

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen Gyor AICP, Case Manager
JLS for
Joel Lawson, Associate Director Development Review

DATE: January 27, 2015

SUBJECT: BZA Case 18908 – Request for variances to allow the construction of a two-story addition to an existing single-family dwelling at 1401 A Street, S.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following variances:

- § 403 Lot Occupancy (80.6% existing; 60% required; 86% proposed);
- § 404 Rear Yard (9.7 feet existing; 20 feet required, 7 feet proposed); and
- § 2001.3 Nonconforming Structures

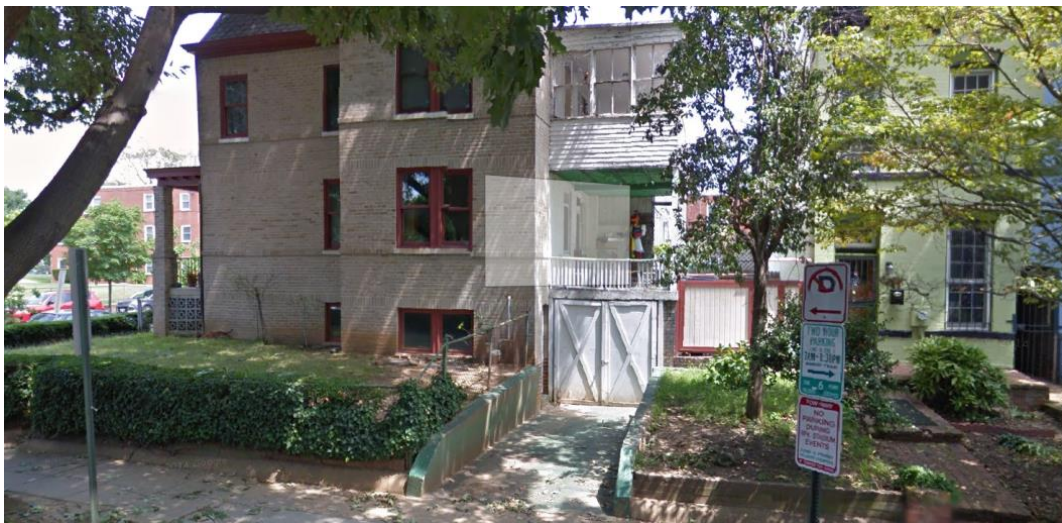
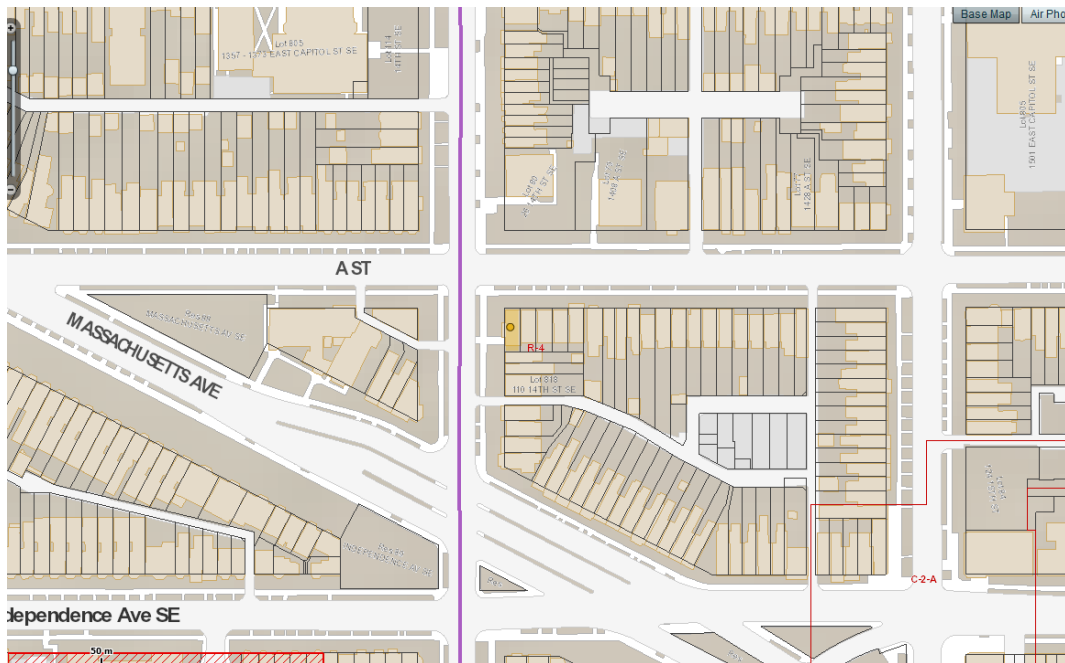
The Subject Property is also nonconforming to lot area. The Zoning Administrator has determined that this relief is not required for an addition on an existing lot.

