



2014 APR -8 PM 2: 30

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Arthur Jackson, Development Review Specialist
Joel Lawson, Associate Director Development Review

DATE: April 8, 2014

SUBJECT: BZA Case 18739 – request for special exception relief under § 223 to construct a rear addition to the existing three-story row dwelling at 2803 Dumbarton Street NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the special exception relief requested pursuant to § 223 from § 406 1 (a minimum open court width of 8-feet is required, a width of 4.35 feet is proposed)

OP notes that this property is nonconforming for lot area and width

II. LOCATION AND SITE DESCRIPTION

Address.	2803 Dumbarton Street NW
Legal Description	Square 1240, Lot 0868
ANC	2E
Lot Characteristics	A generally rectangular interior lot with an area of 1,186 square feet (0.03 acre), frontage along Dumbarton Street and no rear alley access
Zoning	R-3 – row dwellings are allowed as a matter of right
Existing Development	Three-story one family row dwelling with a full basement There is no onsite parking
Historic District	Georgetown
Adjacent Properties	Row dwellings and semi-detached dwellings of a similar scale in the same zone district.
Surrounding Neighborhood Character	Primarily low-density residential

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Charles B. Mathias, owner of record
Proposal	Replace the one-story rear porch on the rear dwelling façade with a two-story rear addition to expand the first- and second-floor living areas The existing dwelling, constructed in mid-1900's, predates the current Zoning Regulations

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18739

EXHIBIT NO. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 18739
EXHIBIT NO. 27



	The existing open court on the rear dwelling façade is narrower than the current minimum width of 6 feet required under § 406.1, and narrower than the 8 foot-width required for proposed rear addition that would be 24-feet tall. As a result, the addition would <i>extend</i> the existing non-conforming open court to the upper floor. However, the relief required for extending this nonconforming characteristic is available through § 2001.3 (b)(2) because the existing structure and addition would not exceed the allowable 60% lot occupancy. Accordingly, no additional area relief beyond the requested special exception is required.
Relief Sought:	Special exception relief in accordance with § 223 from § 406 (open court width).

IV. ZONING REQUIREMENTS

R-3 District	Required	Existing	Proposed	Relief?
Height § 400.1	40 feet, 3 stories	29.2 feet	SAME	None
Lot Area § 401	2,000 sq. ft.	1,186 sq. feet	SAME	None
Lot Width § 401	20 feet	18 feet	SAME	None
Lot Occupancy § 403	60%	58.9%	SAME	None
Rear Yard § 405	20 feet	21.5 feet	SAME	None
Court, Open § 406	8 feet¹ (4 in. / vert. ft.)	4.1 feet	4.35 feet	-3.65 feet

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-3 district. The proposed addition requires special exception relief in accordance with § 223 from the open court width provisions of § 406.

§ 223.2 *The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of*

Figure 1



¹ Minimum required court width for this 24-foot tall addition.

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 two-story rear addition would be recessed from the rear facades and yards of the neighboring dwellings. Therefore, it does not appear that this addition 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;*

Addition windows would be in the same approximate locations as the existing first and second floor windows on the rear facade. The privacy of use and enjoyment of neighboring properties should, therefore, 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 ...*

Since the property is located within the Georgetown Historic District, the architectural plans were reviewed by the Federal Commission of Fine Arts in its role as the Old Georgetown Board. On September 20, 2013, the Board expressed no objection to the concept design subject to Board approval of the final construction plans.

In light of this approval, the proposed rear addition would not 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 graphic information for this review.

- § 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 existing and proposed 58.9% lot occupancy is less than the maximum 60% allowed as a matter-of-right in this zone 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*

Figure 2



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*

Based on this submission, no nonconforming use would be established under this proposal

VI. COMMENTS FROM OTHER DISTRICT AGENCIES

Comments from other District agencies have not been received at the time

VII. COMMUNITY COMMENTS

Advisory Neighborhood Commission (ANC) 2E reviewed this proposal at its scheduled meeting on March 10, 2014. The ANC unanimously voted for a resolution not to object to this application.

Daniel L. Booker, the owner of the abutting residence at 2801 Dumbarton Street NW, wrote an undated letter in support of this application.

Malcolm E. Peabody, another neighbor residing at 2811 Dumbarton Street NW, also wrote a letter in support that was dated February 26, 2014.