

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Megan Rappolt, Case Manager
JLS
 Joel Lawson, Associate Director Development Review

DATE: December 16, 2014

SUBJECT: BZA Case 18879 - special exception relief under § 223 to widen an existing garage attached to a one-family detached dwelling located at 2804 34th Place NW

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 404, Rear Yards (4.43 feet existing, 4.43 feet proposed, extended 7.4 feet, 25' required)

It appears relief from §2001.3 Additions or Enlargements to Nonconforming Structures is required as the existing rear yard is nonconforming as to depth and the proposed garage-widening furthers the existing nonconformity.

II. LOCATION AND SITE DESCRIPTION:

Address:	2804 34 th Place NW
Legal Description:	Square 1941 , Lot 46
Ward/ANC:	3/3C
Lot Characteristics:	The square-shaped lot is 12,863 sf in area and has a frontage of 105 feet on 34 th Place NW, 122.5' on Fulton Street NW, and 105' along a public alley. Generally, the residence is sited on the north eastern part of the large lot, which creates a large side and front yard.
Zoning:	R-1-B – one-family detached dwellings.
Existing Development:	One-family detached dwellings, permitted in this zone.
Historic District:	None
Adjacent Properties:	Mostly one-family detached dwellings with open spaces, a church and embassies nearby. Generally, between the Washington National Cathedral property to the north and the Naval Observatory to the south.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Farhad and Shahrzad Jalinous represented by Martin P. Sullivan
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Proposal:	The request is for a garage expansion of 7.4' to accommodate two cars. Since the existing ~17-wide, one-story garage is attached to the main residence, it is considered part of the main structure, not accessory as is typical with detached garages. The garage expansion is part of an alteration to a portion of the west end of the home, which includes an extension of an existing breakfast room.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40' max.	<40'	<40'	None required
Lot Width (ft.) § 401	50' min.	105'	105'	None required
Lot Area (sq.ft.) § 401	5,000 sf	12,863 sf	12,863 sf	None required
Floor Area Ratio § 402	None prescribed	N/A	N/A	None required
Lot Occupancy § 403	40% max.	24%	25%	None required
Rear Yard (ft.) § 404	25' min.	4.4'	4.4' for 7.4'	Relief Needed
Side Yard (ft.) § 405.9	8' min.	4.9'	4.9'	None Required; existing nonconformity

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.

Single family detached dwellings are a permitted use in this zone. The Applicant requests special exception relief under § 223 from the requirements of §404.1 Rear Yards.

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 7.4' garage expansion will not affect the light and air available to neighboring properties. Due to the large size of the lot, the siting of the home and attached garage on the northeastern part of the lot, and the fact that an alley separates the Applicant's property from its

¹ Information provided by the Applicant.

neighbor to the north, the impacts of the garage will be negligible, if any. Light and air to the neighbor to the east and neighbors across Fulton Street and 34th Place NW will not be impacted due to far distance between the garage and those properties.

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

The privacy of use and enjoyment of neighboring properties will not be unduly compromised as the garage extension will be minimally visible by anyone, if at all, due to the large lot, siting of the home an garage, elevated grade of the lot, privacy fencing and retaining wall, and existing landscaping to remain. Across the alley exists the northern neighbor's garage and rear yard uses as well. The only property that may be able to view the extension with some clarity from their rear yard is 2805 35th Street NW.

- (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 garage addition will be minimally visible from Fulton Street and the adjacent public alley. The alley is lined with wooden and brick garage structures, wooden fences, landscaping, etc. As the proposed garage expansion will consist of brick, wood windows and trim, and will be a color that matches the existing garage and residence, it will not impact the existing character of the area.

- (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 a site plan, building plans and 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 24% and with the addition will be 25% which is less than the permitted 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.*

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.*

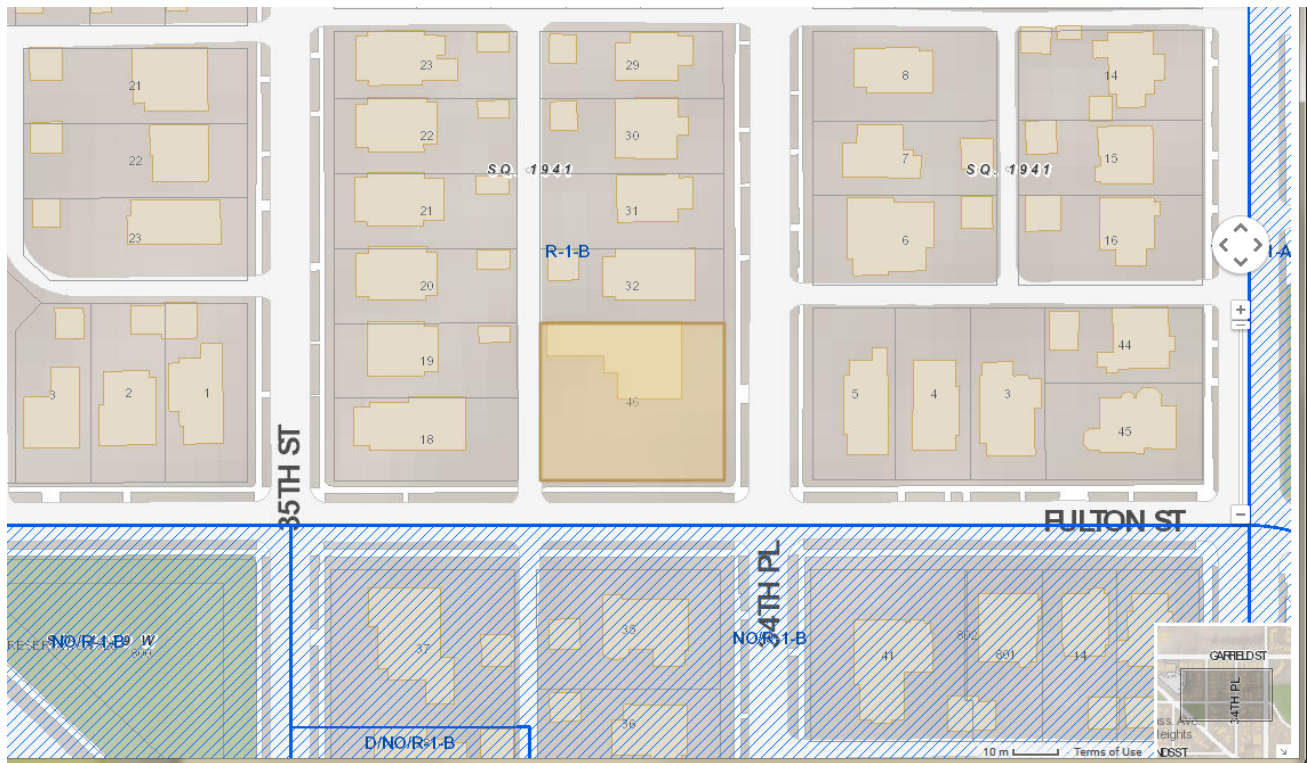
The existing use is a permitted in this zone as is garage uses.

VI. COMMUNITY COMMENTS

Adjacent neighbors: The Applicant provided a letter of support from the property owner located across 34th Place NW (2801 34th Place NW), the adjacent neighbor located at 2808 34th Place NW, as well as many other letters of support from nearby residents.

ANC 3C: The property is within ANC-3C. ANC-3C filed a letter of no objection to the record.

Attachment: Location Map



Location Map