

## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Megan Rappolt, Case Manager  
 JL Joel Lawson, Associate Director Development Review  
**DATE:** September 15, 2015

**SUBJECT:** BZA Case #19044 - Special exception relief under § 223 to construct an addition to an existing row house dwelling located at 1508 Caroline Street NW

### **I. OFFICE OF PLANNING RECOMMENDATION**

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

- §403.2, Percentage of Lot Occupancy (60% required, 57% existing, 69% proposed);
- §406.1, Court Width, (9.5’ required, 6’ min., 4.6’ existing & proposed); and
- §2001.3 (b) Additions or Enlargements to Nonconforming Structures, as the existing row dwelling is nonconforming in terms of court width and the proposed addition will lessen the depth of the court along the western property boundary.

Please note the Applicant originally requested relief from §405.8, Side Yards, which states that a pre-1958 existing side yard shall not be decreased with an addition and the width shall be a minimum of 5’. After discussion with DCRA, it has been determined there is no side yard along the western property boundary due to the fact that part of the main residence structure extends to the property boundary. As such, the residence is considered a row dwelling and the area between the projecting structure, main building wall and property boundary form a court.

Due to concern raised by the adjacent property owner to the west, OP recommends that the Applicant retain an arborist to ensure measures to maintain the life and health of existing trees located near the western property boundary (within the bounds of the adjacent western property owner), as the trees could be affected by the proposed one-story addition expansion at the western elevation. The applicant has agreed to this request.

### **II. LOCATION AND SITE DESCRIPTION**

|                      |                                                                                                                                                                                                                                  |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address:             | 1508 Caroline Street NW                                                                                                                                                                                                          |
| Legal Description:   | Square 0190 Lot 0059                                                                                                                                                                                                             |
| Ward/ANC:            | 2/2B                                                                                                                                                                                                                             |
| Lot Characteristics: | The rectangular lot is 1,423 sf in area and has a frontage of 20.383 feet on Caroline Street NW to the north. The rear of the lot is also approximately 20.383 feet in width and abuts a 20-foot wide public alley to the south. |



|                       |                                                                                                                                                                                                                                                                                                                           |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Zoning:               | R-4 – row, one-family detached and one family semi-detached dwellings.                                                                                                                                                                                                                                                    |
| Existing Development: | Row dwelling, permitted in this zone.                                                                                                                                                                                                                                                                                     |
| Historic District:    | Greater U Street                                                                                                                                                                                                                                                                                                          |
| Adjacent Properties:  | Predominantly semi-detached structures and row dwellings in the immediate vicinity. The Property is one block south of the commercial uses of U Street, situated between row house, apartment and other commercial uses along 15 <sup>th</sup> and 16 <sup>th</sup> Streets, and a few blocks south of Meridian Hill Park |

### III. PROJECT DESCRIPTION IN BRIEF

|                |                                                                                                                                                                                                                                                                                                                                         |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant      | Gerald West by Martin P. Sullivan, Agent                                                                                                                                                                                                                                                                                                |
| Proposal:      | A two-story rear addition, first floor rear landing and stair, reconstruction and expansion of the existing one-story side entrance at the western side of the building, and two cellar entries with stairs within the court and at the rear of the addition. A roof access structure, roof access and roof parapet are also requested. |
| Relief Sought: | §223 - Additions to a One-Family Dwellings or Flats                                                                                                                                                                                                                                                                                     |

### IV. ZONING REQUIREMENTS

| <b>R-4 Zone</b>               | <b>Regulation</b>                                           | <b>Existing</b> | <b>Proposed <sup>1</sup></b> | <b>Relief:</b>                            |
|-------------------------------|-------------------------------------------------------------|-----------------|------------------------------|-------------------------------------------|
| Height (ft.) § 400            | 40 ft. max.                                                 | 21’-5”          | 28’-7”                       | None required                             |
| Lot Width (ft.) § 401         | 18’ min.                                                    | 20.383’         | 20.383’                      | None required                             |
| Lot Area (sq.ft.) § 401       | 1,800 sf min.                                               | 1,428 sf        | 1,428 sf                     | Existing nonconformity ;<br>None required |
| Floor Area Ratio § 402        | None prescribed                                             | N/A             | N/A                          | None required                             |
| Lot Occupancy § 403.2         | 60% max.                                                    | 57%             | 69%                          | <b>Relief required</b>                    |
| Rear Yard (ft.) § 404         | 20’ min.                                                    | 29’-2”          | 20’                          | None required                             |
| Side Yard (ft.) § 405         | 0’ and 0’ min.                                              | 0’ and 0’       | 0’ and 0’                    | None required                             |
| Open Court Width (ft.) §406.1 | 9.5’ based on the height of the building & 6’ min. required | 4.6’            | 4.6’                         | <b>Relief required</b>                    |

<sup>1</sup> Information provided by the Applicant.

