

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: June 10, 2014

SUBJECT: BZA Case 18777 - request for special exception relief under § 223 to construct an addition to an existing dwelling at 3120 Patterson Pl. NW.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 404.1 Rear Yard (25 feet required, 19 feet proposed) and
- § 2001.3 due to the existing non-conforming lot area

II. LOCATION AND SITE DESCRIPTION:

Address:	3120 Patterson Place NW
Legal Description:	Square 2330, Lot 0023
Ward:	3/ANC 3G
Lot Characteristics:	Flat irregularly shaped lot with a 15-foot building restriction line.
Zoning:	R-1-B – Permits detached single-family dwellings.
Existing Development:	Single-family detached dwelling, permitted in this zone.
Historic District:	Not located in a historic District
Adjacent Properties:	Developed lots with single-family detached homes to the east and west.
Surrounding Neighborhood Character:	Single-family detached homes, all within the R-1-B District.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Tieman Sittenfield and Darren Speece
Proposal:	A two-story rear addition is proposed to the existing home. The addition would encroach into the required rear yard setback of 25 feet. A 19-foot rear yard is proposed.
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.	50 ft.	50 ft.	
Lot Area (sq.ft.) § 401	5,000 sq.ft. min.	4,068 sq.ft.	4,068 sq.ft.	Existing non-conformity
Floor Area Ratio § 401	None prescribed			None required
Lot Occupancy § 403	40 % max.	24.9 %.	28.1%	None required
Rear Yard (ft.) § 404	25ft. min.	26 ft.	19 ft.	Relief required
Side Yard (ft.) § 405	8 ft. min.	10 ft.	10 ft.	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.*

The proposed addition is to a one-family dwelling developed on a lot of record, which is non-conforming due to its lot size in the R-1-B District.

223.2 *The addition or accessory structure shall not have a substantially adverse effect 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 addition to the rear would not affect the light and air to adjacent properties to the east or west as there is a minimum separation of 20 feet between the addition and adjacent homes. The neighbors to the south across the alley would not be subject to any new shadows.

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

The addition would face a 16-foot wide alley at the rear. The property is lined by evergreen trees along its property lines to the east and west, which would remain to ensure that existing privacy is maintained.

- (c) *The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially*

¹ Information provided by applicant.

visually intrude upon the character, scale and pattern of houses along the subject street frontage; and

The proposed addition would not be visible from the street. As viewed from the alley it would not be out of character with other homes across 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.*

Relevant drawings and elevations were provided by the applicant.

- 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 at 28.1% would be well within the matter-of-right range of 40% maximum.

- 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 property is well screened by evergreen trees and no additional screening would be necessary in this case.

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

The residential structure is a permitted use in this district and the use would be continued with the proposed addition.

VII. AGENCY COMMENTS

No agency comments were received.

VIII. COMMUNITY COMMENTS

The applicant received letters in support for the addition from neighbors within the square. These letters are submitted to the record as Exhibits 20 through 24.

The ANC 3G's report in support of the addition has been submitted to the record (Exhibit 26).

Attachment: Location Map

