

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: December 30, 2014

SUBJECT: BZA Case 18909 – expedited request pursuant to 11 DCMR § 3118 for special exception relief under § 223 to construct an addition to a row dwelling at 521 14th Street, S.E.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403, Percentage of Lot Occupancy (60 percent permitted, 67 percent proposed); and
- § 406, Open Courts (6-foot width required, 3.7 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address	521 14 th Street, S.E.
Legal Description	Square 1043, Lot 51
Ward	6B
Lot Characteristics	Rectangular lot with rear alley access
Zoning	R-4: Moderate density residential
Existing Development	Row dwelling, permitted in this zone.
Adjacent Properties	Row dwellings
Surrounding Neighborhood Character	Moderate density residential along 14 th Street, with commercial and industrial uses to the west

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Lacy Brittingham
Proposal	Construction of two-story rear addition
Relief Sought	§ 223 - Additions to One-Family Dwellings or Flats



IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 feet max.	22.8 feet	22.8 feet	None required
Lot Width § 401	18-foot min.	15.9 feet	15.9 feet	None required
Lot Area § 401	1,800 square feet min.	1,399 sq.ft.	1,399 sq.ft.	None required
Floor Area Ratio § 402	None prescribed	--	--	None required
Lot Occupancy § 403	60% max.; 70% by special exception	46%	67%	Required
Rear Yard § 404	20-foot min.	46.9 feet	28.9 feet	None required
Open Court § 406	6-foot width min.	3.7 feet	3.7 feet	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 is requesting special exception relief under § 223 from the requirements of § 403, Lot Occupancy, and § 406 Courts.

223.2 The addition or accessory structure shall not have a substantially adverse effect 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 neighboring row houses to the subject property are improved with deep rear yards in excess of the minimum required by the Zoning Regulations. These large rear yards allow for light and air to enter those properties from the west and the proposed addition would not alter this relationship.

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

No windows are proposed on the party wall, or north side of the addition. The rear wall windows would face the subject properties rear yard, beyond which is the applicants' garage and industrial uses. The windows on the south side of the addition would be screened by the existing fence along the common

property line on the first floor and the second floor windows would not face the windows of any adjoining properties.

- (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 would be visible from the public alley. It would be similar in scale to the existing and neighboring dwellings and residential in appearance and therefore not intrude substantially upon the character, scale and pattern of houses.

- (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, photographs and elevations sufficient 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 proposed lot occupancy of 67 percent is less than the maximum seventy percent permitted in the R-4 by special exception.

- 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 makes no special treatment recommendations.

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

The subject application would not result in the introduction or expansion of a nonconforming use.

VI. COMMUNITY COMMENTS

The Single-Member District Commissioner for ANC 6B06, in an email to OP dated November 22, 2014, indicated that she had no comments.

Three neighborhood residents submitted letters to the file in support of the application, including adjoining property owners to the north and south of the subject property.