

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: February 17, 2015

SUBJECT: BZA Case 18947 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing rowhouse dwelling at 710 A Street NE.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 406.1 Open Court (8.84 feet required; 4.5 feet existing; 4.5 feet proposed); and
- § 2001.3 Existing Nonconforming Structure

II. LOCATION AND SITE DESCRIPTION:

Address:	710 A Street NE (the “Subject Property”)
Legal Description:	Square 896, Lot 41
Ward:	6
Lot Characteristics:	The rectangular shaped lot is approximately 20 feet wide along the A Street NE frontage and 100 feet deep. A 10 foot wide public alley is located at the rear.
Zoning:	R-4
Existing Development:	Row dwelling, permitted in this zone.
Historic District:	Capitol Hill Historic District
Adjacent Properties:	Predominantly rowhouses.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Henry and Katie Van Dyck (the “Applicant”)
Proposal:	The Applicant proposes to construct a second story addition at the rear of an existing rowhouse structure. The proposed addition would expand the court vertically but would maintain the existing width. The application has the support of Historic Preservation Office staff.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats



IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	30 ft.	30 ft.	None required
Lot Width (ft.) § 401	18 ft. min.	20 ft.	20 ft.	None required
Lot Area (sq.ft.) § 401	1,800 sq.ft. min.	2,000 sq.ft.	2,000 sq.ft.	None required
Lot Occupancy § 403	60% max.	50%.	50%	None required
Rear Yard (ft.) § 404	20 ft. min.	45 ft.	45 ft.	None required
Side Yard (ft.) § 405	NA	NA	NA	None required
Open Court § 406	8.84 ft. min.	4.5 ft.	4.5 ft.	Relief 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 relief under § 223 from the requirements of § 406 (Open Courts).

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 proposed addition would not affect the light and air available to neighboring properties. First, the proposed addition would be located at the rear of the lot and would be separated from the adjacent property at 708 A Street NE by the Subject Property's existing open court. Second, the property to the east, 712 A Street NE, is separated by its existing open court. The proposed addition would have some impact on the available light in the open courts of the neighboring properties, but should not impact the structures or rear yards of those properties. Lastly, the neighboring properties to the south of 710 A Street NE are separated from the Subject Property by rear yards, garages, and a public alley.

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

The privacy of use and enjoyment of neighboring properties should not be unduly compromised. The proposed second story would not extend beyond the existing first floor. Further, there would be no windows placed on either side of the addition. Structures on each side of the addition already include second story additions. The existing four foot open courts would continue to separate the proposed addition from the neighboring properties. The properties to the rear would be separated from the proposed addition by rear yards and existing garages across the alley.

(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 be visible from A Street NE. The proposed addition would not visually intrude upon the character, scale and pattern of houses along the street frontage.

- (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, building elevations, and photographs 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 lot occupancy of the new and existing structures would be 50%, which is permitted by-right in the R-4 District.

- 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 for the proposed addition in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent properties. However, the addition is subject to Historic Preservation Review.

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

The use would continue to be a rowhouse, which is permitted in the R-4 zone.

VI. COMMUNITY COMMENTS

As of this writing, a letter from ANC 6C has not been submitted to the record.

Letters of support have been provided by neighbors residing immediately adjacent to the Subject Property.