

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Anne Fothergill, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: June 23, 2015

SUBJECT: BZA Case 19010- Request for expedited special exception relief under § 223 to allow the construction of a three-story rear addition to a single family row dwelling at 440 Ridge Street NW

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403 Lot Occupancy (60 percent permitted, 67.8 percent proposed); and
- § 2001.3 Expansion of a non-conforming structure.

The subject property is nonconforming for lot area and lot width.

II. LOCATION AND SITE DESCRIPTION

Address	440 Ridge Street, N.W.
Legal Description	Square 0513, Lot 0064
Ward	6
Lot Characteristics	Rectangular interior lot with a rear alley; lot area of 857.6 SF
Zoning	R-4 – row houses, flats and conversions
Existing Development	Row house, permitted in this zone
Historic District	Mount Vernon Square Historic District
Adjacent Properties	Predominantly row houses



III. PROJECT DESCRIPTION IN BRIEF

The applicant proposes to construct a three-story rear addition to replace an existing first floor rear addition. The proposed addition would increase the footprint of the house by 62 SF. The rear addition would extend the full width of the lot and would have an additional 1'8" in depth beyond the existing addition to the rear yard buildable limit of 20'. The addition would add a third floor to the two-story row house at the rear of the house.

IV. ZONING REQUIREMENTS

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

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40' max.	22'	27' 11"	None required
Lot Width § 401	18' min.	13' 10"	13' 10"	None required
Lot Area § 401	1,800 SF min.	857.6 SF	857.6 SF	None required
Lot Occupancy § 403	60% max.	60.5%	67.8%	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.*

Row houses are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of § 403, Lot Occupancy.

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 proposed addition would extend out 1'8" from the existing rear wall of the first floor rear addition. Even though the proposed addition will be three stories instead of one, the footprint increase would be very small and the light and air to neighboring properties should not be unduly affected.

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

No windows would be provided on the sides of the proposed addition and the footprint increase of the house and the third story expansion would be small. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised. The adjacent neighbors have written letters in support of the project.

- (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 three stories and would extend above the existing roof line, but the third floor expansion would be pushed back to the rear of the house. This rear addition design was the Historic Preservation Review Board's preferred way to expand this house. The applicant provided a sight line study and longitudinal section which show that it will not be readily visible from the street. The addition will not substantially visually intrude upon the character, scale and pattern of houses. The Historic Preservation Review Board approved the 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 application included photographs, floor plans, elevation drawings, a section and sight line study sufficient to represent the relationship of the proposed addition.

- 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 of 68 percent is less than the maximum of seventy percent permitted within the R-4 zone by special exception.

- 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.*

The Office of Planning does not recommend any special treatments.

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

The subject application would not result in the introduction or expansion of a nonconforming use.

VI. AGENCY COMMENTS

The property is located in the Mount Vernon Square Historic District and the proposed construction is subject to review by the Historic Preservation Review Board (HPRB). The HPRB reviewed and conditionally approved this proposal on January 29, 2015 (Exhibit 15).

VII. COMMUNITY COMMENTS

ANC 6E, at its regularly scheduled meeting of March 3, 2015, recommended approval of the application (Exhibit 28).

The applicant provided letters of support from the adjacent property owners at 438 Ridge Street and 442 Ridge Street (Exhibits 13 & 14).