

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown-Roberts, Project Manager
Joel Lawson, Associate Director Development Review

DATE: February 24, 2015

SUBJECT: BZA Case 18930 - Special Exception relief at 1102 Park Road, NE

I. OFFICE OF PLANNING RECOMMENDATION

Wallis McClain (Applicant) requests special exception review pursuant to § 3104 and § 223 to allow for the demolition and expansion of a garage and an addition to the existing dwelling. The plans were subsequently revised to lower the height of the garage and the area of the roof deck. However, the changes did not affect the areas of the special exception. The Office of Planning (OP) recommends **approval** of the following special exception:

- § 403.2, Lot Occupancy (60% maximum, 70% proposed);
- § 406.1, Courts (6 feet required, 5.5 feet proposed)
- § 2001.3, Nonconforming Structures

The property is non-conforming to lot area and lot width. The Zoning Administrator has determined that this regulation only applies in instances where the property is vacant.

II. LOCATION AND SITE DESCRIPTION:

Address:	1102 Park Street, NE
Legal Description:	Square 987, Lot 17
Ward:	6, 6A
Lot Characteristics:	The rectangular lot has an area of 1,585 square feet (100 ft. x 15.58 ft.) The rear of the property abuts a 15-foot wide public alley.
Zoning:	R-4 – Row dwellings and flats.
Existing Development:	Row dwelling, permitted in this zone with a detached garage.
Historic District:	Capitol Hill Historic District
Adjacent Properties:	The adjacent properties are predominantly row dwellings.



