

Owner / Applicant

Fenton 302 / 304 M St LLC
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Agent

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Statement of Existing / Intended Use

The property located at 302 M St NW is currently owned by Fenton 302/304 M St LLC. The existing structure is currently vacant. The most recent use appears to have been a single-family dwelling. The intended use shall be a two-unit row house flat. The Owner is requesting a special exception to construct a third floor addition.

Summary of Relief Being Sought

In order to accommodate a third story addition, the Owner / Applicant seeks a special exception as set forth in Section 223 (Zoning Relief for Additions to One-Family Dwellings or Flats (R-1) and for New or Enlarged Accessory Structures. As per Section 223, the Board of Zoning Adjustment is authorized to grant a special exception from Section 2001.3 related to the issues of maximum lot occupancy and rear yard. The applicant seeks the relief of the following:

- Proposed lot occupancy of 70% (Section 403). The maximum lot coverage, as set forth in Section 403, for a row house in the DD/R-5-B district is 60%. The proposed lot occupancy is 70% which includes the existing structure. The rear wall of the structure shall be removed and replaced in order to meet the lot occupancy requirements.
- Proposed rear yard of 10.3' (Section 404). The required rear yard for a row house in an DD/R-5-B district is 15 feet. The existing rear yard is 9.0' and will be increased to 10.3', which is still less than the zoning required minimum.

Background

The property is located at 302 M St NW, Lot 4 of Square 524. It is currently zoned R-5-B, and is within the Downtown Development zoning overlay. The property is located within the boundary of ANC 6E04. The property is located within the Mount Vernon Square historic district. The lot is irregular in shape; it measures 21.0' wide and is between 38.42' and 37.30' deep. A portion of the lot extends to 3rd Street, approximately 2.70' x 21.0'. The total lot area is 869 sf. The north property line fronts on M St NW, a 90' right of way. A portion of the lot faces 3rd St NW. Lots to the east (Lot 5) and west (Lot 19) are currently unimproved. The lot to south (Lot 20) has been improved with a two story commercial structure.

The property has been improved with a two-story row house, with a lot occupancy of 634 sf / 73%. Currently the structure is a single family dwelling. The existing row house was built in 1901 and contains 2,627 sf of living area. The ceiling of the lowest level is less than 4' above the adjacent grade; therefore it is considered a cellar. The existing FAR is 1.4. No parking is provided due to the small lot size, lack of a side yard and curb cut, as well as the lack of alley access.

The Applicant seeks to convert the single family dwelling into a two-family flat. A third floor addition is proposed to enlarge the living area of the second floor unit. The addition is approximately 21' wide and 20.9' deep. The addition is set back from the second floor roof by 8' and aligns with the proposed rear wall. The existing lot occupancy of 73% will be reduced to 70%. The height of the addition is 37', less than the 50' maximum height limit. The proposed FAR is 1.8, the maximum for the DD/R-5-B zone.

Lot Occupancy

The existing structure has a non-conforming lot occupancy of 73%. As per Section 403.2, the maximum lot occupancy is 60%. As per Section 223, the Board of Zoning Adjustment is authorized to grant a special exception of an additional 10%, for a total lot occupancy of 70%. The proposed development will reduce the total lot occupancy to 70%.

Rear Yard

The existing rear yard is 9.0'. The existing rear wall will be removed and a new wall will be constructed such that the rear yard is 10.3' from the mid-point of the rear property line. The minimum required rear yard is 15'; therefore the applicant is seeking a special exception of 4.7 feet.

Conclusion

The burden of proof for special exception is two-fold, and the Applicant must demonstrate the following:

1. How the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map

The R-5-B zone permits two-family flats as a matter of right, therefore the Applicants request for an additional story is consistent with Zoning Regulations and surrounding properties.

2. How allowing the use will not adversely affect the use of the neighboring property – ie. traffic, noise, lighting, etc.

No additional traffic or noise will be generated as a result of granting this special exception. The design and massing of the third floor addition has been carefully considered to minimize the natural light impact to the adjacent properties.

Additionally, special exceptions granted under section 223 are required to meet the following criteria:

1. Not unduly affect light and air available to neighboring properties

As our shadow studies show, the impact of an additional story on the Applicant's property will have minimal impact on light and air for both properties to the east and west. Both adjacent east and west lots are currently unimproved, and there is not impact to the light and air to the property to the south.

2. Not compromise the privacy of use and enjoyment of neighboring properties

Adjacent properties will enjoy the same degree of use and privacy as they currently have now. The Applicant has met with both adjacent neighbors and has obtained letters of support for the Project.

3. Not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage

The south side of the 300 block has an heterogeneous roofline of two and three story structures. Furthermore, the proposed addition is set back from the street to minimize any impact. In addition, the project is being concurrently reviewed by the Historic Preservation Office and will require approval from the Historic Preservation Review Board.