

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Megan Rappolt, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: September 29, 2015

SUBJECT: BZA Case 19078 - request for special exception relief under § 223 for a two-story addition and deck to an existing single-family dwelling at 4108 Garrison Street NW

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 405.1 Side Yards (6.03' west and 2.58' east existing; 6.03' west and 2.58' east proposed)
- §2001.3, Nonconforming Structures Devoted to Conforming Uses, as the existing side yard is 2.58' and will be furthered for a distance of 18' with the proposed deck and addition.

II. LOCATION AND SITE DESCRIPTION:

Address:	4108 Garrison Street NW
Legal Description:	Square 1738 , Lot 44
Ward/ANC:	3/3E
Lot Characteristics:	The generally rectangular lot is 5,445 sf in area and has a frontage of 30 feet on Garrison Street NW. The majority of the rear of the lot is 30' in width, except for a chamfered corner along the 15' alley to the east and south.
Zoning:	R-2 – detached and semi-detached single-family dwellings.
Existing Development:	Single-family detached dwelling, permitted in this zone.
Historic District:	None
Adjacent Properties:	Single-family detached dwellings with a public alley to the rear (south and east) of the residence
Surrounding Neighborhood Character:	Primarily residential in character. The Wisconsin Avenue commercial corridor in close proximity to the west. Fort Reno Park lies to the south east, also in close proximity.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Hope McCallum by Neal Thomson of Thomson & Cooke Architects
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Proposal:	The Applicant proposes a two-story rear addition of 171.27 sf, and a deck of 87.15 sf.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

V. ZONING REQUIREMENTS

R-2 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	29.7 ft.	29.7 ft.	None required
Lot Width (ft.) § 401	30 ft. min.	30 ft.	30 ft.	None required
Lot Area (sq.ft.) § 401	3,000 sf min.	5,445 sf	5,445 sf	None required
Floor Area Ratio § 401	None prescribed	N/A	N/A	None required
Lot Occupancy § 403	40 % max.	20.1%.	21.8%	None required
Rear Yard (ft.) § 404	20 ft. min.	117.24 ft.	100.34 ft.	None required
Side Yard (ft.) § 405.1 and § 405.8 ²	8 ft min for new structures and 5 ft. min. for existing structure	6.03' west; 2.58' east	6.03' west; 2.58' east for 18'	Relief Required

VI. 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 detached dwellings are a permitted use in this zone. The Applicant requests special exception relief under § 223 from the requirements of §405.1 Side Yards and 2001.3 Nonconforming Structures Devoted to Conforming Uses as the side yard nonconformity will be extended a length of 18 feet.

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;

The proposed two-story rear addition and new deck will likely not substantially affect the light and air available to neighboring properties. The one-story elevated deck of 87.15 sf and extended

¹ Information provided by the Applicant.

² The main residence structure was constructed prior to 1958; thus per §405.8 the required side yard is no less than 5 feet. However, 8' side yard is required for a new structure.

structure a distance of 3'-4" is of a modest size and has little impact in terms of lot occupancy, as houses on this block are situated with deep rear yards. The residence to the east appears to enjoy a rear addition and a garage structure in the rear yard. It also appears the residence to the west has a rear wall that extends slightly past the Applicant's existing rear wall. Since the Applicant's proposed addition extends less than 7' from the existing rear wall, the light and air to the residence to the west will likely be minimally affected.

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

The privacy of use and enjoyment of neighboring properties likely should not be unduly compromised because of the modest size of the addition. The eastern adjacent property includes an approximately 6-to-7-foot tall privacy fence at the property boundary. The rear wall of their addition/residence may extend the length of the proposed deck; however the view of the rear of these properties is obscured due to large privacy fencing. With regard to the adjacent property to the west, the 7'-long two-story addition includes two windows, one on each floor. Stairs accessing the deck also face the western neighbor. The western neighbor submitted a letter of support into the record.

- (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 deck and addition will not likely substantially visually intrude upon the character, scale and pattern of houses along the street and alley frontage. The materials shown on the submitted plans include copper roofing and siding that appears to match the existing materials of the residence. As there are similar decks and additions visible along the public alley at the rear of the property, the proposed deck will not substantially visually intrude upon the character, scale and pattern of houses along the alley way.

