

**MEMORANDUM****TO:** District of Columbia Board of Zoning Adjustment**FROM:** Anne Fothergill, Case Manager*JL* Joel Lawson, Associate Director Development Review**DATE:** June 9, 2015**SUBJECT:** BZA Case 19008 – request for special exception relief under § 223 to construct an addition to an existing semi-detached dwelling at 2907 P Street NW**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) supports **approval** of special exception relief pursuant to § 223 from:

- § 403.2 (maximum lot occupancy of 40% is allowed, 56% is proposed);
- § 405 (minimum side yard setback of 8 feet is required, 2 feet is proposed); and
- § 2001.3 (expansion of a non-conforming structure).

The 1,876 SF subject property is nonconforming with respect to lot area and lot width.

II. LOCATION AND SITE DESCRIPTION

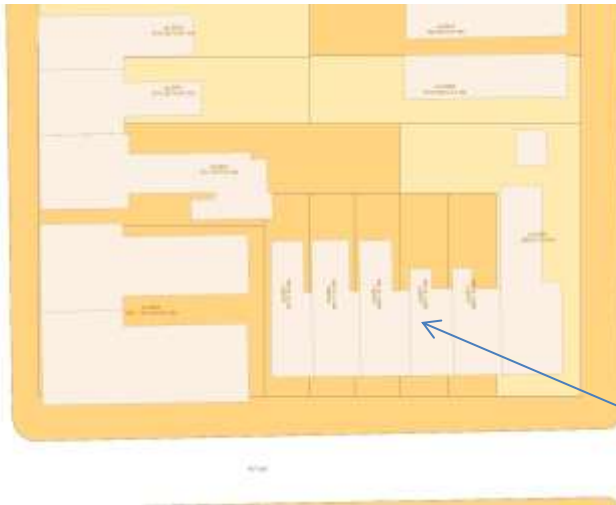
Applicant	Merle Thorpe, architect and authorized agent for the owners
Address:	2907 P Street NW
Legal Description:	Square 1268, Lot 0810
Ward:	2
Lot Characteristics:	A rectangular interior lot with an area of 1,876 square feet (Figure 2)
Zoning:	R-3 – semi-detached dwellings are allowed in this district
Existing Development:	Semi-detached three-story dwelling (attached at east side lot line)
Historic District:	Georgetown
Adjacent Properties:	The area is predominantly comprised of row and semi-detached dwellings.



Figure 1



Figure 2



2907 P St NW

III. PROJECT DESCRIPTION IN BRIEF

Construct a two-story rear addition over the existing first floor with an approximately 60 SF expansion in footprint.

IV. ZONING REQUIREMENTS

The existing dwelling is presently non-conforming to lot area, lot width, and lot occupancy. To accommodate the addition, the Applicant has requested Special Exception review pursuant to § 223 for non-compliance with §403, 405, and 2001.3. The following table summarizes relevant zoning requirements for the project and the relief requested:

R-3 Zone	Regulation	Existing	Proposed ¹	Relief
Height (ft.) § 400	40 feet max.	32.6 feet	no change	None required
Lot Width (ft.) § 401	30 feet min.	21 feet	21 feet	Existing nonconformity; none required
Lot Area (sq.ft.) § 401	3,000 SF min.	1,876 SF	no change	Existing nonconformity; none required
Lot Occupancy § 403	40% max.; 70% by SE	53%	56%	Relief required
Rear Yard (ft.) § 404	20 feet min.	27.5 ft.	no change	None required
Side Yard (ft.) § 405	8 feet min.	2 feet	No change	Relief 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 semi-detached dwellings are permitted as a matter of right in the R-3 zone. Special exception relief under § 223 is required from the minimum side yard setback (§ 405), maximum allowable lot occupancy (§ 403), and for a nonconforming addition to a nonconforming structure (§2001.3).

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:

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

The light and air available to neighboring properties should not be negatively impacted by this addition. The house directly to the west at 2909 P St NW extends beyond the rear plane of the proposed addition to the subject property. The house to the east does not have windows on the west side that will be obstructed by the proposed addition.

¹ Information provided by applicant.

- (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 by the construction of this rear addition because the expansion will add a second story above an existing first floor, the addition will not extend further into the rear yard than the house does currently, and the proposed footprint expansion is small.

- (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 proposed addition would be located at the rear of the house and staff confirmed with a site visit that it would not be visible from P Street. The proposed rear addition would not substantially visually intrude upon the character, scale, and pattern of houses along the street frontage.

Since the property is located in the Georgetown Historic District, the proposed construction is subject to review by the Old Georgetown Board of the Commission of Fine Arts. The Old Georgetown Board has reviewed and approved this proposal.

- (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 information provided in this submission was sufficient.

- 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 proposed lot occupancy is 56% and would not exceed seventy percent (70%).

- 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.*

No special treatment is recommended.

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

If granted, the relief requested would not permit the introduction or expansion of a nonconforming use.

VI. AGENCY COMMENTS

The Old Georgetown Board of the Commission of Fine Arts reviewed and approved this proposal on May 21, 2015.

No other agency comments have been added to the case record file.

VII. COMMUNITY COMMENTS

The applicant provided copies of correspondence from the property owners at 2906 and 2909 P Street expressing their support of the application as well as from the owners of 2903 and 2905 P Street discussing concerns about construction that will be addressed by the applicant (Exhibits 24-28).

During its regularly scheduled meeting on May 4, 2015, Advisory Neighborhood Commission 2E (ANC) voted unanimously to express no objection to this request (Exhibit 30).