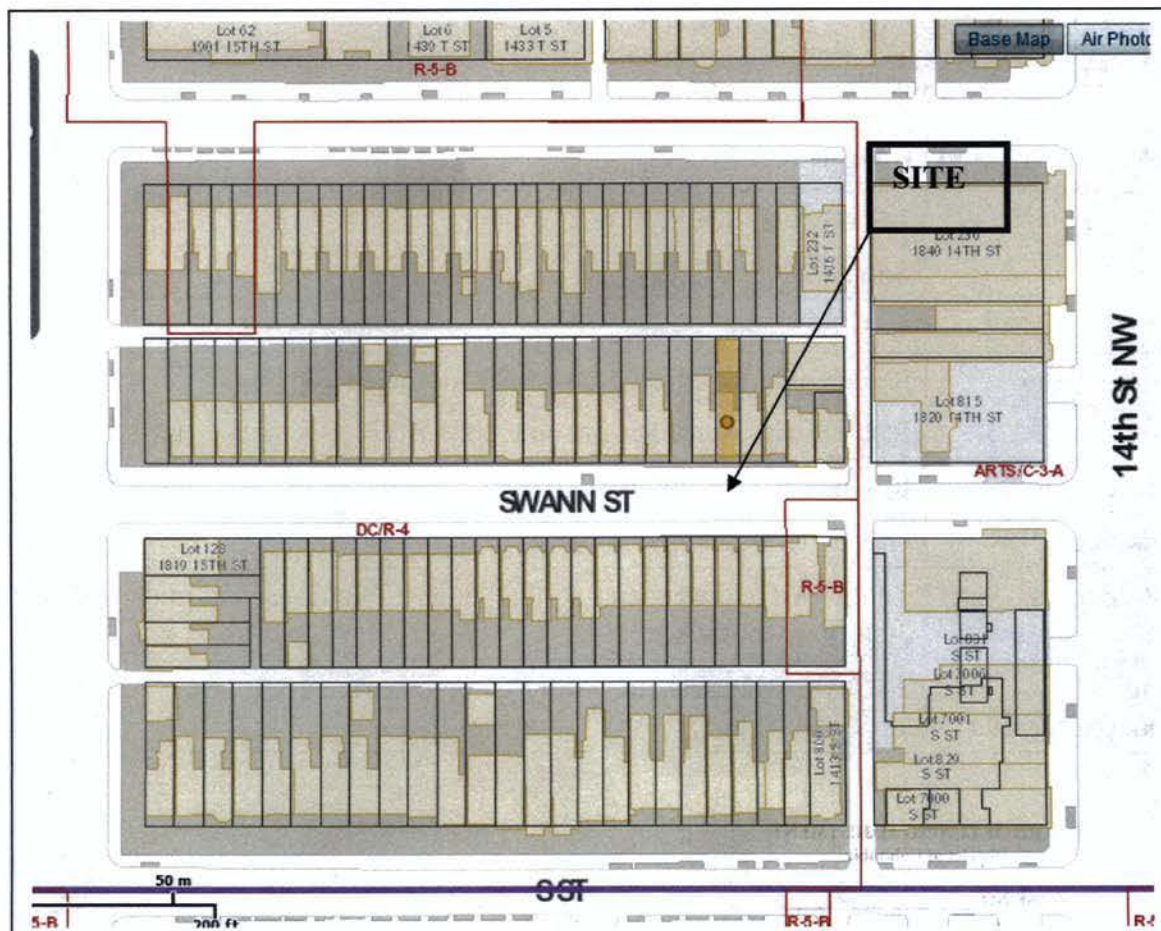
BOARD OF ZONING ADJUSTMENT
District of Columbia

