

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
 Joel Lawson, Associate Director Development Review

DATE: May 5, 2015

SUBJECT: BZA Case 18962 - request for variance relief pursuant to DCMR 11 § 3103.2 from the requirements regarding nonconforming structures (§ 2001.3) with respect to rear yard (§ 404.1) and accessory uses and buildings (§ 2500.3) to construct a sunroom to an existing single family dwelling at 1211 Kalmia Road, NW.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of the requested relief to allow the addition of a sunroom to an existing nonconforming (§ 2001.3) single family dwelling at 1211 Kalmia Rd. NW:

- Area variance relief for an existing nonconforming accessory building in the rear yard, per § 2500.3 - (Max. 30 % of area of required rear yard, 39% existing and proposed); and
- Area variance relief pursuant from the requirements of § 404.1, and § 2001.3 - for an existing nonconforming structure that does not provide the minimum required rear yard (25 feet minimum required, 17.6 feet existing and proposed);

II. LOCATION AND SITE DESCRIPTION

Address	1211 Kalmia Road, NW
Legal Description	Square 295, Lot 0001
Ward	4/ANC 4A
Lot Characteristics	The property is a flat irregularly-shaped lot abutting a 16-foot wide alley system. The southern property line fronts on Kalmia Road.
Zoning	R-1-B – detached, single family dwellings.
Existing Development	Two-story, single-family detached dwelling, permitted in this zone.
Historic District	Not located in a historic district.
Adjacent Properties	The surrounding neighborhood is residential in character.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Great Day Improvements, Contractor agent on behalf of Jeffrey Blend
Proposal	The applicant proposes to install a patio/sunroom enclosure on an existing deck at the rear of the home.
Relief Sought	Variance relief pursuant to § 3103.2 from the requirements regarding expansion of a nonconforming structure (§ 2001.3) with respect to rear yard (§ 404.1) and accessory uses and buildings (§ 2500.3).

IV. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed ¹	Relief
Lot Width (ft.) § 401	50 ft. min.	49.11 ft.	No change	Existing non-conforming
Lot Area (sq. ft.) § 401	5,000 sq. ft. min.	5,043 sq. ft.	No change	None required
Floor Area Ratio § 401	None prescribed			None required
Lot Occupancy § 403	40 % max.; 70 % by special exception	30.4%	34.1%	None required
Side Yard (ft.) § 405	8 ft. min.	6 ft.	No Change	Existing non-conformity
Rear Yard (ft.) § 404	25 ft. min.	17.6 ft.	No change	Existing non-conforming
Accessory Building § 2500.3	30 % max.	39 %	39 %	Existing nonconforming accessory building +9 %

V. OP ANALYSIS

The Applicant is requesting variance relief under § 3103.2 from the requirements regarding expansion of a nonconforming structure (§ 2001.3) with respect to rear yard (§ 404.2) and accessory uses and buildings (§ 2500.3) to construct a sunroom to an existing single family dwelling.

¹ Information provided by DCRA.

