

Steckler | 224 9th St NE

Summary of Zoning Relief | 21 April 2015 (Revised)

Owner / Applicant

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Statement of Existing / Intended Use

The property located at 224 9th St NE (Square 917, Lot 116) is currently owned by David & Grace Steckler and is used as an owner-occupied single-family rowhouse. The intended use shall remain as an owner-occupied single-family rowhouse. The Owners are requesting a special exception to replace and enlarge a two story rear addition, located at the rear facing west toward a public alley.

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Summary of Relief

In order to accommodate the improvements, the Owner / Applicant seeks a special exception as set forth in Section 223 [Zoning Relief for Additions to One-Family Dwellings or Flats (R-1) and for New or Enlarged Accessory Structures]. As per Section 223, the Board of Zoning Adjustment is authorized to grant a special exception from Section 2001.3 related to the issue of open court width (Section 406.1)

- Open court width of 4.5 ft (6 ft required)

Background

The property is located at 224 9th St NE, Lot 116 of Square 917. It is currently zoned R-4, and is within ANC 6A. It is located in the Capitol Hill Historic District. The lot is rectangularly shaped measuring 16.66' by 117.0', and is 1,950 square feet. A 14.17' public alley borders the west edge of the property and 9th St NE, borders the east property line. The north lot line borders Lot 115 (226 9th St NE), which has been improved with a row house. The south lot line borders Lot 117 (222 9th St NE) and has also been improved with a row house. The house is also subject to the rules and regulations of the L'Enfant Trust. L'Enfant trust has initially approved the conceptual design in an email dated 11 February 2015.

Improvements

The Applicant seeks to reconstruct and expand a rear two story rear addition, a portion of which will fill in the existing light well and another portion will create a nonconforming closed court facing the alley. The existing lot occupancy is 44%. The light well addition (measuring 16.9' x 4.5') will not increase the lot occupancy as the existing non-conforming court already counts against lot occupancy. The rear addition (15.3' x 12.2') including the newly created non-forming open court will increase the lot occupancy by 255 sf (13%) for a total of 58%, less than the 60% maximum permitted.

Open Court Relief

As per section 406.1, the minimum width of an open court is "*4 in. per foot of height of court, but not less than 6 ft.*" The height of the proposed court is 26'; therefore a width of 104" (8.7') would be required. The

Steckler | 224 9th St NE

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proposed open court is 4.5', thus a variance of 4.2' is required. Of note is the fact the proposed court width is equal to the previously existing court width, which was established prior to current zoning.

Nonconforming structure requirements (New)

Under Section 223, the Board of Zoning Adjustment is permitted to grant relief from section 2001.3. The proposed structure will create a non-conforming open court. Therefore, relief is sought from Section 2001.3. A revised Form 135 was filed on 21 April 2015.

Conclusion

The burden of proof for special exceptions is two-fold, and the Applicant must demonstrate the following:

- 1 How the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map

The R-4 zone permits single-family rowhouse development; therefore the Applicant's request is consistent with Zoning Regulations and surrounding properties.

- 2 How allowing the use will not adversely affect the use of the neighboring property – ie. traffic, noise, lighting, etc.

The existing use of property as a single-family rowhouse will remain unchanged. No additional traffic or noise will be generated as a result of granting this special exception. The design and massing of the addition has been carefully considered to minimize the impact of natural light onto the adjacent properties.

Additionally, special exceptions granted under section 223 are required to meet the following criteria:

- 1 Not unduly affect light and air available to neighboring properties

Response: The design of the addition has been carefully designed to minimize the impact to adjacent properties. The proposed court is in approximately the same location as the existing non-complying court so that it minimizes creating additional shadowing for 226 9th St NE. In addition, a tree on the 224/226 (north) property line will remain. Properties on either side of the subject property will not unduly affect light and air.

- 2 Not compromise the privacy of use and enjoyment of neighboring properties

Response: Adjacent properties will enjoy the same degree of use and privacy as they currently have now.

- 3 Not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage

Response: The proposed addition does not face a public street; therefore there will be no impact on the subject street frontage.

Steckler | 224 9th St NE

Summary of Zoning Relief | 21 April 2015 (Revised)

Community Outreach & Historic Preservation Review (Revised)

- A letter of support was received from the neighbor to the south (Beatrice Leon / 222 9th St NE). The letter is filed as Exhibit 13.
- A letter of no objection was received from the neighbor to the north (Randy Glantz / 226 9th St NE). The letter is included with the pre-hearing statement.
- The project was reviewed and unanimously approved by the ANC 6A subcommittee on 18 March 2015 and the full ANC 6A on 9 April 2015. A letter of support was transmitted to the Office of Zoning and is filed as Exhibit 27.
- Signage, provided by the Office of Zoning, was posted on 19 April 2015. Photos and notarized affidavit were transmitted to the Office of Zoning and are filed as Exhibit 28.
- The project is concurrently being reviewed by the Historic Preservation Review Board as case HP 15-285 and is scheduled for review at the May HPRB meeting.