



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: April 7, 2015

SUBJECT: BZA #18968 – 1413 Q Street, NW

I. RECOMMENDATION

With regard to this proposal to construct a third floor addition to an existing rowhouse, the Office of Planning (OP) **recommends approval** of the following relief:

- § 405 Side Yard (8 feet required, 8.5 feet existing at rear of house, 6.5 feet proposed at third floor bay window);
- § 2001.3 Additions to Non-conforming Structures (Building must meet lot occupancy; Can't extend or create a new non-conformity. Building does not meet lot occupancy; Addition would create a new location for the non-conforming side yard).

The application also seeks relief from lot occupancy. Because the third floor, including the addition, conforms to lot occupancy, OP does not believe that lot occupancy relief is required. If the Board finds that lot occupancy relief is necessary, OP has no objection to the relief.

II. LOCATION AND SITE DESCRIPTION

Address	1413 Q Street, NW
Legal Description	Square 208, Lot 2
Ward and ANC	2, 2F
Lot Characteristics and Existing Development	The lot is a rectangular, flat lot, 22' wide by 95' deep. The existing single family dwelling is a rowhouse-type semi-detached unit with two full floors and a partial third floor. There is a detached garage at the rear of the lot, and alleys to the east and north of the site.
Zoning	R-5-B, moderate density apartments (single family is matter-of-right)
Historic District	14 th Street Historic District
Adjacent Properties and Neighborhood Character	Mostly rowhouse or rowhouse-type semi-detached units on this block; Neighborhood is a mix of rowhouses and apartment buildings; 14 th Street has moderate to medium density mixed use.

III. PROJECT DESCRIPTION IN BRIEF

The applicant seeks zoning relief in order to construct a partial addition on the third floor.

IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The site is zoned R-5-B (Moderate Density Apartments). In order to develop as proposed, the application seeks zoning relief as noted in the table below.

Item	Existing	Requirement	Proposed	Relief
Height (§ 400)	35'	50'	No change	Conforming
Lot Area (§ 401)	2,090 sf	n/a	No change	Conforming
Lot Width (§ 401)	22'	n/a	No change	Conforming
FAR (§ 402)	1.4 (2,954 sf)	1.8 (3,762 sf)	1.5 (3,185 sf)	Conforming
Lot Occupancy (§ 403)	73% (1,527 sf) Floor 3 31.6% (660 sf)	60% 1,254 sf	Floors 1 & 2 No Change Floor 3 42.4% (886 sf)	Requested
Rear Yard (§ 404)	~28'	15' min.	No change	Conforming
Side Yard (§ 405)	3.5' min. 8.5' at the location of the addition	8'	6.5' at the proposed bay window	Requested
Additions to Non- conforming Structures (§ 2001.3)	Non-conforming for lot occ. and side yard	Bld. must meet lot occ.; Can't extend or create a new non-conformity	Bld. does not meet lot occ.; Creates a new location for non- conforming side yard	Requested

V. ANALYSIS

In order to be granted a variance, the applicant must show that they meet the three part test described in § 3103.

1. Exceptional Situation Resulting in a Practical Difficulty

§ 2001.3 – Additions to Non-conforming Structures

The property exhibits a confluence of conditions resulting in a practical difficulty. Because the garage counts toward lot occupancy, the property becomes non-conforming for lot occupancy. Without the garage, the property would have a 52.6% lot occupancy, a matter-of-right level in the R-5-B zone. If that were the case, there would be no need for § 2001.3 relief. The subject

site contains one of the few garages in the square, and because of the historic status of the garage, it cannot be demolished. These factors combine to make it practically difficult for the property owner to improve their existing non-conforming house to make it more livable for modern family standards.

§ 405 – Side Yard

The subject house is a semi-detached structure in what is predominantly a rowhouse neighborhood. If the building were a rowhouse, built lot line to lot line, the proposed bay window could be added as a matter-of-right, either projecting into public space, or projecting into a court on the property. In this case, the unusual configuration of the house creates a side yard, and the bay window would intrude into the required side yard. This configuration makes it practically difficult for the applicant to meet the zoning regulations.

2. No Substantial Detriment to the Public Good

The addition would not be likely to impact the public good; It would cast additional morning shadow on the house to the west, but not more than would be expected in a dense urban neighborhood. The addition would not severely impact air available to nearby properties, and privacy should not be impacted. The bay window would have no impact on the apartment building across the alley.

3. No Substantial Harm to the Zoning Regulations

Granting the requested relief would not impair the integrity of the Regulations. The Regulations generally intend to limit the expansion of nonconforming structures, but they also support the renovation and continued use of homes for single family residences (even though, in this zone, conversion to apartments would be permitted by-right). The creation of a small addition, with no or little impact to the public, and which, by itself, would conform to lot occupancy would not appear to, overall, harm the intent of the regulations.

VI. HISTORIC PRESERVATION

The subject property is within the 14th Street Historic District. The Historic Preservation Office staff has indicated no concerns with the design of the addition.

VII. COMMUNITY COMMENTS

The ANC has submitted a letter to the record indicating their support for the application. OP has received no other comments on the application.

VIII. ATTACHMENT

1. Vicinity Map

Vicinity Map

