

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Project Manager
 Joel Lawson, Associate Director Development Review
DATE: October 13, 2015

SUBJECT: BZA Case 19096 - Expedited request for special exception relief under § 223 to construct a two-level, rear addition to an existing one-family alley dwelling at 1319 Naylor Court, NW.

I. OFFICE OF PLANNING RECOMMENDATION

Mark Lawrence request special exception review pursuant to DCMR 11 § 3118, § 3104 and § 223 to construct a two-level rear addition to an existing one-family alley dwelling at 1319 Naylor Court, NW as follows:

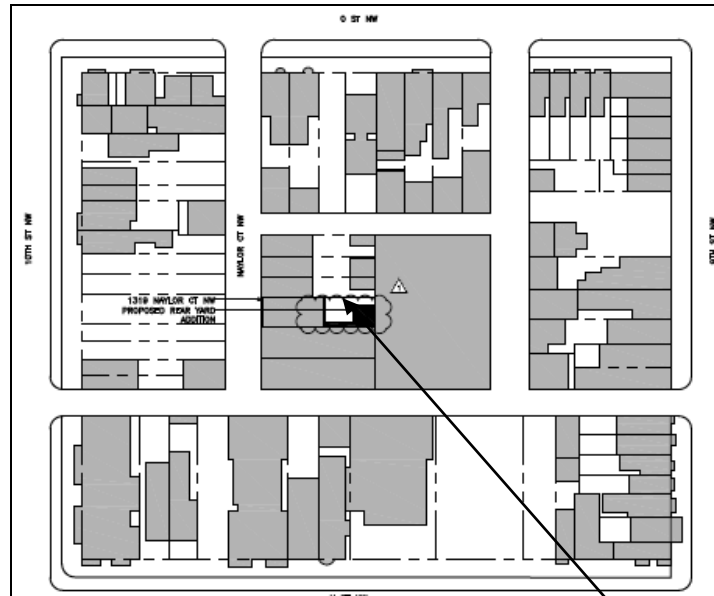
- § 403.2 Lot Occupancy (60% max. permitted; 70% under § 223; 70% proposed);
- § 404.1 Rear Yard (20 feet min. required; 0 feet proposed).

Relief from the non-conforming provision of § 2001.3 is also required, as the addition would create a new nonconforming rear yard.

The Office of Planning (OP) recommends **approval** of the requested special exceptions.

II. LOCATION AND SITE DESCRIPTION

Address:	1319 Naylor Court, NW
Legal Description:	Square 367, Lot 0038
Ward:	Ward 2/ANC 2F
Lot Characteristics:	The lot is flat, rectangular with an area of 2,470 square feet (95 feet x 26 feet) and abuts a 30-foot wide public alley. The lot is an alley lot with no adjacent street frontage.
Zoning:	R-4 – single family dwellings row dwellings and flats.
Existing Development:	Single-family dwelling on an alley lot, permitted in this zone.
Historic District:	The property is within the Blagden Alley/Naylor Court and Shaw historic district.
Adjacent Properties:	Predominantly row dwellings with some small apartment buildings.



Site Plan



Alley Façade



Street View with Adjacent Properties

SITE

III. PROJECT DESCRIPTION

The applicant wishes to construct a two-level addition to the rear of an existing one-family building.

IV. ZONING REQUIREMENTS

With the addition, the building would exceed the maximum lot occupancy requirement under § 403, and would reduce the minimum rear yard requirement under § 403. Relief from the non-conforming provision of § 2001.3 is also required, as the addition would create a new nonconforming rear yard

<i>R-4 Zone</i>	<i>Regulation</i>	<i>Existing</i>	<i>Proposed</i> ¹	<i>Relief</i>
Height § 2507.4	The height of a structure erected or constructed on an alley lot shall not exceed the distance from the opposite side of the abutting alley to the outside wall of the structure nearest the alley. – 30 feet	25.5 ft.	28.3 ft.	None required
Lot Width § 401	18 ft. min.	26 ft.	No change	None required
Lot Area § 401	1,800 sq. ft. min.	2,470 sq. ft.	No change	None required
Lot Occupancy § 403	60 % max. 70% under § 223	55.48 %	70%	Relief requested
Rear Yard § 404 and § 2001.3	20 ft. min.	42.25 ft.	0 ft.	Relief requested

V. OP ANALYSIS

The proposal meets the requirements of § 223 as follows:

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.*

¹ Information provided by applicant.

Single-family row dwellings are a permitted use in this zone. Proposal does not meet § 403, lot occupancy, § 404, rear yard and § 2001.3 for creating a new non-conformity.

223.2 *The addition or accessory structure shall not have a substantially adversely 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;*

Light and air to neighboring properties would not be adversely impacted, as the walls of the adjacent properties have no openings facing the subject property.

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

Privacy of use and enjoyment of neighboring properties are not anticipated to be unduly compromised by the addition. None of the walls of the adjacent properties have windows and because of the high, shared party walls views into the adjacent properties would not be possible and therefore privacy would not be affected.

(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;*

The proposed rear addition would not be viewed from the alley. Neither would it be viewed from any of the adjacent buildings as the property is surrounded on all sides by brick walls and would therefore not affect the character, scale and pattern of houses along the alley. The frontage along the alley would not be changed.

The proposal has been reviewed and given preliminary approval by the Historic Preservation Office.

(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 submitted the required plans and photographs to represent the relationship of the proposed addition to adjacent properties and buildings. The property is surrounded on all sides by walls and the addition would not be visible from the alley or any streets.

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 property is in the R-4 zone which allows a lot occupancy of up to 70% under § 223. The lot occupancy of the existing building and the addition would be at 70%.

223.4 The Board may require special treatment in the way of design, screening, exterior or The application is within interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

OP does not recommend any additional treatment or screening.

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

The existing use is and would remain the permitted single family residential use.

VI. COMMUNITY COMMENTS

The property is within ANC-2F. At its September 2, 2015 public meeting, Exhibit 33, the ANC voted to recommend approval of the proposed addition. The record at Exhibit 24 to 32 contains letters of support from neighborhood residents.