- (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 a site plan, elevations, sections, a survey and photographs to demonstrate the relationship of the proposed addition and deck 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 20.1% and with the proposed deck and addition, will be 21.8% which is less than maximum permitted.

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 and 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.

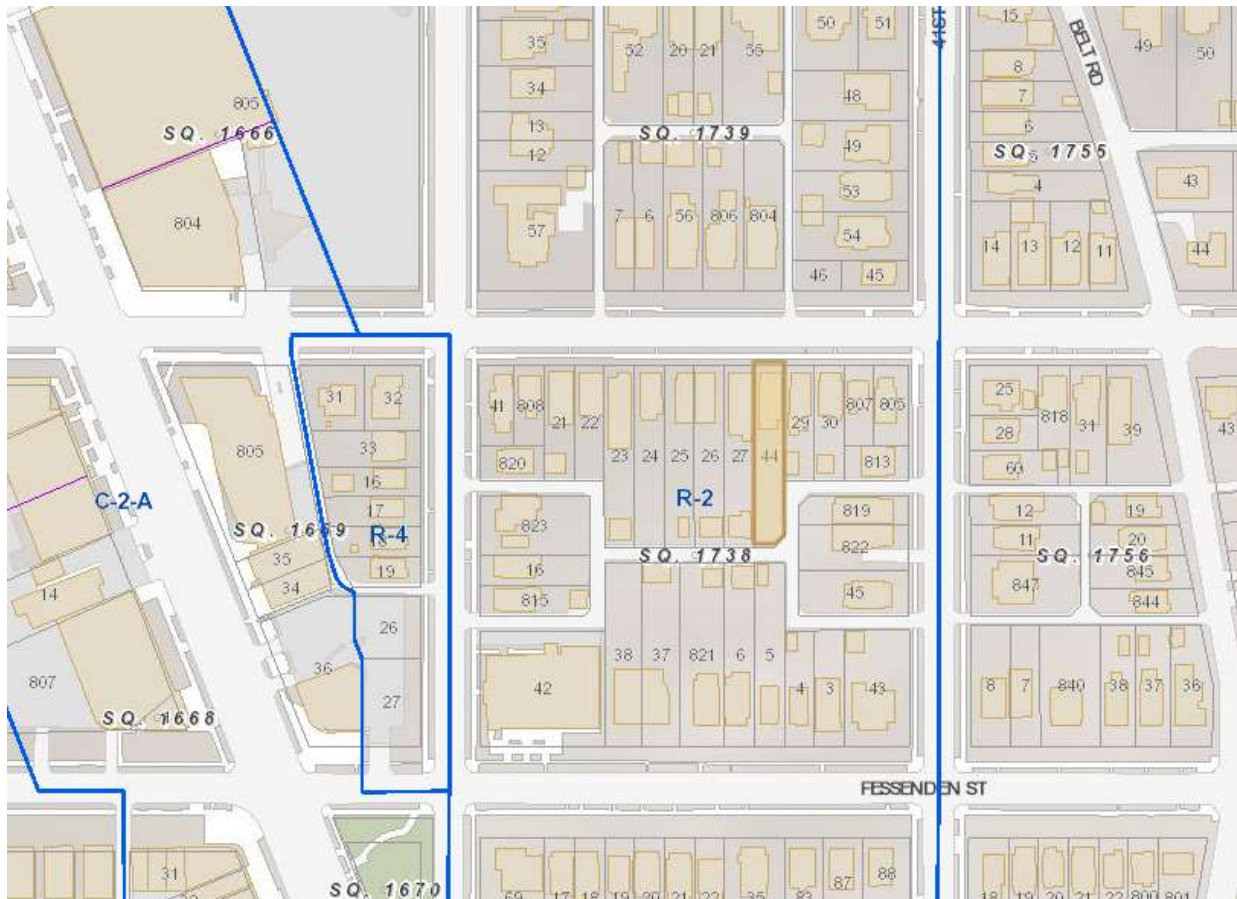
Not applicable – existing and proposed use is permitted by right.

VII. COMMUNITY COMMENTS

Adjacent neighbors: Letters of support from the most-affected, adjacent owners of 4110 Garrison Street NW (west) and 4106 Garrison Street NW (east) were entered into the record by the Applicant.

ANC Ward 3 E: The property is within ANC-3E. ANC-3E heard the request at their September 10, 2015 meeting and recommends approval of the Applicant's proposal.

Attachment: Location Map



Location Map