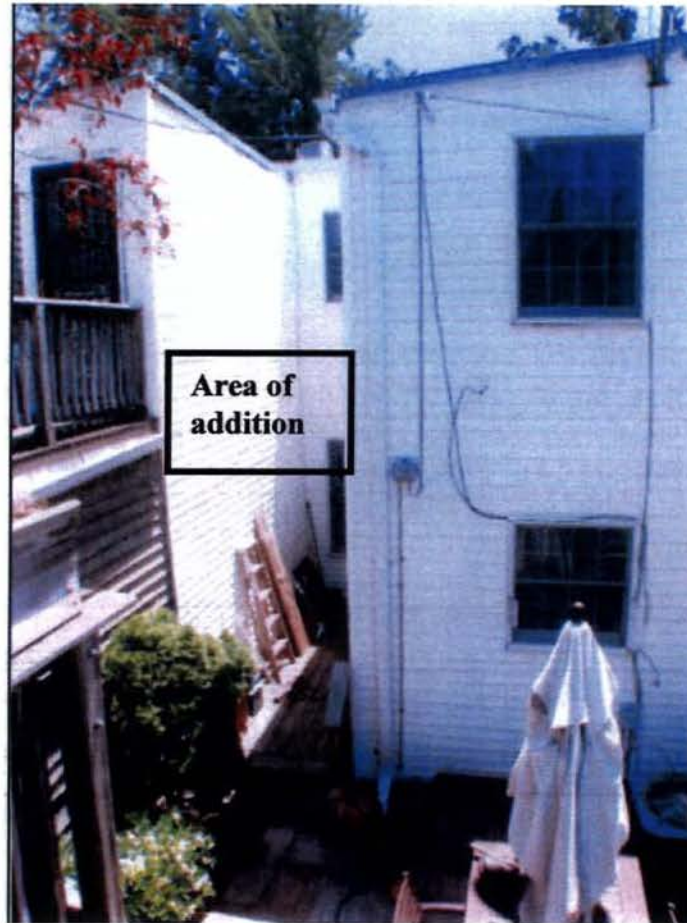
CASE NO. 18658

EXHIBIT NO. 29

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III. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40-foot max.	<40 feet	No change	Non Required
Lot Width § 401	18-foot min.	16.26 feet	No change	Existing Non-conformity
Lot Area § 401	1,800 sq. ft. min.	1,464 sq. ft.	No change	Existing Non-conformity
Lot Occupancy § 403	60% max. 70% max. by SE	69.17%	69.9%	Required
Rear Yard § 404	20-foot min.	37 feet	37 feet	None Required
Non-conforming structure § 2001.3 (b)	b)The addition or enlargement itself shall: (1)Conform to use and structure requirements; and	Attached single family dwelling	Addition to attached, single family dwelling	None Required

	(2)Neither increase or extend any existing, nonconforming aspect of the structure, nor create any new nonconformity of structure and addition combined	Nonconforming for lot width, lot area and lot occupancy	Increase in lot occupancy.	Relief Required
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The subject property is currently developed with a 2-story, single-family row house and a 1-story, carport/deck. The property is currently nonconforming to lot area, low width and lot occupancy. The application proposes a 2-story addition on the northeast corner of the house which would fill in an existing open court (5.08' x 13 16'). Portions of the carport/deck would also be demolished. The existing lot occupancy is at 69.17%. With the demolition of portions of the carport/deck and the infill of the court area, the lot occupancy increases to 69.99%.

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.

The addition is to a one-family dwelling that does not comply with §§ 403 and 2001.3

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 would fill in an existing court area which abuts the neighboring property which has a party wall that has no windows. Therefore, neither the light nor air to the abutting property would be affected by the addition.

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

The neighboring house extends beyond the area of the proposed addition and therefore even with windows on the north side of the addition there would be no direct views or sightlines into the neighboring house.

(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 Swann Street, but would be visible from the rear alley. The addition would be of similar materials to the existing house and would not be intrusive in scale or character on the houses along the alley.

- (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 69.9% lot occupancy is less than the maximum 70% percent permitted in the R-4 district under this section.

- 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 property is utilized as a single-family residence and the application would not result in the introduction or expansion of a nonconforming use.

VI. AGENCY COMMENTS

No comments were received from other District agencies.

VII. COMMUNITY COMMENTS

The subject property is within ANC-2B. At its regularly scheduled meeting of October 9, 2013, the ANC voted to support the application.