## 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 dwellings are a permitted use in this zone. The Applicant requests special exception relief under § 223 from the requirements of §403 Lot Occupancy, §405.8, Side Yard and §406.1, Courts. Per DCRA, side yard relief is not necessary. Additionally, it appears that relief from §2001.3 Additions or Enlargements to Nonconforming Structures is required, as the existing row dwelling is nonconforming in terms of court width and the proposed addition will expand the depth of the part of the structure that forms the court an additional 11.83' along the western property boundary.

*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 two-story rear addition, one-story side addition/expansion, new exterior basement entrances and roof access and parapet likely would not substantially affect the light and air available to neighboring properties. The Property is separated from properties to the north and south by Caroline Street and a 20' public alley respectively, as well as the rear yard and front yard areas. The rear addition of 9.25' in length will be flush with the eastern neighbor's wall at both the first and second floors. The proposed small, first floor rear porch/landing with stairs would extend past the eastern neighbor's rear wall a distance of 5'. In this way, the impacts of light and air on the eastern adjacent neighbor should be minimal.

The proposed rear addition along the western side of the building would extend a distance of 5' at the first floor. It would not extend 9.25' like the eastern side because the rear wall of the addition is slanted/askew. At the second floor on the western side the addition, it would extend a depth/length of 6'-7', but would be setback from the western property boundary approximately 4'-5'. Also at the western side of the property, the one-story existing, connected entry structure would be expanded from 6.83' in depth/length to 18.66', which is an additional 11.83' in depth/length. The one-story structure would appear taller than the existing structure. The western neighbor has a side yard that provides separation between the lots and structures, and the existing court area will continue to remain with the proposal, though smaller. OP has asked the Applicant to explore lowering the height of the proposed one-story structure so it does not extend beyond the first floor of the main building, as well as lessening its length, so the front wall remains in the location it is currently. The Applicant agreed to lower the height of the one-story addition by 12"-18". The Applicant has stated to OP they will provide a sun and shadow study to demonstrate the effects of the proposal on adjacent 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; however the Applicant proposes to introduce two new cellar entries that do not currently exist: one within the court area adjacent to the western neighbor's property boundary; and one as part of the rear addition first floor improvements. The entries will be visible from the immediate east and west neighbors' properties. Additionally, the proposed roof plan includes a new roof access structure and a new roof deck of 217 sf, which currently does not exist. Due to the inclusion of a raised parapet wall along the western edge of the roof, the roof deck uses will likely be screened from the western neighbor's property as well as from Caroline Street NW. Due to the separation of distance and presence of a street and alley, it does not appear the privacy of use and enjoyment of neighboring properties to the north or south will be substantially affected by proposed improvements. Even though the proposal will include the introduction of more glass at the rear façade of the addition than what exists, there is a horizontal separation of properties through the alley and rear yards. No windows are proposed on the western elevation of the addition which will help maintain current levels of privacy among the western neighbor and the Applicant's property.

*(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 appear to substantially visually intrude upon the scale and pattern of houses along the Caroline Street or alley frontage; however it would be visible primarily from the rear yards of the adjacent neighbors and from the alley. The addition would be in keeping within the zoning height limit. The proposed materials mainly include brick and a Kawneer curtain wall system of glass and aluminum on the rear wall of the addition. The two-story rear façade Kawneer curtain wall system would be a purposeful departure from the established character of the street-facing elevations of the surrounding residences within the historic district.

*(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 57% and with the additions would be 69% which is more than the 60% minimum permitted by right. As such, 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 addition in the way of design, screening, exterior or interior lighting, or building materials; however, due to the presence of neighboring trees along the western property boundary, the Applicant has stated they will retain an arborist to insure the life of the trees during the construction process of primarily the one-story expansion at the western elevation. OP recommends the BZA require the retention of an arborist during construction to ensure the life of the trees on the western neighbor's property that are located near the property boundary. The Applicant also agreed to provide a sun and shadow study to demonstrate the impacts of the addition on light within the western neighbor's property boundary. Additionally, OP encourages the Applicant to consider lessening the depth of the one-story addition so the front wall remains in the location it is currently.

*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-4 District. The proposed additions and additional entrances are an extension of the existing residential use and thus conform to the district use requirements.

## **VI. COMMUNITY COMMENTS**

Adjacent neighbors: Letters of support were included in the record at the time of the writing of this report, as was a party status in opposition request from the adjacent western neighbor (1510 Caroline Street NW).

Ward/ANC: The property is within ANC-2B. The Applicant met with a sub-committee of the ANC and presented the request to the full ANC-2B on September 9, 2015. ANC-2B voted to support the Applicant's request.

Attachment: Location Map

