

MEMORANDUM

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

SUBJECT: BZA Case 18959 - request for special exception relief under § 223 to allow the construction of a second-story addition to an existing single-family dwelling in the R-1-B District at premises 3629 Everett Street N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403 Lot Occupancy (50% existing; 40% permitted; 50% proposed);
- § 404 Rear Yard (6.4 feet existing; 25 feet min. required; 6.4 feet proposed); and
- § 405 Side Yard (6 feet - east, 0 feet – west existing; 6 feet required; 6 feet - east, 0 feet – west existing).

The Applicant has not requested relief from § 2001.3 Nonconforming Structures; however, this relief appears to be necessary given the existing nonconforming lot occupancy, rear yard, and side yard.

II. LOCATION AND SITE DESCRIPTION:

Address:	3629 Everett Street NW (the “Subject Property”)
Legal Description:	Square 1983, Lot 37
Ward:	3
Lot Characteristics:	The rectangular lot is 84 feet deep by 31.5 feet wide. A 16 ft. wide alley is located at the rear.
Zoning:	R-1-B
Existing Development:	Single-family semi-detached dwelling, permitted in this zone.
Historic District:	NA
Adjacent Properties:	Adjacent properties largely include single-family detached dwellings. St. Paul’s English Lutheran Church is located across Everett Street from the Subject Property.
Surrounding Neighborhood Character:	The surrounding neighborhood is largely comprised of single-family semi-detached and detached dwellings, institutional, and retail uses.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	David and Elizabeth Field (the “Applicant”)
Proposal:	Construct an addition above the existing entry porch.
Relief Sought:	§ 223 - Additions to a One-Family Dwellings or Flats



Subject Property

V. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	27.5 ft.	27.5 ft.	None required
Lot Width (ft.) § 401	50 ft. min.	31.5 ft.	31.5 ft.	None required
Lot Area (sq.ft.) § 401	5,000 sq.ft. min.	2,646 sq.ft.	2,646 sq.ft.	None required
Floor Area Ratio § 401	None prescribed	NA	NA	None required
Lot Occupancy § 403	40% max.	50%.	50%	Relief requested
Rear Yard (ft.) § 404	25 ft. min.	6.4 ft.	6.4 ft.	Relief requested
Side Yard (ft.) § 405	5 ft.	6.0 ft. east; 0 ft. west	6.0 ft. east; 0 ft. west	Relief requested
Court § 406	NA	NA	NA	None required

¹ Information provided by Applicant.



Subject Property

VI. 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.

Single-family semi-detached dwellings are a permitted use in this zone. The Applicant requires special exception relief under § 223 from the requirements of § 403 (Lot Occupancy), § 404 (Rear Yard), and § 405 (Side Yard).

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 proposed addition would not seem to infringe on the property to the east, 3627 Everett Street, which would be separated by a six foot side yard. The proposed addition would not appear to compromise the light and air of the neighboring property to the west, 3601 Everett Street, which does not include

windows facing the Subject Property. The properties to the north are separated from the proposed addition by rear yards and the 16 foot 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 addition would not seem to infringe on the property to the east, 3627 Everett Street, which would be separated by a six foot side yard. The neighboring property to the west, 3631 Everett Street NW, does not include windows facing the Subject Property. The proposed addition would not increase the height of the existing structure.

- (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 proposed addition would be visible from Everett Street NW; however, the addition would not visually intrude upon the character, scale and pattern of houses along the street frontage and is designed to be in character with the existing house.

- (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 would be 50%, which is the same as the existing amount and the same as which is permitted by special exception in the R-1-B 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.

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

The proposed use would be a single-family dwelling, which is permitted in the R-1-B zone.

VII. COMMUNITY COMMENTS

Several adjacent neighbors submitted letters into the record in support of the proposed project.

As of this writing, a letter from ANC 3F has not been submitted into the record.