

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: October 13, 2015

SUBJECT: BZA Case 19087 - request for special exception relief under § 223 to construct a second-story rear addition to an existing two-story, one-family dwelling

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403.1 Lot Occupancy (66% existing; 70% permitted by special exception; 66% proposed); and
- § 2001.3 Non-conforming Structure

The Applicant notes that the proposed second story awning would vertically extend the existing non-conforming open court created by the first floor awning; therefore, relief from § 406 Courts may be required.

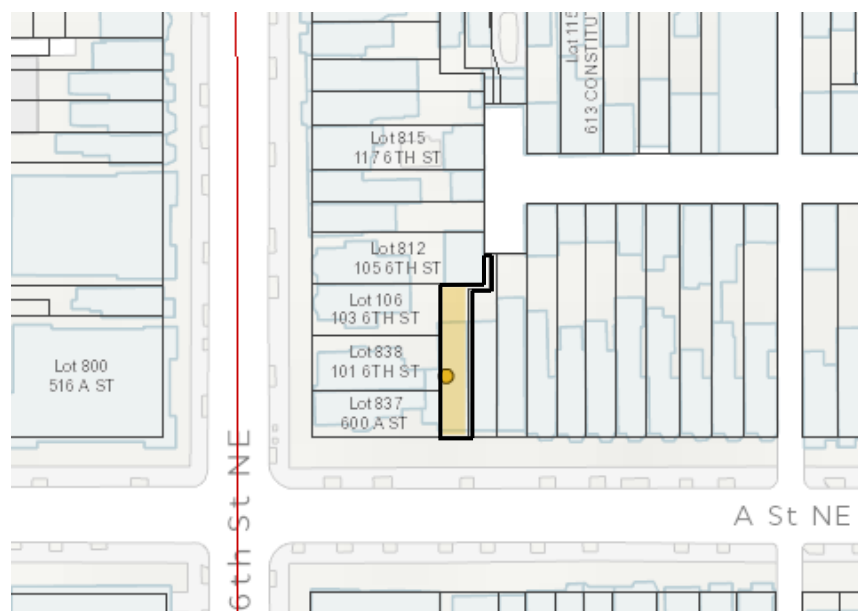
II. LOCATION AND SITE DESCRIPTION:

Address:	602 A Street NE (the “Subject Property”)
Applicant	Andrew Weinschenk and Rachel Cononi (the “Applicant”)
Legal Description:	Square 867, Lot 124
Ward:	6
Lot Characteristics:	The Subject Property is 17 ft. wide along the A Street NE frontage and 90 ft. in depth. A 3 foot wide dogleg leads to a 25 ft. wide public alley located to the rear.
Zoning:	R-4-permits matter-of-right development of single-family residential uses (including detached, semi-detached, row dwellings, and flats.
Existing Development:	Row dwelling, permitted in this zone.
Historic District:	Capitol Hill Historic District
Adjacent Properties:	Adjacent properties include row dwellings.
Surrounding Neighborhood Character:	The neighborhood is characterized by two and three story row dwellings.

III. PROJECT DESCRIPTION IN BRIEF

The Applicant proposes to build a second story addition on the rear of the Subject Property above the existing first floor addition. The existing open court created by the existing awning above the first floor will be made wider with the proposed awning above the second floor windows. The proposed awning will be the same depth as the existing awning. The proposed second floor awning will be 1'-11" deep and 9'-0" wide, extending vertically the existing 3'-10" court on the east side and a 4'-4" court on the west side.

As of this writing, the Applicant's proposal has not been reviewed by the Historic Preservation Review Board (HPRB).



V. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	35 ft. max.	25 ft.	25 ft.	None required
Lot Width (ft.) § 401	18 ft. min.	17.23 ft.	17.23 ft.	None required
Lot Area (sq.ft.) § 401	1,800 sq.ft. min.	1,641 sq.ft.	1,641 sq.ft.	None required
Floor Area Ratio § 401	None prescribed	NA	NA	None required
Lot Occupancy § 403	60% max.	66.4%.	66.4%	Relief required
Rear Yard (ft.) § 404	20 ft. min.	26.9 ft.	26.9 ft.	None required
Side Yard (ft.) § 405	NA	NA	NA	None required
Court § 406	6 ft. min.	3'-10" (east) 4'-4" (west)	3'-10" (east) 4'-4" (west)	Relief may be 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.*

Row dwellings are a permitted use in this zone. The proposed second story rear addition would maintain the existing lot occupancy of 66.4%, which is 6.4% over the matter of right lot occupancy for a row dwelling located in the R-4 district, but below the 70% permitted by § 223 as a Special Exception.

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;*

Given that the addition and covered walkway would be restrained in height, they are not expected to have a substantially adverse effect on the light or air of any abutting or adjacent dwelling or property. 604 A Street is located to the east of the proposed addition. The addition would not extend beyond the existing house at 604A Street. The neighboring properties to the west are separated from the proposed second story addition by existing rear yards, so the proposed addition should not unduly affect the light and air although there may be some impact on the neighboring property to the west, 604 A Street NE.

Neighbors to the north are also separated from the Subject Property by its existing rear yard, and the proposed addition would not extend beyond the existing first floor

¹ Information provided by applicant.

addition and should have limited impact on the air or light to the properties to the north.

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

The proposed addition would be in scale with that of adjacent dwellings and would maintain the overall structure's current two story height. The addition would extend 13 feet 4 inches beyond the existing second floor and would fill in the dogleg on the east side.

The new wall of the proposed addition would be along the shared property line between 602 A Street and the neighbors to the west. However, the proposed new wall would be brick and would have no windows, limiting potential privacy impacts on the neighbors to the west.

- (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 not be seen from the street, but would be consistent with the existing architectural style of the dwelling and would not substantially visually intrude upon the character, scale, and pattern of houses along the street frontage. The view from the alley includes the existing addition and would not substantially change as a result of the proposed addition.

- (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 drawings, including a site plan and elevations, and photographs, which sufficiently represent 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 proposed lot occupancy is 66.4 percent, which is permitted as a Special Exception in the R-4 District.

- 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 has no recommendations for special treatments for this application.

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.

VII. COMMUNITY COMMENTS

At its regularly scheduled meeting on September 10, 2015, ANC 6C voted 4-0 to support the proposed relief.

Letters of support from seven neighbors, including the neighbor residing at 604 A Street NE, were submitted to the record.