



GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADVISORY NEIGHBORHOOD COMMISSION 3D

PO Box 40486, Palisades Station

Washington, DC 20016

***PALISADES · KENT · SPRING VALLEY · WESLEY HEIGHTS · NEW MEXICO/CATHEDRAL · THE AMERICAN UNIVERSITY
· FOXHALL VILLAGE · BERKELEY***

May 11, 2015

Mr. Lloyd Jordan
Chair
DC Board of Zoning Adjustment
441 4th St. NW, Suite 200S
Washington, DC 20001

RE: BZA Application No. 19000 of Stuart F. and Jennifer Pierson, pursuant to 11 DCMR § 3104.1 for a special exception under § 223, not meeting the lot area requirements under § 401.3, and the rear yard requirements under § 404.1, to allow the construction of a one-story rear addition to an existing one-story dwelling; and, under § 2101.1 for relief from the requirement to provide one off-street parking space in the R-1-B District at premises 5435 Sherrier Place N.W. (Square 1444, Lot 833).

Dear Chairman Jordan:

At its regularly scheduled properly noticed public meeting on May 6, 2015, held at the Medical Office Building of Sibley Memorial Hospital, with a quorum (6) present at all times, Advisory Neighborhood Commission 3D voted 8-0-0 to support Special Exception Application No. 19000.

1. Location and Existing Site Description

Applicant	Stuart and Jennifer Pierson
Address	5435 Sherrier Place, NW, Washington, DC 20016
Lot Characteristics	Lot is substandard only providing 4,212 sq. ft. where 5,000 sq. ft. are required. Rear yard setback is 19.00 ft. where a setback of 25 ft. is required.
Lot Occupancy	39%
Zoning	R-1-B
Adjacent Properties	One family detached dwellings.
Neighborhood Character	Predominantly one family detached dwellings in the R-1-B zone.
Project	To construct a one-story addition to the rear of the home and remove an existing enclosed porch and carport. When complete the overall lot occupancy will be reduced from 39% to 35.6%. The rear yard will be reduced from 19 ft. to 13 ft. Relief from the requirement to provide one off street parking space is also being requested.

2. ANC Review of Requested Relief

ANC 3D finds the applicant has met the burden of proof for the relief necessary to grant the required special exceptions for the following reasons:

- § 223 (Additions to a One-Family Dwelling or Flat (R-1)). The applicant has addressed the regulations set forth in this section of Title 11.
- § 404.1(Rear Yards (R)). The addition would further diminish an existing noncompliant rear yard setback requirement to provide a 25 ft. rear yard setback. The height and location of the addition will not intrude on the light, air or privacy of any adjacent or abutting neighbor.
- § 2101.1 (Schedule of Requirements for Parking Spaces). A carport, which provides the required off-street parking space is located at the rear of the lot and would be permanently removed. Sufficient on-street parking exists in the 5400 block of Sherrier Place, NW.

Details of each section of the zoning regulations noted above follow.

3. ANC Review of § 223

Section 223 - The requirements of this section, which address Zoning Relief for Additions to One-Family Dwellings (R-1), are as follow:

Section 223.1 - An addition to a one-family dwelling shall be permitted even though the addition or accessory structure does not comply with all of the applicable area requirements of § 404, and shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

Section 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;
- b. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
- c. The addition 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
- d. In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphic representations, such as plans, photographs, or elevation and section drawings, sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

Section 223.3 – The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 District.

The applicant has shown the requirements of § 223 can be met and granting the requested zoning relief will not result in negative impacts to neighboring properties. The height of the new addition will measure 11'4" and will be situated at a lower level along the rear of the home and less visible than the existing carport. Letters of support have been received from a majority of neighbors living within 200 ft. of the property.

4. **ANC Review of 404.1**

Section 404.1 requires that a rear yard shall be provided for each structure located in a Residence District, the minimum depth of which shall be as set forth in the following table: R-1-B – 25 ft. minimum depth of rear yard.

The existing rear yard is only 19 ft. Like many lots in Palisades, which were developed prior to the adoption on the 1958 zoning regulations, this lot is substandard and does not meet the required 25 ft. rear yard depth. The proposed rear addition will further diminish the existing 19 ft. setback to 13 ft. Because the property backs onto a public alley and the addition will measure 11'4" in height, the loss of a setback will not affect the light and air of neighboring properties and it will not intrude upon the privacy of the rear abutting neighbor.

5. ANC Review of 2101.1

Section 2101.1 states that an off-street parking space is required for each one family dwelling in an R-1-B district. The applicant currently meets that requirement through the provision of a carport located four feet from the house at the rear of the property. The applicant is seeking relief from this requirement to remove the existing carport, accommodate the proposed addition and the addition of a six foot fence across the back of the property at the property line. The applicant noted that on-street parking is not a problem in the 5400 block of Sherrier Place.

For the reasons stated in this letter and in consideration of its findings, ANC 3D asks that the zoning relief requested be granted and that its 8-0-0 vote be given the great weight to which it is entitled under DC Law.

Sincerely,

Thomas M. Smith
Chair