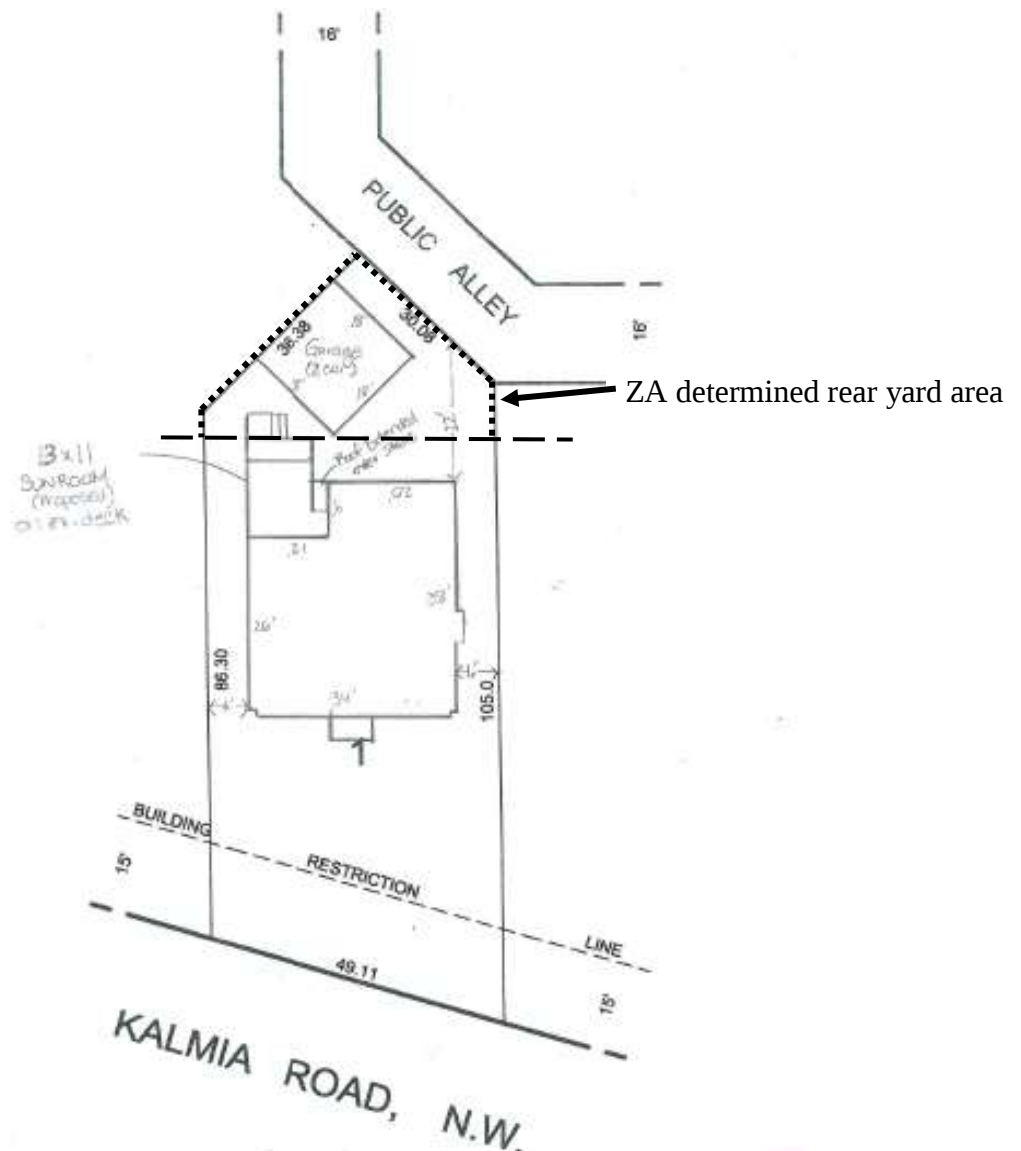
a. Variance Relief from § 2500.3, Accessory Uses and Buildings; 404.1 and 2001.3 Rear Yard and Existing Nonconforming Structure

i. Exceptional Situation Resulting in a Practical Difficulty

The existing accessory structure, a detached garage, exceeds the maximum permitted lot occupancy for accessory buildings in the required rear yard under Section 2500.3 (30% permitted, 39% existing and proposed).

As determined by the Zoning Administrator, the average rear yard measurement is 17.6 feet, where 25 feet is required. The irregular shape of the property combined with the home's location set back well towards the rear of the lot has an impact on the rear yard dimensions, including its area. (As seen in the plat diagram below)

These factors in combination create a practical difficulty for the applicant, whereby unless the applicant substantially reduced the footprint of the existing garage, any addition to the rear of the dwelling would require relief due to the potential encroachment into the rear yard. It would be a practical difficulty for the applicant to reduce the footprint of the accessory building or the main home to comply with the existing Zoning Regulations.



ii. No Substantial Detriment to the Public Good

The proposed sunroom enclosure at the rear of the subject dwelling would not increase the existing nonconformity of the rear yard. Its location at the rear should not be visible from public space due to the garage's location, which currently blocks visibility of the existing deck structure from views from the alley. Light and air to neighboring properties should not be unduly affected. Privacy should be mitigated somewhat by the proposed screening, since currently it is an open deck. A six-foot privacy fence exists between the abutting neighbor to the west and the subject property, so this would also maintain the existing privacy of the neighboring property to the west. The proposal should not adversely affect the use of neighboring property.

iii. No Substantial Harm to the Zoning Regulations

The proposed sunroom enclosure would not increase the lot occupancy beyond that permitted within the R-1-B District (34.1% of the lot). The existing nonconforming aspects due to the accessory detached garage structure and its occupancy in the rear yard, which occupies 6.42 % of the lot and 39 % of the required rear yard, would not be increased (§ 2001.3).

