

Board of Zoning Adjustment

Variance request for Accessory Building Height and alley set back

Special Exception request for Lot Coverage

240 9th Street, NE

Square 0917

Lot 0068

Statement:

Pursuant to 11-3103.2, the applicant is requesting

1. An Area Variance from 2500.4 to raise the height of his existing garage from the current 9.75' to 18' and add a second story;
2. An Area Variance from 2300.4 to increase the nonconforming condition of the alley setback requirement of 12' (from alley centerline) to 7.06'

Pursuant to 11-223.1, the applicant is requesting

1. A Special Exception from 403.2 to increase lot occupancy from 60% to 64.38%.

Existing Conditions:

The lot is in the Capitol Hill Historic District. It is a narrow rectangle and the main dwelling and accessory garage on the lot are fully attached. The one story garage opens to a public alley 14.17' wide and is currently set back 10.02' from the centerline. There is no work proposed on the main dwelling.

Proposed:

The applicant would like to restore his garage to the historic two-story carriage house that was most likely present when the house was originally built. There is precedence on the block to indicate that the structure was originally two stories. The lot bordering Mr. Peters to the south was granted relief from the height limitation when it's roof fell in and now is an 18', two-story, brick carriage house, sitting on the edge of the property line/alley line. There is another two story carriage house two properties to the north.

Mr. Peters would like to use the carriage house for parking on the alley level and have an artist workshop on the upper level for his personal use. The main dwelling is not large enough to incorporate artist space and it is financially infeasible and practically impossible to add onto the existing house to create the needed space due to the size and dimensions of the lot.

3103.2 Applicability:

1. The lot is exceptionally narrow at 15.5'. Without the ability to increase in width, the applicant's most viable option is to expand vertically, though still staying below the precedent already established on the block.
2. No accessory structure on the block complies with the 12' centerline setback requirement. The applicant's current setback is just over 10'. The nonconforming nature of the other structures makes the applicant's structure unusual and creates exceptional situation.
3. There are 9 row houses with the same façade facing 9th street and built as a typical string of Capitol Hill row houses. However, there are two houses with shorter footprints and two

unconnected dog trot areas – the applicant's and his immediate neighbor. This condition is unusual for the row of houses and creates unusable space for the applicant.

4. There is a light pole placed right at the property line on the alley side of the lot. In addition, there is a utility pole placed on the other side of the alley opposite the center of the rear lot line. The two conditions pose an unusual condition for the applicant to maneuver around.
5. The condition of the existing garage is problematic. The building is wood framed incased in stucco and has significant structural issues that have to be addressed.
6. Because the garage is in the Capitol Hill Historic District, great attention is paid to the choice of building material. The Historic Preservation Office has requested the applicant use brick as a siding material. In addition, they have requested that the garage be put in the same plane as the other garages on the block, i.e. on the alley/lot property line.

3103.2 Applicability:

1. The current lot occupancy is 60% or the maximum allowed by right. Because the Historic Preservation Office would like to see the restored garage in line with the other accessory structures on the block, the applicant proposes enclosing the narrow rectangle between his current garage and the alley/lot line. This will add 76.21 SF to the lot coverage and raise the lot coverage to 64.38%, well below the maximum 70% allowed by special exception.

Support:

The property is located in the Capitol Hill Historic District and is subject to review and approval by Historic Preservation Review Board. The Historic Preservation Office has given preliminary support for the project and will work closely together moving forward if relief is granted.

In order to address HPO's concerns about the alley front and material, the applicant must seek relief from lot occupancy requirements. Additionally, because brick is over double the cost of other siding materials, the investment can only be made if it results in added value to the property with additional occupiable space with a 2nd floor.

Both abutting neighbors have signed letters that indicate they have seen the plans and have no objection. The added story and height will not adversely affect the use and enjoyment by any of the abutting neighbors. The rebuilt structure will be visually much more appealing than what is currently there, from the alley perspective and from the rear view perspective of the neighbors. The structure will not be visible from the street.

Specifically:

1. The light and air for the neighboring properties will not be unduly affected. The height of the addition will match the existing carriage house to the south and be lower than the existing two-story carriage house 3 lots north. Both adjacent neighbors have signed letters saying they have seen the plans and have no objection.
2. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised because there are no windows placed on either the north or south walls of the accessory structure (shared party-wall property lines).
3. The carriage house will conform to the character, scale and pattern of the historic carriage houses typical of Capitol Hill.

Finally, the integrity of the zoning plan is maintained. The applicant is in the R4 district and the intent of the zoning is to maintain single-family residential row houses. The proposed project maintains the single-family residential row house intent. In addition, the proposed project proposes the original nature of the main house and what was probably a two-story carriage house originally.

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