

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: June 30, 2015

SUBJECT: BZA Case 19031 - request pursuant to DCMR 11 § 3104 for special exception relief under § 223 to construct an addition to an existing single-family dwelling at 1329 East Capitol Street SE.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 401, lot width (18 feet required, 16.3 feet provided); and
- § 406 and § 2001.3, open court (minimum 6 feet required, 4.7 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address:	1329 East Capitol Street SE
Legal Description:	Square 1036, Lot 104
Ward:	6
Lot Characteristics:	Generally rectangular lot bounded by East Capitol Street SE to the north, an improved fifteen foot (15 ft.) public alley to the south, and lots improved with row dwellings to the east and west.
Zoning:	R-4 – detached, attached, semi-detached, single-family dwellings and flats.
Historic District:	Capitol Hill Historic District
Existing Development:	Single-family row dwelling with detached garage, permitted in this zone.
Adjacent Properties:	Predominantly row and semi-detached dwellings in the R-4 zone.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Kim Jones, agent on behalf of Maurice Landes, owner.
Proposal:	To construct a two-story rear addition.
Relief Sought:	§223 - Additions to One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief
Height (ft.) § 400	40 ft. max.	29.5 ft.	29.5 ft.	None required
Lot Width (ft.) § 401	18 ft. min.	16.3 ft.	16.3 ft.	1.7 ft.
Lot Area (sq.ft.) § 401	1,800 sq. ft. min.	2,139.75 sq. ft.	2,139.75 sq. ft.	None required
Lot Occupancy § 403	60 % max.	54 %	58 %	None required
Rear Yard (ft.) § 404	20 ft. min.	79.8 ft.	71.8 ft.	None required
Side Yard (ft.) § 405	0 ft. min.	0 ft.	0 ft.	None required
Open Court (ft.) § 406	6 ft. min.	4.7 ft. x 16 ft.	4.7 ft. x 24 ft.	1.3 ft.

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.*

Single-family row dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §§ 401, 406 and 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 proposed addition would measure eight feet (8 ft.) in depth and ten feet (10 ft.) in width and would not extend beyond the adjoining properties. Therefore, the proposed addition should not negatively impact the light and air available to the adjoining properties.

(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. The proposed addition would share a party wall with the adjoining property to the west at 1327 East Capitol Street SE. The addition would be separated from the adjoining property to the east at 1331 East Capitol Street SE by an open court, on the subject property, that would vary in width from four feet and eight inches (4 ft. 8 in.) to six feet and two inches (6 ft. 2 in.). The property at 1331 East Capitol also features an open court that measures approximately five feet (5 ft.) in width and would provide additional separation. The addition would match the height of the structure to the west and would be shorter than the structure to the east.

¹ Information provided by applicant, see Exhibit 5, page 2.

- (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 be visible from East Capitol Street SE. The Applicant is proposing to use materials (Hardi Plank or equivalent and wood clad double-hung windows) that would be in keeping with other properties in the square. The subject property features a deep rear yard (71.8 feet proposed depth) and a detached garage. The garage and distance from the alley to the addition should minimize the visual impact of the proposed addition. As viewed from the alley, the proposed addition should not visually intrude upon the character, scale and pattern of houses along the public alley.

- (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 sufficient information, including plans, photographs, and elevations, to demonstrate compliance with paragraphs (a), (b) and (c) of this subsection.

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 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. COMMUNITY COMMENTS

The adjoining property owners at 1327 and 1331 East Capitol Street SE provided letters of support.

ANC 6B voted 9-0 on June 9, 2015 to support the requested relief.

Attachments:

1. Location map

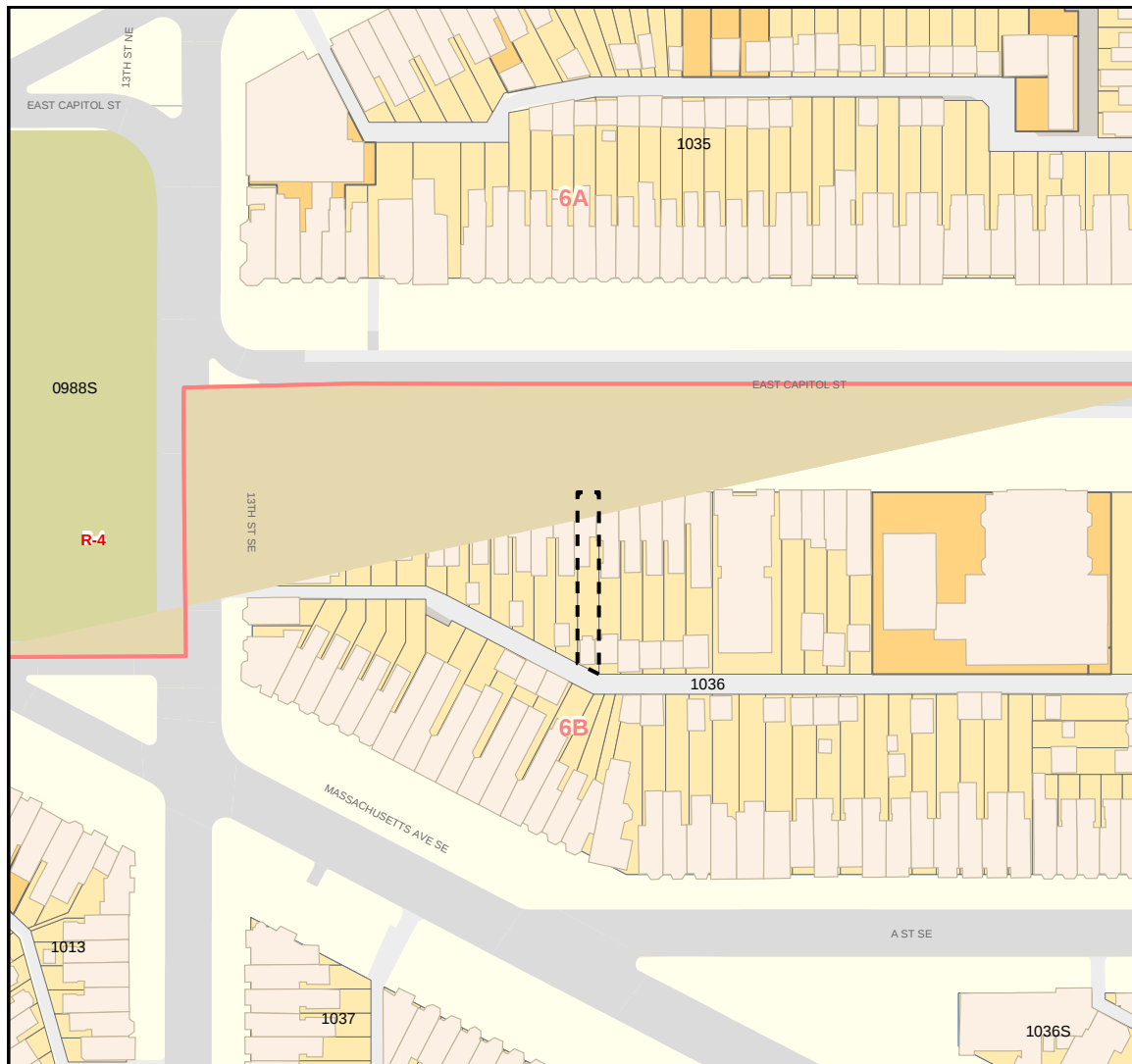


Figure 1: Location Map