Site Location

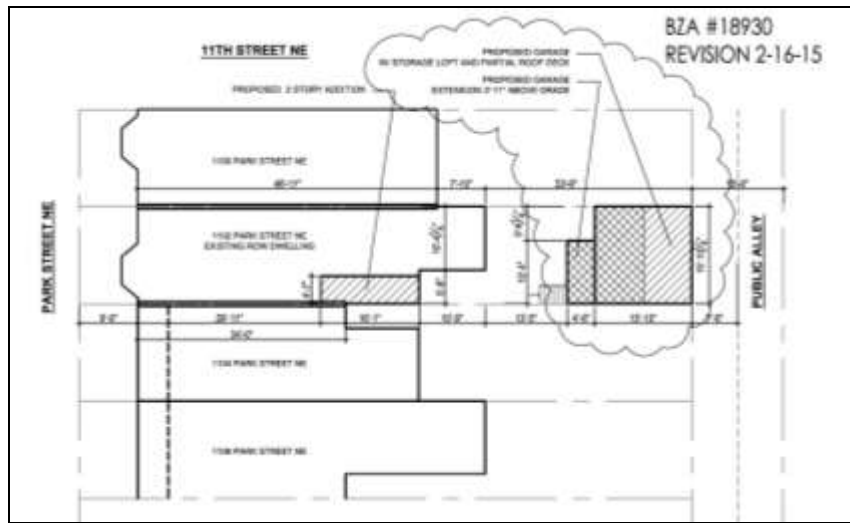


Pictures of Existing Garage and Court Area

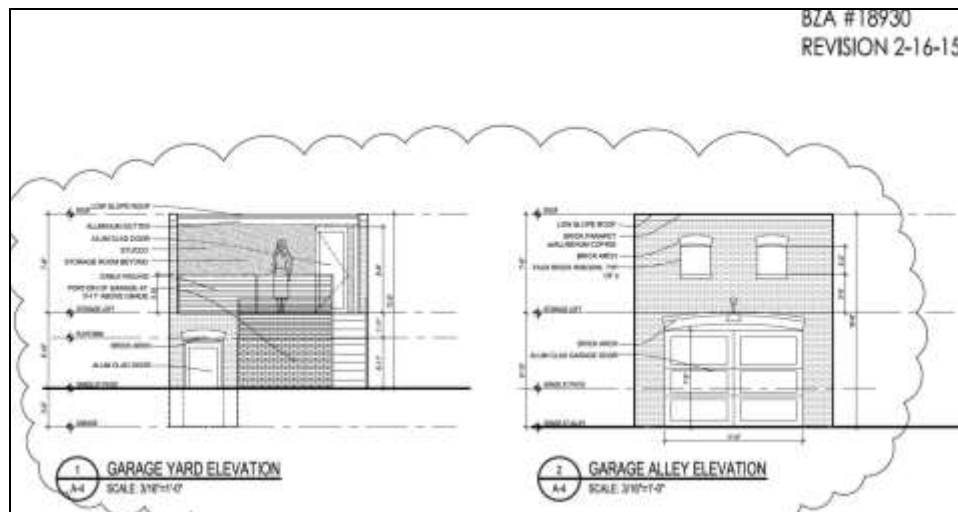


III. PROJECT DESCRIPTION IN BRIEF

The proposal consists of the demolition on a one story garage to be replaced with a 13.5-foot high, 2-story garage. A portion of the second floor would be for storage and the other portion would be a roof deck. Additionally, the Applicant proposes to fill in the 4.58 feet wide open court with a two-story addition to the existing dwelling. As the property is located in the Capitol Hill Historic District, the applicant has coordinated with Historic Preservation office and adjacent neighbors who recommended changes to the garage. The Applicant made the recommended changes by removing the roof deck from the top of the garage and lowered its height as indicated on revised plans.



Site Plan



IV. ZONING REQUIREMENTS

	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400 (garage)	15 ft. max.	10.1 ft.	13.5 ft. (yard) 16.5 ft. (as viewed from alley)	None required
Lot Width (ft.) § 401	18 ft. min.	15.85 ft.	15.85 ft.	None required
Lot Area (sq.ft.) § 401	1,800 sq. ft. min.	1,585 sq. ft.	1,585 sq. ft.	None required
Lot Occupancy § 403	60% max.	67%	70%	Required
Rear Yard (ft.) § 404	20 ft. min.	33.5 ft.	33.75 ft.	None required
Side Yard (ft.) § 405	None prescribed	--	--	None required
Court § 406	6 ft. min.	4.58 ft.- 5.5 ft.	5.5 ft.	Required

¹ Information provided by Applicant.

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 review under § 223 from the following requirements: § 403.2, lot occupancy; § 406.1, courts; and § 2001.3, nonconforming structures.

The lot is currently nonconforming in terms of lot occupancy and a court with varying width along the eastern property line. The lot occupancy will be increased slightly to accommodate the proposed expansion of the garage while the addition to the dwelling would fill in a court that is already calculated within the lot occupancy. The wider portion of the court area will remain.

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 light and air available to neighboring properties should not be unduly affected. The filling in of the court should not affect the light and air to 1104 Park Street as the adjacent portion of the building does not have any windows. There is a window on the northern portion of their court but it would still receive light and air. The proposed garage is some distance away from other homes along the alley and therefore should not affect their light and air. The remaining court area currently exists and will continue to not affect the adjacent neighbors.

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

The privacy of use and enjoyment of neighboring properties would not be unduly compromised. The proposed addition would be approximately the same height size as the current structure and would not extend beyond the rear wall of the row dwelling located to the south. The court would continue to be the same width and would not compromise the privacy of the neighbor located south of the dwelling. The expansion of the lot occupancy of the garage with a nearly 4-foot high expansion would not be viewed from adjacent properties and therefore would not affect the privacy of the adjacent residents. The proposed roof deck would face the internal yard of the property and privacy of adjacent properties would be minimized.

- (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 not visually intrude upon the character, scale and pattern of houses along the Park Street frontage as it would not be visible from Park Street and it would be concealed by the existing two story dwelling to which it would be attached. The garage also would not be visible from Park Street. As the property abuts an alley along the rear of the lot, the proposed garage would be visible from other public ways. Many of the houses along the alley do not have garages but the proposed garage would not substantially visually intrude upon the character along the 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 has provided graphical representations, including a site plan, elevations and photographs, which sufficiently represent the relationship of the proposed addition or accessory structure 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 is 70% and is permitted with the approval of a 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.*

The Office of Planning does not recommend special treatment of the proposed addition.

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

The row dwelling would continue to be used as a residence, which is a permitted use in the R-4 District.

VI. COMMUNITY COMMENTS

ANC 6A was scheduled to review the application on February 12, 2015. Letters of support have been submitted from the Capitol Hill Restoration Society and neighbors.

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