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District of Columbia
Office of Planning



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM:  Elisa Vitale, AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: February 25, 2014

SUBJECT: BZA Case 18717 – request for special exception relief under § 223 to construct a deck addition to an existing row dwelling at 3416 13th Street, NW.

I. OFFICE OF PLANNING RECOMMENDATION

With regards to this proposal to add a rear deck addition to an existing row dwelling, the Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 404, Rear Yard (20 feet required, 13 3 feet provided; and 5.5 feet proposed), and
- § 406, Courts (6 feet required, 2.6 feet proposed).

OP notes that the property is nonconforming with respect to lot area and lot width

II. LOCATION AND SITE DESCRIPTION

Address.	3416 13 th Street, NW
Legal Description	Square 2838, Lot 0027
Ward/ANC.	1/1A
Lot Characteristics	Irregularly shaped lot bounded on the north and south by row dwellings, the east by 13 th Street, NW, and the west by properties fronting on Monroe Street, NW.
Zoning	R-4 – detached, attached, semi-detached, single family dwellings and flats.
Existing Development.	Three-story single family residential row dwelling, which is permitted in this zone.
Historic District	Not applicable
Adjacent Properties	The property is surrounded by row dwellings in the R-4 zone
Surrounding Neighborhood Character	The surrounding neighborhood is primarily residential in character, with commercial properties fronting on 14 th Street, NW located to the west of the subject property.

BOARD OF ZONING ADJUSTMENT

District of Columbia

III. PROJECT DESCRIPTION IN BRIEF

CASE NO. 18717

EXHIBIT NO. 23

Applicant	Jared S. Pettinato, owner
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Board of Zoning Adjustment

District of Columbia

CASE NO. 18717

EXHIBIT NO. 23



Proposal	The applicant is proposing to construct a deck at the rear of the existing single family row dwelling
Relief Sought	The applicant is seeking area variance relief from the minimum required rear yard depth (§ 404) and court width (§ 406) requirements

IV. ZONING REQUIREMENTS

	Required	Existing	Proposed	Relief
Lot Area § 401	1,8000 sq. ft.	1,600 sq. ft.	No change	Not required
Lot Width § 401	18 ft.	17 ft	No change	Not required
Lot Occupancy § 403	60%	51.4%	57.2%	Not required
Rear Yard § 405	20 ft	13.3 ft	5.5 ft.	14 5 ft
Side Yard § 405	12 5 ft	44 ft.	No change	Not required
Court § 406	6 ft.	Not applicable	2.6 ft.	3.4 ft.

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.

A single-family row dwelling is a permitted use in the R-4 district. The proposed addition requires special exception review under § 223 from the requirements for minimum rear yard depth (§ 404) and court width (§ 406).

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 proposed composite wood deck would be supported by wood posts and framing with an open wire mesh rail infill that would facilitate the passage of light through the structure. Therefore, it does not appear that the proposed deck would unduly impact the light and air available to the neighbors.

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

Privacy of use and enjoyment of neighboring properties should not be unduly compromised. The proposed deck would not extend the full width of the property and would be removed from the southern property line. The applicant is proposing to preserve two existing trees adjacent to the

northern property line The trees should serve as a buffer between the proposed deck and the adjoining property to the north.

- (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 subject property does not have alley access. The proposed deck would not be visible from 13th Street NW and would not 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 submission provided sufficient information about this proposal

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 of 57.2% percent is less than the maximum 70 percent permitted within the R-4 district

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*

No special treatment is recommended.

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

No nonconforming use would be established under this proposal

VI. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been received at the time this report was drafted.

VII. COMMUNITY COMMENTS

ANC 1A reviewed the subject application at its February 12, 2014 meeting; however, the official ANC position was not available at the time this report was drafted

Attachment. Location Map

