

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Megan Rappolt, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: May 12, 2015

SUBJECT: BZA Case #19003, 2216 12th Street NW, Special exception per §3104.1 for a one-story rear addition to a row dwelling

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning ("OP") recommends **approval** of special exception per §223 under §3104.1 for the following relief:

- §403, Lot Occupancy (54.5% existing, 60% required, 65% proposed,)
- §406, Courts (3.02' existing, 6' required, 3.02 proposed for a length of 10')

It appears relief from §2001.3 needed, as the existing court width is nonconforming and the proposed rear addition will further the nonconforming court width for a length of 10' feet.

II. LOCATION AND PROPERTY DESCRIPTION

Applicant	Marie Pollard by Roberto Ramirez, Architect
Address	2216 12 th Street NW
Legal Description	Square 271, Lot 195
Ward/ANC	1/1B
Lot Characteristics	The rectangular lot is 1,125 square feet in area, with approximately 15 feet of frontage along 12 th St NW. There is a 10' wide public alley to the rear of the Property.
Zoning	R-5-B – moderate density and height urban development consisting of detached and semi-detached single family dwellings, and multi-family buildings
Existing Development	Row house
Historic District	Greater U Street Historic District
Adjacent Properties	Row homes
Surrounding Neighborhood Character	The Property is located between Florida Avenue to the north and U Street and the U Street Metro Station to the south. Howard University is a few blocks to the east.

Proposal	The Applicant proposes a one-story (11' in height) rear addition of approximately 120 sf to allow for an additional room on the first level of the residence.
Relief Sought	§3104.1/§223 - Additions to a One-Family Dwellings or Flats

III. ZONING REQUIREMENTS

R-5-B Zone	Regulation	Existing	Proposed	Relief
Height § 400	50 ft. max.	21 ft.	21 ft. to remain; 11' for addition	None required
Floor Area Ratio § 402	1.8 FAR	1.0 FAR	1.2 FAR	None required
Lot Occupancy § 403	60% max.	54.5%	65%	Required
Rear Yard § 404	15 ft.	31'-4"	21'-4"	None required
Court § 406	6 ft.	3.02 ft	3.02 for 10' in length	Required

IV. OFFICE OF PLANNING 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.

Row dwellings are a permitted use in this zone. The Applicant requests special exception relief under § 223 from the requirements of §403 Lot Occupancy and § 406 Courts. Additionally, it appears that relief from §2001.3 Additions or Enlargements to Nonconforming Structures is required as the nonconforming existing open court width will be lengthened with the proposed addition.

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;

Should the Applicant's proposal be approved, the proposed rear addition would likely not substantially affect the light and air available to neighboring properties. The residence to the south has a two-story addition which extends 10' or more into their rear yard, and is separated by a 6'-7'-tall privacy fence along the property boundary. The property to the north is surrounded by a privacy fence so the 11' tall addition would not appear to substantially block light and air to the rear

yard. The addition should not impact light and air available to properties located across the alley as the horizontal distance between these properties is substantial, the addition is only 11' in height, and size is not large at 120 sf.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

Due to the modest size, height of the addition and the presence of privacy fences, the proposed addition should not unduly compromise the privacy of use and enjoyment of the neighboring properties.

(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

If approved, the addition would not substantially visually intrude upon the character, scale and pattern of houses along the street or alley frontage. The addition would not be visible from 12th Street NW and would be minimally visible from the alley, due to privacy fencing. The addition would likely be visible from rear yards of neighboring properties; however, the modest addition of 120 sf and 11' in height is in keeping with the character of the alley, as there are other additions of hardiplank, wood and other materials in the square.

(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 has provided graphical representations, including site plans, plans, 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 54.5.7% and with the addition, would be 65% which is more than the 60% permitted by right, but is less than the 70% permitted by special exception. Relief is requested by the Applicant.

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 deck 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 residential use is permitted in the R-5-B District. The proposed one-story addition is an extension of the existing residential use and thus conforms district use requirements.

V. COMMUNITY COMMENTS

Adjacent Neighbors: At the time of the writing of this report, letters from adjacent neighbors have not been submitted to the record.

Ward/ANC: 1/1B. The Applicant was scheduled to meet with the ANC on April 20, 2015 and at the time of the writing of this report, an ANC report or letter has not been entered into the record.

Attachment: Location Map

