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District of Columbia
Office of Planning



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
Joel Lawson, Associate Director Development Review
DATE: March 25, 2014

SUBJECT: BZA Case 18733 - request for special exception relief under § 223 to construct an addition to an existing detached dwelling at 5009 Weaver Terrace, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 404, rear yard (25 feet required, 20.66 feet proposed), and
- § 405, side yard (8 feet required, 3 25 feet proposed)
- § 2001, addition to nonconforming structure

II. LOCATION AND SITE DESCRIPTION:

Address	5009 Weaver Terrace, N W
Legal Description.	Square 1437E, Lot 835
Ward.	3, 3D
Lot Characteristics:	The rectangular lot is 6,755 square feet in area and has 90 feet of frontage along Weaver Terrace. The north side of the lot, having a width of 93 83 feet, backs to a 20 foot wide public alley
Zoning	R-1-B – high density detached single family dwellings.
Existing Development.	Detached dwelling and accessory structure, permitted in this zone.
Historic District.	N/A
Adjacent Properties	Adjacent properties located in the same square, and the square south of Weaver Terrace are similarly developed with detached dwellings and accessory structures
Surrounding Neighborhood Character:	The surrounding neighborhood character is generally that of a higher density single family, primarily detached dwelling neighborhood. The dwelling is located approximately ½ mile west of American University

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Viva Goettinger
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BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

EXHIBIT NO.

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EXHIBIT NO. 26



Proposal.	The applicant requests relief that would permit a 129.13 square foot addition along the east elevation of the dwelling, where there is currently an entrance and porch. The addition would accommodate a foyer and powder room on the first floor, and a bedroom on the second floor.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

V. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft max	29 ft	29 ft.	None required
Lot Width (ft.) § 401	50 ft min	90 ft.	90 ft.	None required
Lot Area (sq.ft) § 401	5,000 sq ft min	6,755 sq.ft.	6,755 sq.ft.	None required
Floor Area Ratio § 401	None prescribed	—	—	None required
Lot Occupancy § 403	40% max	20.9%	22.8%	None required
Rear Yard (ft.) § 404	25 ft. min	17 ft.	20.66 ft (addition)	Required
Side Yard (ft.) § 405	8 ft min	14 ft	3.25 ft	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.

Detached dwellings are a permitted use in this zone. The applicant is requesting special exception relief under § 223 from the requirements of § 404.1, rear yard and § 405.9, side yard, and § 2001.3, addition to a nonconforming structure.

The applicant proposes to construct a two story addition with a footprint of approximately 130 square feet, located along the east building elevation. The addition would replace an existing brick porch entry with an addition that would provide a new entrance, a foyer and powder room on the first floor, and a bedroom on the second floor.

The existing dwelling is nonconforming, in that the existing rear yard is 17 feet where 25 feet is required. The proposed addition would encroach into the side yard a total of 4.75 feet, resulting in a new side yard of 3.25 feet, and it would encroach into the rear yard 4.34 feet, resulting in a rear yard of 20.66 feet.

¹ Information provided by applicant

The applicant has indicated that the addition cannot be located along the west elevation of the dwelling because it is not conducive to the existing floor plan, and it would disrupt the chimney and exhaust for the heating system. In addition, moving the addition to the west side of the dwelling would require the elimination of a large part of an existing bedroom for the creation of a hallway. As a result, the addition has been proposed along the east building elevation.

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 light and air available to neighboring properties would not be unduly affected. The proposed addition would be located just over three feet from the east property line, and would be a minimum of fifty feet from adjacent structures. The addition would be set back approximately 20 feet from the front of the dwelling, which, in conjunction with the topography and existing landscaping, will obscure the addition from the street. The residences located east of the subject lot are oriented toward Klinge Street, and not immediately adjacent to the proposed addition. Additionally, the 20 foot wide public alley located along the north property line effectively separates the addition from those dwellings, ensuring that they will be minimally impacted.

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

The proposed addition would be a modest increase of approximately 130 square feet to the existing dwelling. The addition would be oriented toward the rear yard of adjacent dwellings, ensuring that it would have minimal impact on neighboring properties. The applicant has provided a letter from the property owner west of the lot indicating support for the addition. As a result, the privacy of use and enjoyment of neighboring properties will 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 applicant submitted drawings illustrating that the proposed addition would be consistent with the design of the dwelling and in character with the neighborhood. The visibility of the addition from Weaver Terrace would be minimized by the topography and mature landscaping. While the addition may be visible from the public alley located along the north property line,

(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 22.8 percent, which is less than the maximum of 50 percent permitted in the R-1-B District with 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

VII. COMMUNITY COMMENTS

At its regularly scheduled meeting of March 5, 2014, the ANC voted to recommend approval of the proposed addition. Further, the applicant has received a letter of support from the neighbor that would be most impacted by the addition, located at 5008 Klinge Street, N.W.

Attachment: Location Map

Location Map

