

CASE:#FY-15-1-Z

Proposed freestanding two story garage serving a single family flat.

515 7th Street, SE

Lot 877 in Square 0853

Zoned R-4

DCRA File job#G1400073

This is a proposal for a 16 foot tall by 24 feet wide and 25 foot deep 2 story garage in the rear of 515 7th St., SE, Washington, DC 20003 abutting a 28 foot wide alley. Exhibit #1

- 1) Special Exemption under 223.1 is requested for lot coverage to 70%
- 2) Variance pursuant Section 403.2 for exceeding lot coverage in R-4 (Section 3103.2) if the Board finds the special exemption 223.1 does not meet the criteria/or in addition to the criteria.
- 3) Variance pursuant to Section 2500.4 for exceeding the maximum height and number of stories for an accessory structure (Section 3103.2).

The lot is 24 feet wide x 110 deep. The current structure is a single family flat of various heights, none exceeding 38 feet and averaging about 28 feet. The flat structure is subject to a Historic Preservation Covenant granted by the Owner, as the house was originally built in 1851 and is one of the older houses existing on Capitol Hill. Older plat books show the previous existence of a garage/carriage house accessory structure on the lot. It is unknown at what height the previous structure was. There are numerous non complying buildings both in the alley and on 7th Street.

The Alley is 28 feet wide with a 3 foot wide concrete sidewalk included. There are garages on either side of the subject property. The one to the South averages 11 feet in height (Exhibit #2) and the one to the North averages 9 ½ feet high (Exhibit #3). Both garages are a little more than 25 feet deep and go from side lot line to side lot line. Except for one lot (Exhibit #9), all houses on the West side of this block of 7th Street have similar garages varying in height of ~ 9 feet to ~ 13 feet (Exhibits #s 4-8). At the West side of the Alley, there are significant variations. There are two 17' wide attached Single Family dwellings at 23 feet high (Exhibit

#10&11)(and adjacent to these is a zero lot line clearance one story garage/dwelling unit at about 12 feet high-Exhibit #12&13), one vacant lot, adjoining the narrow vacant lot are another two attached SF dwellings that are about 24 feet high-Exhibit #14(adjacent to those are large industrial buildings ~60 x 40 Feet at about 17 feet high-Exhibits #s 15,16 &17 and Exhibits # 34, 35, 36 & 37).

The building lot is rectangular and is flat. At first glance, it does not seem to present any exceptional difficulty that would merit a variance and/or a special exemption. This is not the case. This dwelling was built in 1851 when precise property lines were not always established by a survey prior to building. The current dwelling encroaches on the property to the North in various amounts from seven inches at the West side to more than that amount on the East side. This is a common occurrence for buildings erected at this time. The result of this encroachment is that the South side yard is 5'-0" wide on the applicants property and/or this was the intent to make the side yard five feet wide. City plat books maintained by DCRA's Surveyor's Office show a five foot side yard. Since the current Zoning Code allows side yards of five feet and wider to be counted in open lot area, we believe that this is a unique and perhaps exceptional difficulty. This area represents 12% of the lot area. Also, the building footprint on the North lot could represent up to another 3% of lot area. The current dwelling is large and contiguous with the dwelling at 513 7th St.,SE. It would be very expensive and impractical to correct the encroachment along its 62 foot length. Programming these results into lot coverage provides coverage of ~65% and 62% respectively with the addition of the new garage.

The height of the proposed garage would be more efficiently built at 16'-0" high due to the width of structural materials and the spans involved. This would allow for near minimum of seven foot head room in the vehicle and household storage areas. It serves the future public good to have a functional building that is not built obsolete.

The proposed garage would not impact natural light, ventilation or disturb the fabric of the alley and neighborhood. It seems reasonable to conclude from the size of the Alley width and the existing buildings that this was intended to be a residential Alley(note 3 foot wide existing vintage sidewalk-Exhibit #8) and the proposed scheme would only enhance the fabric and texture of the Alley scape, as more and more jurisdictions are moving towards modulation and transition zones in planning the cityscape.

And, the proposal gets rid of an ugly fence(Exhibits 18 and 19), provides one new parking space and grants additional security to the immediate neighbors from "fence jumping" type criminal activity.

This proposal is a resubmittal of a previously granted Permit(2003) Exhibits 20-26 that the owner occupant was unable to construct for financial reasons and not being knowledgeable like many builders in DC, did not know to start and continue to work on it over the years to preserve her rights under that granted Permit.

Given these facts, the Owner, Ms. Sweek decided to apply for two different structural permits at 515 7th St.,SE. She was advised that current regulations would permit a structure of ~ 325 feet squared(at 60% of lot coverage for R-4) and so prepared documents for that structure and submitted application(G1400072). She was advised by an intake plans examiner that her prior permitted size and building could be approved by BZA action. She filed an additional application to reflect that previous permit which is now the subject of this BZA action(G1400073) Exhibits 27-33.

Historic Preservation wanted elimination of parapet walls, which was agreed to, Structure wanted a sloping garage floor to the alley...again agreed to. The Zoning Plans Examiner decided that neither application was in compliance , " the lot coverage ratio gives you less than 100 square feet for a garage, ...the mezzanine you wish to construct is too large and is a second story" (despite being less than 33% of the floor area below-my note). Given that Plans Examiners have a wide discretion in interpretation of the Codes, we decided it best to pose these areas of dispute to the BZA and seek relief by the Boards action.

In summery, the proposed garage should be granted as requested because it adds value to community, is pleasing to the eye(like a waterfront residence-it makes another formal entrance to the property...important for the texture of a historic residential alley), adds to the property values of neighbors, enhances the function of the property by provide vehicular storage and storage space for personal goods, recreates and confirms the ambience of the original 1851 dwelling, provides security, does not penalize those who wish to preserve Historic buildings and provides a spark for further improvement of this very interesting and probable very historic Alley. And for all these reasons and the reason that it has historically been the Board's intent to provide relief as follows:

Case # 1863-B The Board approved and affirmed the decision to permit greater lot coverage by 223.1 of the Zoning Code and a Variance for greater height(second

floor addition to an existing garage) at 117 "C" St.,SE(CAP/R-4), on November 8th, 2011

Case #18293 The Board approved a second story addition and additional lot coverage in an R-4 Zone at 1819 10th St.,NW, on January 17th, 2012

Building Permit # B456380(October 30, 2003), The Board affirming it's decision in an Appeal Hearing of February 21, 2006 to permit a noncomplying height and lot coverage accessory 2 story garage structure at 5362 27th St.,NW

Application # 18398 The Board approved Variances for Height(two story garage), Lot coverage for backyard and a Special Exemption for Lot Coverage at 2130 Bancroft Place, NW on January 8th, 2013.

We, respectfully request the Board to Grant relief to build the two story garage at 515 7th Street, SE, Washington, DC 20003 per attached specifications.

Submitted by: Frederick Holl, agent for Sonja Sweek: 515 7th St., SE
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Signed Frederick Holl , 11/24/14

