

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Elisa Vitale, Case Manager
Joel Lawson, Associate Director Development Review

DATE: September 2, 2014

SUBJECT: BZA Case 18818 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to permit a rear addition to an existing single-family dwelling at 3801 Jocelyn Street NW.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 404.1, rear yard, (28 feet existing, 25 feet required, 23 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address:	3801 Jocelyn Street NW
Legal Description:	Square 1856, Lot 0001
Ward/ANC:	3/3G
Lot Characteristics:	Rectangular corner lot bounded on the north by a single-family dwelling, on the east by 38 th Street NW, on the south by Jocelyn Street NW, and on the west by a 12-foot public alley.
Zoning:	R-1-B – one-family detached dwellings.
Existing Development:	One-family detached dwelling, which is permitted in this zone.
Historic District:	Not applicable.
Adjacent Properties:	The surrounding neighborhood is residential in character.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Stefanie Berger, property owner.
Proposal:	The applicant is proposing to construct a five-foot (5 ft.) by sixteen-foot (16 ft.) kitchen addition.
Relief Sought:	§223 - Additions to One-Family Dwellings or Flats



IV. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing ¹	Proposed	Relief
Lot Width (ft.) § 401	50 ft. min.	75 ft.	75 ft.	None required
Lot Area (sq.ft.) § 401	5,000 sq. ft. min.	6,375 sq. ft.	6,375 sq. ft.	None required
Lot Occupancy § 403	40 % max.	18 %	20 %	None required
Rear Yard (ft.) § 404	25 ft. min.	28 ft.	23 ft.	2 ft.
Side Yard (ft.) § 405	8 ft. min.	6 ft.	6 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.*

A one-family detached dwelling is a permitted use in this zone. The proposed addition requires special exception review under § 223 from the rear yard (§ 404.1) requirement. The applicant is proposing to construct a five-foot (5 ft.) by sixteen-foot (16 ft.) kitchen addition that would not comply with the required rear yard setback.

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 measures five feet (5 ft.) in depth and would encroach two feet (2 ft.) in to the required rear yard. The property to the north at 5312 38th Street NW features a yard approximately twenty-five feet (25 ft.) in depth adjacent to the subject property. The proposed addition would be separated from the adjacent dwelling by a distance of greater than forty-five feet (45 ft.). Therefore, the light and air available to the neighboring property should not be unduly compromised.

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

The properties to the east, south and west are separated from the subject property by 38th Street NW, Jocelyn Street NW, and the public alley, respectively. The property to the north (5312 38th Street NW) has an approximately twenty-five-foot (25 ft.) deep yard, which should provide separation from the proposed addition. Furthermore, the shared property line features mature trees and other landscaping. Therefore, the privacy of use and enjoyment of neighboring property should not be unduly compromised. The adjacent neighbors at 5312

¹ Information provided by applicant.

38th Street NW and 3803 Jocelyn Street NW have submitted letters indicating that they have no objection to the proposed addition.

- (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 should conform to the character, scale, and pattern of the existing dwelling and other dwellings in the square. The proposed addition would not be visible from Jocelyn Street NW, but would be visible from 38th Street NW and the 12-foot public alley. The proposed material for the addition would match the finishes of the existing house.

- (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 information about this proposal.

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 of 20 percent is less than the maximum 50 percent permitted by-right or the 50 percent permitted by special exception within the R-1-B 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 recommended.

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

No nonconforming use would be established under this proposal.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been received at the time this report was drafted.

VII. COMMUNITY COMMENTS

Adjacent neighbors have indicated no objection to the proposed addition.

ANC 3G voted unanimously at its July 28, 2014, meeting to recommend approval of the requested special exception relief.

ATTACHMENT: Location Map

