

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Megan Rappolt, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: October 7, 2014

SUBJECT: BZA Case 18829 - special exception relief under § 223 to construct an addition to an existing row house dwelling located at 1334 A Street S.E.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403.2, Percentage of Lot Occupancy (60% required, 55.5% existing, 67.3% proposed); and
- § 406.1, Courts (6’ minimum in width is required, 4.8’ existing to be extended a length of 16’).

It appears relief from §2001.3 (b) Additions or Enlargements to Nonconforming Structures is required as the existing row dwelling is nonconforming in terms of open court width and the proposed addition does not conform to the current applicable open court width requirements and furthers the existing nonconformity.

II. LOCATION AND SITE DESCRIPTION:

Address:	1334 A Street SE
Legal Description:	Square 1076 Lot 74
Ward/ANC:	6/6B
Lot Characteristics:	The rectangular lot is 2,430 sf in area and has a frontage of 18 feet on A Street SE. The rear of the lot is also approximately 18 feet in width and abuts a 15-foot wide public alley.
Zoning:	R-4 – row, one-family detached and one family semi-detached dwellings.
Existing Development:	Row dwelling, permitted in this zone.
Historic District:	Capitol Hill Historic District
Adjacent Properties:	Predominantly row dwellings. A church is located to the north, with its rear uses across the 15-foot alley. A church renovated into multifamily units and an open space reservation are located to the south, across A Street SE. The property is 2 blocks from Lincoln Park to the east and Center City Charter school to the west.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Satu Haase-Webb & Michael Webb by Jennifer Fowler
Proposal:	The Applicant requests a 3-story rear basement, first and second story addition to their residence, including a landing. The request is part of an overall renovation to the rear of the residence.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	29 ft.	29 ft.	None required
Lot Width (ft.) § 401	18 ft. min.	18 ft.	18 ft.	None required
Lot Area (sq.ft.) § 401	1,800 sq.ft. min.	2,340 sq.ft.	2,340 sq.ft.	None required
Floor Area Ratio § 402	None prescribed	N/A	N/A	None required
Lot Occupancy § 403.2	60% max.	55.5%	67.3%	Relief required
Rear Yard (ft.) § 404	20 ft. min.	74-6" ft.	63.5'	None required
Side Yard (ft.) § 405	0 ft. min.	0 ft.	0 ft.	None required
Open Court Width (ft.) §406.1	6' minimum	4'-8"	4'-8" for an additional 16' in length	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.

Row dwellings are a permitted use in this zone. The Applicant requests special exception relief under § 223 from the requirements of §403 Lot Occupancy and § 406 Courts. Additionally, it appears that relief from §2001.3 Additions or Enlargements to Nonconforming Structures is required as the nonconforming existing open court width will be lengthened with the proposed addition.

¹ Information provided by the 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 rear addition will not substantially affect the light and air available to neighboring properties. With the proposed addition, the shared court area will be extended 16' along the Applicant's property. The Applicant's proposed addition will extend 4'-1" beyond the rear wall of the residence to the west. The Applicant's property and the property to the west both contain courts at the shared property boundary. The rear windows of the western neighbor's court are currently likely in shade, because they face north and two large trees exist in the rear yard. As such, the addition won't likely block direct sunlight into the western neighbor's rear windows. A letter of support by the western neighbor was submitted.

To the east, the proposed 3-story addition will extend 11' in length where there currently is no structure. The property to the east may incur an increase in shade; however a letter of support by this property owner was submitted. The closest property to the north—Holy Comforter-Saint Cyprian Roman Catholic Church—is located across the alley. The rear side of the church faces the alley and Applicant's property. There is a significant distance between the addition and church so there will be no light and air impacts.

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

The privacy of use and enjoyment of neighboring properties should not be unduly compromised. Despite the introduction of a new door (basement) and windows at the first (three) and second levels (one) of the addition on the western elevation, the privacy use and enjoyment of the neighboring property to the west will not be unduly compromised due to the existing privacy fence and grade separation of rear yard uses between the properties. The western property does not have a deck or porch on the first floor, but is used at grade or the basement level. The property to the east, which has a small enclosed two-story porch and at-grade rear yard uses, may gain more rear yard privacy, as the eastern wall of the addition does not include windows. The proposed landing is 11' north of the rear wall of the eastern residence. The privacy of use and enjoyment of the church or residences on A Street SE will not be affected due to distance and lack of visibility due to trees and a garage.

(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 addition will not substantially visually intrude upon the character, scale and pattern of houses along the street frontage. The addition will not be visible from A Street SE. The addition will be visible from the public alley at the rear of the property; however, the view of it will be obscured by the existing large trees to remain, new privacy fence recently installed by the eastern property owner, and the Applicant's existing detached garage. The addition will be faced with HardiePlank that has the appearance of wood siding. The alley is lined with wood and chain link fences, one and two-story garages of wood siding, brick and other materials. Though it is not apparent there are many other rear additions made to the houses on the block, the proposed addition will not substantially intrude upon the scale or character of structures along the alley, as the rear wall depths

of the row houses along the alley vary. The design and materials of the addition are in keeping with the existing character.

