

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Project Manager
 Joel Lawson, Associate Director Development Review
DATE: October 14, 2014

SUBJECT: BZA Case 18836 - Request for Special Exception review under § 223 for a rear porch addition at 1419 F Street, NE

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of Special Exception review pursuant to § 223 for:

- § 403.2 (maximum lot occupancy of 60% allowed, proposed 70%);
- § 404.1 (minimum rear yard of 20 feet required, proposed 11.47 feet); and
- § 2001.3, expansion of a non-conforming structure

The property is currently non-conforming for lot area, § 401.3 and the Zoning Administrator has determined that this relief is not required for an addition to an existing building.

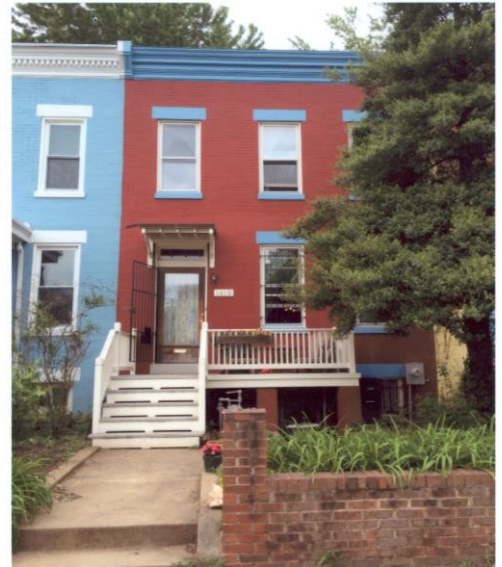
II. AREA AND SITE DESCRIPTION

Address:	1419 F Street, NE
Legal Description:	Square 1052, Lot 31
Ward/ANC:	6/6A
Lot Characteristics:	The property is rectangular in shape and has a land area of 1,029.6 square feet (20 feet by 51.48 feet).
Zoning:	R-4: Row dwellings and flats
Existing Development:	Two-story, single family, row house.
Historic District:	Not within a historic district.
Adjacent Properties:	To the east, west and across F Street to the north are two-story attached row houses while to the south are two single family detached dwellings.
Surrounding Neighborhood Character:	The surrounding area is predominantly two-story row houses in the R-4 zone.

III. IMAGES AND MAPS



Property Location



Front of Property



Rear of Property



Rear of Property

IV. PROJECT DESCRIPTION IN BRIEF

The proposal would add a 99 square foot screened porch on the rear, western portion of the property adjacent to the existing dining room. The porch would extend 9 feet into the rear yard. The Applicant proposes to demolish the existing, partially covered, 32 square foot deck and replace it

with a 3.5 foot high landing to provide access to and from the kitchen. No parking is presently provided on-site and none is proposed.

V. ZONING REQUIREMENTS

The existing dwelling is presently non-conforming to lot area and lot occupancy. To accommodate the addition, the Applicant has requested Special Exception review pursuant to § 223 for non-compliance with §§ 401, 404, and 2001.3. The following table summarizes relevant zoning requirements for the project and the relief requested:

R-4 Zone	Restriction	Existing¹	Proposed¹	Relief
Lot area § 401	1,800 min.	1,028.6 sf.	1,028.6 sf	Existing non-conformity
Lot width § 401	18 ft. min.	20 ft.	20 ft.	Conforms
Lot occupancy § 403	60% max. 70% under § 223	61.9%	70%	Relief requested
Rear Yard § 404	20 ft. min.	20.47 ft.	11.47 ft.	Relief requested
Open Court §406	6 ft. min.	n/a	9 ft.	Conforms

¹ Reflects information supplied by the Applicant

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.

One family, row dwellings are permitted in the R-4 zone. The Applicant is requesting special exception relief under § 223 for non-compliance with the requirements of §§ 403, 404, and 2001.3.

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 proposal is to construct a one-story, rear porch. The existing structure has a lot occupancy of 61.9% and with the addition, would be increased to 70%. The porch would have a height of 15 feet of which 7 feet is blocked by the existing fence. The adjacent property at 1417 F Street would only

be impacted by the portion above the fence. The porch, on the western portion of the property would be setback away from the 1421 F Street property to the east. That property has a similar sized porch along the eastern property line. OP does not anticipate any undue impact on the light and air of neighboring properties from the portion of the porch above the fence. Both adjacent neighbors have signed letters of support for the addition.

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

The portion of the porch that faces 1417 F Street would have a solid wall and in combination with the fence would preclude any direct views into that property. 1421 F Street has a similar porch to that proposed. However, the proposed porch is setback from the property and in combination with the fence should minimize any views into that property. Therefore, OP does not anticipate that the privacy of use and enjoyment of either neighboring properties would be unduly compromised.

- (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 be visible from F Street and it is not adjacent to an 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.*

The Applicant submitted plans and photographs to represent the relationship of the proposed addition to adjacent buildings and 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 proposed lot occupancy would be 70%, which is permitted by special exception in the R-4 zone.

- 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 notes that there is a mature tree on the site which is in good health. The applicant states that they intend to keep the tree, and so have placed the porch on the opposite side of the yard and leave a court (rather than build all the way across). The new footings are all further away from the tree than the existing footings of the deck which is to be removed. OP has consulted with the Urban

Forestry Department at the Department of Transportation (DDOT) and was informed that the location and the depth of the footing should not detrimentally impact the root zone if protections are put in place during construction. Therefore, OP makes no recommendations for special treatment, but recommends to the owner that properly installed fencing be places around the tree, as far from the trunk as possible, to ensure its protection during the construction process.

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

Granting this request would not result in the introduction or expansion of a nonconforming use.

VII. COMMUNITY COMMENTS/ANC

At its September 11, 2014 meeting, ANC 6A voted to support the application. OP has reviewed three letters of support from neighbors, including the two from immediately adjacent neighbors (1417 and 1421 F Street SE).