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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: May 12, 2014

SUBJECT: BZA Case 18754, 725 Hobart Place NW – **Supplemental Report:** special exception for an addition to an existing flat under section 223.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning's (OP) report, dated May 6, 2014, did not provide a recommendation because the Applicant had not submitted to the record drawings sufficient to address the requested special exception. The Applicant has since submitted additional drawings which satisfy the basic submission requirements. OP recommends approval of the following special exception relief pursuant to § 223:

- § 403 Lot Occupancy (60% max. permitted, 65.62% existing, 68.97% proposed);
- § 404 Rear Yard (20 ft. required, 13.2 ft. existing, 13.2 ft. proposed);
- § 406 Court (12.6 ft. required, 5 ft. existing, 5 ft. proposed); and
- § 2001.3 Nonconforming Structure Addition

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The Applicant has also requested relief from lot area for the existing lot; the Zoning Administrator has determined that this is not required for an existing developed lot like this one.

II. LOCATION AND SITE DESCRIPTION

Address	725 Hobart Place NW
Legal Description	Square 2888, Lot 197
Ward	1
Lot Characteristics	The lot is rectangular and measures 25 ft. in width along the Hobart Place NW frontage and 67.5 ft. in depth.
Zoning	R-4 – Permits matter-of-right development of single-family residential uses (including detached, semi-detached, row dwellings, and flats).
Existing Development	2-story flat built in 1940, permitted in this zone. The property includes an 11.3 ft. x 5 ft. rear deck.
Historic District	NA

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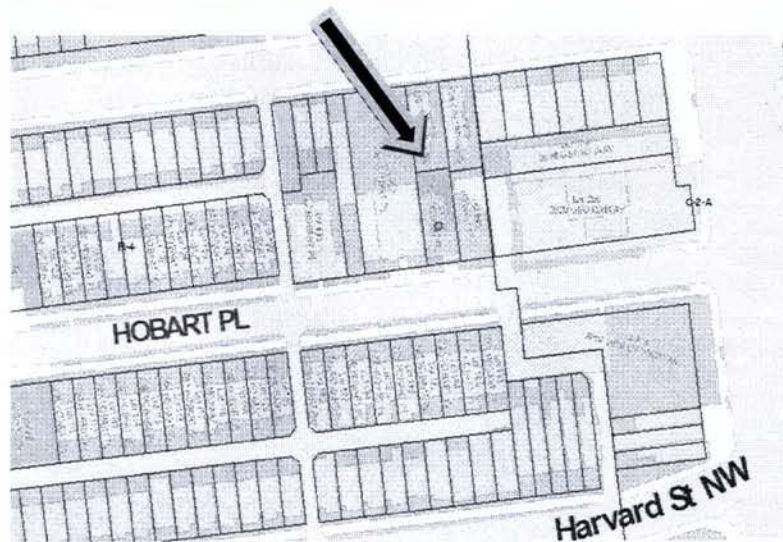
Adjacent Properties	Adjacent properties include a vacant lot to the east, the Old Pentecostal Church to the west, and rowhouses and semi-detached dwellings to the rear.
Surrounding Neighborhood Character	The neighborhood is characterized by rowhouse dwellings, multifamily buildings, and institutional uses. Commercial uses are located along Georgia Avenue NW.

III. APPLICATION IN BRIEF

Proposal:	The Applicant proposes to add a third story and a roof deck to the existing two-story flat. The Subject Property would continue to be used as a flat and the proposed addition would not enlarge the building footprint. An exterior spiral stair would replace the existing rear stair that descends from the second level and would connect the roof top deck and each of the three levels of the proposed building.
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IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max.	25 ft.	38 ft.	None required
Lot Width § 401	18 ft. min.	25 ft.	25 ft.	None required
Lot Area § 401	1,800 sf. min.	1,687 sf.	1,687 sf.	Existing Nonconforming
Floor Area Ratio § 402	NA	NA	NA	None required
Lot Occupancy § 403	60% max.	65.62%	68.97%	Relief required
Rear Yard § 404	20 ft. min.	20 ft.	8.2 ft.	Relief required
Side Yard § 405	NA	NA	NA	None required
Court § 406	12.6 ft. min.	5 ft.	5 ft.	Relief required
Nonconforming Structure § 2001.3	NA	NA	NA	Relief required





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.

Flats are a permitted use in this zone.

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 addition should not unduly affect the light and air to neighboring properties. The lot to the east of the Subject Property is currently vacant. To the west, the Old Pentecostal Church does not include windows along the shared property line with the Subject Property. The shadow study provided by the Applicant indicates that the proposed third-story addition would not adversely impact light and air to the rear windows and yards of the neighboring properties along the south side of Columbia Road NW (to the north of the Subject Property). The large tree to the rear of the Subject Property, as well as the four-story multifamily building on the corner of Hobart Place and Georgia Avenue NW, already cast a shadow on the properties along Columbia Road NW.

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

As stated above, the lot to the east of the Subject Property is currently vacant. To the west, the Old Pentecostal Church does not include windows along the shared property line. The rowhouses to the rear, along Columbia Road NW, are located approximately 30 feet from the structure on the Subject Property and their use and enjoyment should 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 proposed third-story addition would be in scale with the neighboring structures along the Hobart Place frontage and would not be out of character with the existing and proposed neighboring properties. Three and four story structures are common along Hobart Place NW. The proposed addition would not increase the footprint of the existing structure.

- (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's initial submission did not include plans and elevations sufficient to address the requested special exception. The Applicant has since provided graphical representations and photographs, which sufficiently represent the relationship of the proposed addition to adjacent buildings and views from public ways.

OP suggested to the Applicant that additional articulation would improve the façade of the existing structure; the updated elevation provided by the Applicant ("Exhibit 29") shows the addition of window and door lintels to the existing facade. Further, the Applicant has also clarified the proposed front elevation with regard to the "smooth" panels of hardy plank; the previous elevation suggested vertical panels which would have contrasted with the horizontal orientation of the existing brick. The Applicant has also refined the design of the rear roof deck to show it placed directly on top of the third-floor roof.

In addition to these modifications, OP would also support setting back the façade of the proposed third-story structure to lessen its visual impact.

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 (68.97%) would not exceed the maximum seventy percent (70%) permitted in the R-5 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 proposed.

223.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

No introduction or expansion of a nonconforming use as a special exception is proposed.

VI. COMMUNITY COMMENTS

ANC 1B voted 7-0 to support the Application at its meeting on March 26, 2014. As of this writing, OP has not received comments from neighbors.