

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Megan Rappolt, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: April 28, 2015

SUBJECT: BZA Case #18993 - expedited request pursuant to DCMR 11 § 3104 for a special exception pursuant to § 223 to construct an addition to a one-family detached dwelling located at 2412 Chain Bridge Road NW.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 404.1, Rear Yards (17.25 feet existing, 17.25 feet proposed for a length of 16 feet, 25feet required)

OP notes that it appears relief from 2001.3(b) Nonconforming Structures Devoted to Conforming Uses is required as the existing structure currently does not meet the rear yard requirements and the addition furthers/extends the nonconformity.

II. LOCATION AND SITE DESCRIPTION:

Address:	2412 Chain Bridge Road NW
Legal Description:	Square 1413 , Lot 809
Ward/ANC:	3/3D
Lot Characteristics:	The generally rectangular lot is 4,067 sf in area and has a frontage of 48.73 feet on Chain Bridge Road NW and is 45 feet in width along the rear, which abuts a residential property. To the northwest, the Property abuts a 15-foot wide public alley.
Zoning:	R-1-B – one-family detached dwellings.
Existing Development:	One-family detached dwellings, permitted in this zone.
Historic District:	None
Adjacent Properties:	One-family dwelling units. In close proximity to the C& O Canal and Potomac River to the west and Fort Circle Park to the east.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Colleen Reilly and Gary Addie by Larysa Kurylas, Architect
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Proposal:	One-story rear addition
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed¹	Relief:
Height (ft.) § 400	40 ft. max.	27 ft.	27 ft.	None required
Lot Width (ft.) § 401	50 ft. min.	48.73 ft.	48.73 ft.	None required; existing nonconformity
Lot Area (sq.ft.) § 401	5,000 sq.ft. min.	4,067 sq.ft.	4,067 sq.ft.	None required ; Existing nonconformity
Floor Area Ratio § 402	None prescribed	N/A	N/A	None required
Lot Occupancy § 403	40% max.	24%	29%	None required
Rear Yard (ft.) § 404.1	25 ft. min.	17.25 ft.	17.25 ft., extended for 16'	Relief Required
Side Yard (ft.) § 405.9	8 ft. min.	9.65' (northwest) and 11' (southeast)	9.65' (northwest) and 11' (southeast)	None Required

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.*

One-family detached dwellings are a permitted use in this zone. The Applicant requests special exception relief under § 223 from the requirements of §404.1, Rear Yards. Relief from 2001.3 (b) Nonconforming Structures Devoted to Conforming Uses is also required as the addition extends the existing nonconforming rear yard depth.

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:*

¹ Information provided by the Applicant.

(a) The light and air available to neighboring properties shall not be unduly affected;

Should it be approved, the proposed addition would not likely substantially affect the light and air available to neighboring properties. Because the addition is proposed to be one-story, there would be a distance of 17 feet from the rear property line, and there is an existing rear privacy fence at least 6 feet in height, the light and air to the neighbor to the rear of the Property/northeast, should likely not be affected. It is unlikely the adjacent neighbor to the southeast would be affected in terms of light and air, as an earlier addition appears to block the view of the new addition from the neighbor's yard. There is a public alley to the northwest, and the addition would likely not be visible to the residences across Chain Bridge Road NW, and as such, their light and air is should not be affected in any regard.

(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. Despite the fact there are rear-facing windows on the proposed addition, the atleast 6-foot-tall privacy fence would likely aid in the maintenance of the privacy of use and enjoyment of the neighboring property to the rear/north east. Additionally, the most-affected neighbor to the rear has entered a letter of support into the record. There should be little impact to the neighbor to the south east, who also has entered a letter of support into the record, as an earlier rear addition blocks the view directly to it from the neighbor's yard.

(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 likely substantially visually intrude upon the character, scale and pattern of houses along the 15'-wide adjacent public alley and Chain Bridge Road NW. The addition would likely be minimally visible from Chain Bridge Road. Due to the use of wood siding, a material that matches the existing residence, it would be consistent with its character as well as the established character of the neighborhood, as other nearby residences also include wood siding.

(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 provided graphical representations, including a site plan, building plans and 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 existing structure is 24% and with the addition, if approved, will be 29% which is less than the maximum permitted lot occupancy of 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.*

OP 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 and nearby properties.

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

The existing use is a permitted in this zone and an addition is consistent with the residential use of the Property.

VI. COMMUNITY COMMENTS

Adjacent neighbors: The Applicant provided a letter of support from the adjacent property owner to the rear of the Property, located at 5006 Sherrier Place. Other letters of support from adjacent and nearby neighbors residing at 2415, 2416, 2408, and 2307 Chain Bridge Road have been entered into the record as well.

ANC 3D: The property is within ANC-3D. The Applicant presented the request to the ANC on April 1, 2015. The ANC has entered a report/letter of support for the Applicant's request into the record.

Attachment: Location Map