II. LOCATION AND SITE DESCRIPTION

Address	1401 A Street, S.E. (the “Subject Property”)
Legal Description	Square 1059, Lot 119
Applicant	Donald Hurlbert and Barbara Watanabe (the “Applicants”)
Ward	6
Lot Characteristics	The rectangular corner lot is 18 feet wide along the A Street SE frontage and 50 feet deep along 14 th Street SE.
Zoning	R-4
Existing Development	Row dwelling, permitted in this zone. The two-story dwelling was constructed around 1920 and includes an existing 4-foot by 15-foot bay extension into public space.
Historic District	NA
Adjacent Properties	Adjacent properties include row dwellings.
Surrounding Neighborhood Character	The surrounding neighborhood is predominantly characterized by row dwellings.

III. APPLICATION IN BRIEF

Proposal:	The Applicant proposes to demolish the Subject Property's existing garage and rear porch. The Applicants propose to construct a full-size one-car garage, open porch on the first floor and a master bedroom on the second floor. The footprint of the proposed addition would be approximately 11 feet X 17 feet. The existing driveway, retaining walls, and curb cut would remain. The Applicant proposes to widen the apron near the garage door.
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Subject Property

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max.	33.5 ft.	33.5 ft.	None required
Lot Width § 401	18 ft. min.	18 ft.	18 ft.	None required
Lot Area § 401	1,800 sf. min.	900 sf.	900 sf.	Existing nonconforming
Floor Area Ratio § 402	NA	NA	NA	None required
Lot Occupancy § 403	60% max.	80.6%	86%	Relief required
Rear Yard § 404	20 ft. min.	9.7 ft.	7 ft.	Relief required
Side Yard § 405	NA	NA	NA	None required
Court § 406	NA	NA	NA	None required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 403 (Lot Occupancy) and § 404 (Rear Yard)

i. Exceptional Situation Resulting in a Practical Difficulty

According to the Applicant, the Subject Property's exceptional situation is the result of two factors: 1) the subdivision of Square 1059 created unusually small lots; 2) the Subject Property already includes a non-conforming single-family dwelling with an undersized and dilapidated garage, as well as a deteriorating indoor/outdoor porch.

The Subject Property does not conform to rear yard and lot occupancy requirements of the R-4 District, as it predates the 1958 Zoning Regulations resulting in non-conformities that are specifically regulated by § 2001. Lots 119-123, which are approximately 900 square feet in area, are exceptionally small when compared to other properties in Square 1059 and the surrounding neighborhood.

The Property is improved with a pre-1958 three-story row dwelling which is a common building type in the Square. The lot already includes a garage, which is eight feet four inches wide, severely dilapidated, and currently used only for storage. The Applicant stated that given its size and condition, it is practically difficult to use the existing garage for parking. Further, building the garage elsewhere on the site would be unnecessarily burdensome to the Applicant, as it could necessitate additional site work and potentially require sacrificing existing living space.

ii. No Substantial Detriment to the Public Good

Even though garages are not common on this square, granting a variance would not appear to cause substantial detriment to the public good. The requested rear yard and lot occupancy relief would not be detrimental as it should not unreasonably impose on neighbors' privacy or light and air. The addition would not include east-facing windows that would compromise the privacy of the property to the east. Further, the building to the south has no windows on the property line and its privacy would also be unaffected. The addition would also not substantially intrude upon the character, scale and pattern of houses in the square. The proposed addition would be residential in appearance and consistent with existing surrounding development. OP staff is not aware of any neighbor or ANC opposition to the proposal.

iii. No Substantial Harm to the Zoning Regulations

The requested variance would not substantially impair the intent, purpose and integrity of the zone plan. The garage would be in conformance with all other provisions of the Zoning Regulations. The granting of this variance would permit the construction of a garage to accommodate the parking of one vehicle for a row dwelling. The reconstructed garage would help the Applicant to satisfy the zoning requirement for one parking space per dwelling unit.

VI. COMMUNITY COMMENTS

On January 13, 2015, ANC 6B voted unanimously to support the application.

The Applicant received several letters in support, including letters from the adjacent neighbors residing at 1403 A Street SE and 106 14 Street SE.