

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: June 3, 2014

SUBJECT: BZA Case 18771 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing semi-detached row dwelling at 2242 Hall Place, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 403.2, lot occupancy (40% required, 56% proposed);
- § 404.1, rear yard (20 feet required, 15 feet proposed); and
- § 2001.3, nonconforming structure

II. LOCATION AND SITE DESCRIPTION:

Address:	2242 Hall Place, N.W.
Legal Description:	Square 1300, Lot 406
Ward:	3, 3B
Lot Characteristics:	The rectangular lot is 2,361 square feet in area, with a width of 30 feet along Hall Place. The property abuts public alleys along the north and west lot lines.
Zoning:	R-3 – row dwellings, one-family detached dwellings, and one-family semi-detached dwellings
Existing Development:	Semi-detached single family row dwelling, permitted in this zone.
Historic District:	N/A
Adjacent Properties:	Adjacent properties are generally row dwellings and semi-detached one-family dwellings. The property is located approximately one block from Wisconsin Avenue, where neighborhood serving retail is located, including a grocery store and restaurants.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	John Linam, Jr.
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Proposal:	The applicant proposes to demolish existing structures on the rear elevation of a row dwelling, including a deck above an existing garage, and a two story addition and deck. The garage would remain. The structures will be replaced with a two story addition that will expand the living space of the first and second floors, and provide a new deck on the first floor.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-3 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	30.7 ft.	30.7 ft.	None required
Lot Width (ft.) § 401	30 ft. min.	22 ft.	22 ft.	Existing nonconforming
Lot Area (sq.ft.) § 401	3,000 sq.ft. min.	2,361 sq.ft.	2,361 sq.ft.	Existing nonconforming
Floor Area Ratio § 401	None prescribed	--	--	None required
Lot Occupancy § 403	40% max.	48%	56%	Required
Rear Yard (ft.) § 404	20 ft. min.	21.7 ft.	15 ft.	Required
Side Yard (ft.) § 405	5 ft. min.	3.3 ft.	5.3 ft.	None 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.

Row dwellings are a permitted use in this zone. The applicant is requesting special exception relief under § 223 from the requirements of: § 403.2, lot occupancy; § 404.1, rear yard; and § 2001.3, nonconforming structure. The proposal consists of the removal of existing structures attached to the rear building elevation, including a deck that is located above the garage, and a two story addition and deck. The structure would be replaced with an addition consisting of living space to the first and second stories, as well as a deck on the first story. The living space will allow the expansion of a kitchen and master bedroom with en-suite, and the addition of a study and den. The addition requires special exception relief from lot occupancy, rear yard, and existing nonconforming conditions of the dwelling.

¹ Information provided by applicant.

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 would not affect the light and air available to neighboring properties. The addition would replace structures that currently exist on the rear of the dwelling with a cohesive addition that would expand the living space. The portion of the addition closest to the adjacent neighbor would provide the required 20 foot rear setback, while only the steps to the proposed deck, which would be open to the sky, would encroach into the required rear setback. The applicant has indicated that any new shadow lines caused by the addition would fall directly onto the subject property or into the alley, limiting any adverse impact to the neighboring property. The addition would be further separated from neighbors to the west and north by public alleys.

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

The privacy of use and enjoyment of neighboring properties would not be unduly compromised. The proposed addition would largely comply with the rear setback requirement, with the exception of the stairs that provide access to the deck. The portion of the addition nearest the adjacent neighbor would be fully enclosed and would provide space that would be allotted toward the study, a relatively quiet use.

(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 not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage. The addition would be located entirely behind the existing dwelling and would only be visible from two public alleys located along the west and north property lines. The size of the addition would make the size of the dwelling comparable to other row dwellings located along Hall Place.

(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 graphical representations, including a site plan, building elevations and photographs to demonstrate 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 lot occupancy of all new and existing structures on the lot would be 56%, which does not exceed the 70% permitted in the R-3 District with the approval of 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 does not recommend special treatment for the proposed addition in the way of design, screening, exterior or interior lighting, building materials, or other features.

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

The proposed use is a semi-detached single family dwelling, permitted in this District.

VI. COMMUNITY COMMENTS

At its regularly scheduled meeting on March 13, 2014, ANC 3B voted to recommend approval of the requested relief.

As of the date of this writing, the Office of Planning has not received any comments from the community.