VI. COMMUNITY COMMENTS

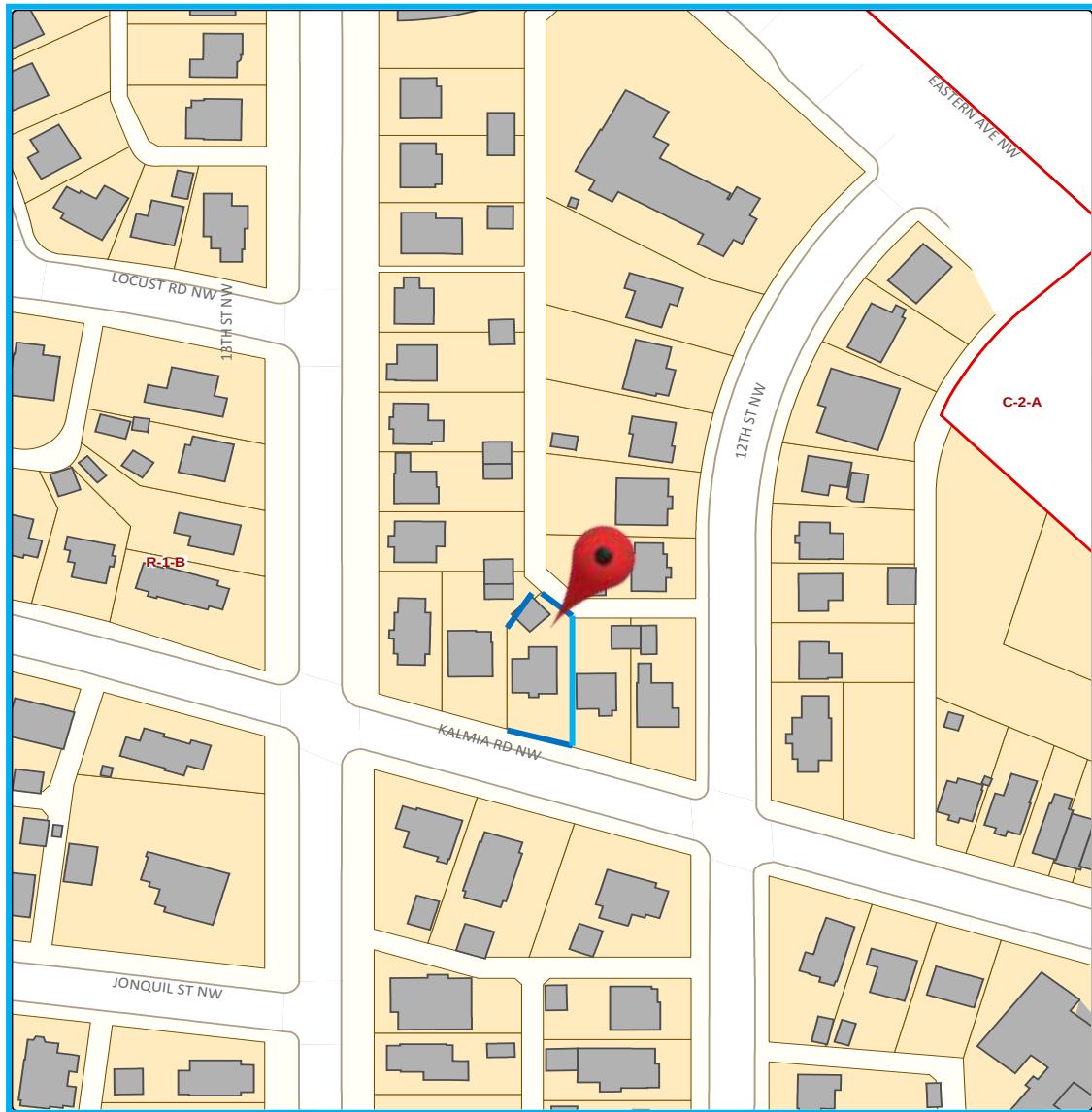
OP has not received comments from the ANC 4A to date. Neighborhood comments were also not included into the record at the writing of this report.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) provided comments on the subject application noted as Exhibit #21 of the record (4/15/2015). DDOT expressed no objection to the request.

Attachments:

1. Location and Zoning Map



LOCATION AND ZONING MAP

