

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM:  Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: February 25, 2014

SUBJECT: BZA Case 18720 - request for special exception relief under § 223 to construct an accessory building to a one-family dwelling at 723 13th Street, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403.2, Lot Occupancy (60 percent permitted, 69.4 percent feet proposed).

The Office of Planning notes that the subject property is nonconforming for lot width and lot area.

II. LOCATION AND SITE DESCRIPTION

Address	723 13 th Street, N.E.
Legal Description	Square 1027, Lot 119
Ward	6
Lot Characteristics	Rectangular lot with rear alley access
Zoning	R-4 – row houses, conversions and flats
Existing Development	One-family row dwelling, permitted in this zone.
Adjacent Properties	North and South: row houses East: Linden Place, NE West: 30-foot wide public alley
Surrounding Neighborhood Character	Moderate density residential, with commercial uses one-half block north on H Street, N.E.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Pia and Ben Cacioppo
Proposal	Construction of a detached garage with mezzanine
Relief Sought	§ 223 - Additions to One-Family Dwellings or Flats

V. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed	Relief
Height (garage) § 2500.4	15-foot max.	--	15 feet	None required
Lot Width § 401	18 feet	15 feet	15 feet	None required
Lot Area § 401	1,800 SF min.	1,972 SF	1972 SF.	None required
Floor Area Ratio § 401	None prescribed	--	--	None required
Lot Occupancy § 403	60% max.; 70% by SE	48.3%	69.4%	Required
Rear Yard § 404	20-foot min.	67.8 feet	67.8 feet	None required

VI. 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.*

Row dwellings are permitted in this zone. The applicants are requesting special exception relief under § 223 from the requirements of § 403.

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 garage would be sited at the eastern end of the rear yard, more than forty feet away from the rear walls of the adjacent row houses, providing an adequate amount of space between the proposed garage and neighboring residences to not unduly affect light and air.

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

The proposed garage would have no windows facing onto adjoining property. Set back more than forty feet from the rear walls of the row houses to the north and south, there would be sufficient distance provided to not unduly compromise the rear yards of the adjoining properties.

(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 be residential in appearance and would not substantially visually intrude upon the character, scale and pattern of 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.*

The application included plans, photographs, elevations sufficient to represent the relationship of the proposed addition.

- 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 69.4 percent, less than the maximum of seventy percent permitted within the R-4.

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

VII. AGENCY COMMENTS

No comments were received from other District agencies.

VIII. COMMUNITY COMMENTS

ANC 6A is scheduled to review the subject application at its regularly scheduled meeting of February 25, 2014.

Attachment: Location Map