- (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 site plans, plans, 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 the existing structure is 55.5% and with the additions, will be 67.3% which is more than the 60% required by right. Relief is requested by the Applicant.

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.

OP does not recommend special treatment for the proposed addition in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

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

The existing residential use is permitted in the R-4 District. The proposed addition is an extension of the existing residential use and thus conforms district use requirements.

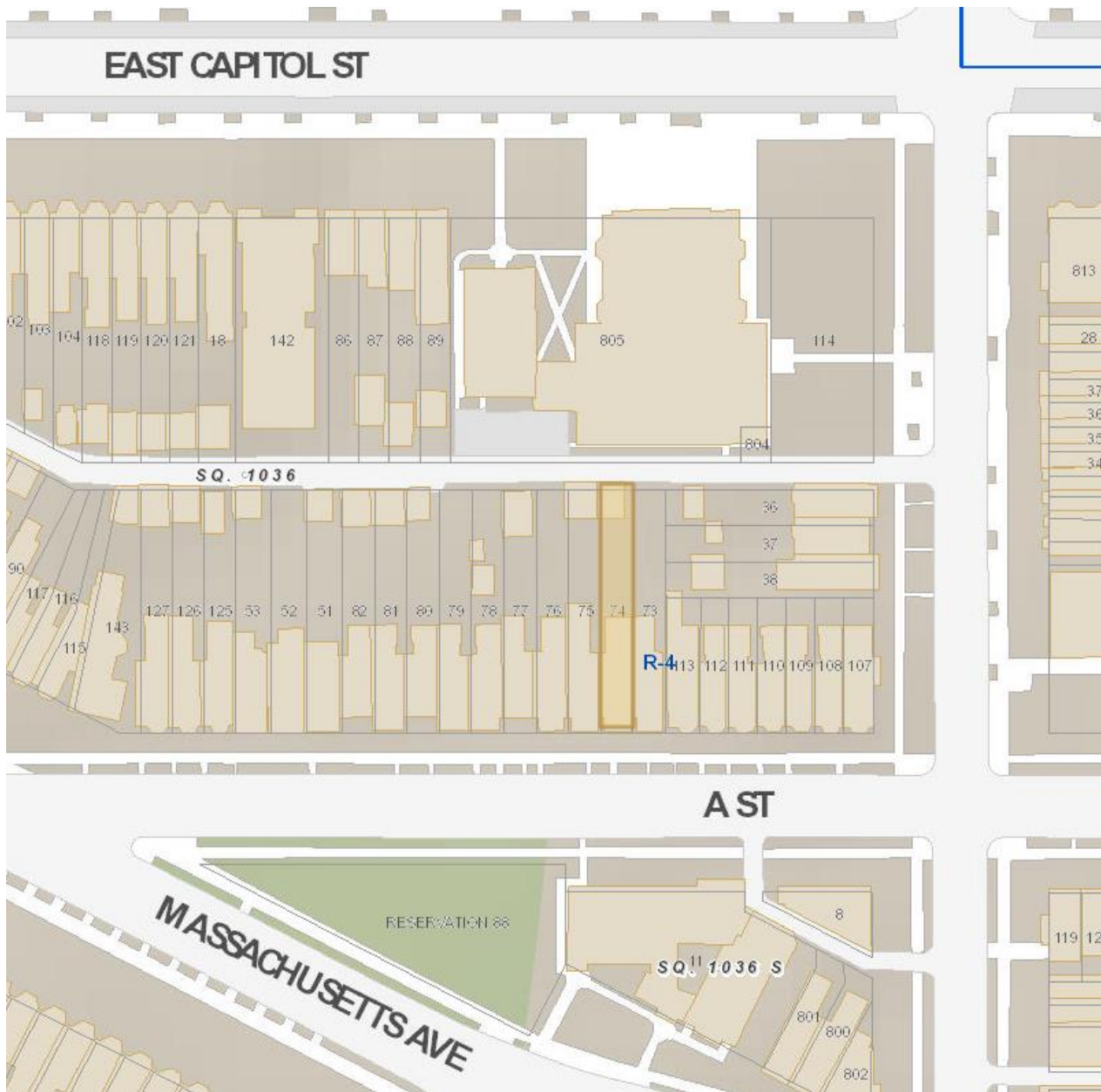
Historic Preservation Staff reviewed the request and does not take issue with it.

VI. COMMUNITY COMMENTS

Adjacent neighbors: The Applicant encloses letters of support from adjacent property owners, 1332 (west) and 1336 A Street SE (east). During the processing of the request, the owners of 1336 A Street SE changed and a letter of support has been submitted by the new owners.

Ward/ANC: The property is within ANC-6B. ANC-6B heard the request on September 9, 2014 and voted to support the Applicant's request.

Attachment: Location Map



Location Map