

## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen Gyor AICP, Case Manager  
 JL Joel Lawson, Associate Director Development Review  
**DATE:** December 15, 2015

**SUBJECT:** BZA Case 19150 - request for special exception relief under § 223 to construct a two-story rear addition to an existing one-family dwelling in the NO/R-1-B District at 3530 Edmunds Street N.W.

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

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

- § 406.1 Side Yard (0 feet existing; 8 feet required; 0 feet proposed); and
- § 2001.3 Nonconforming Structure

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

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address:              | 3530 Edmunds Street NW (the “Subject Property”)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Applicant             | Sue Ellen Clifford and Paul M Rodgers (the “Applicant”)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Legal Description:    | Square 1937, Lot 29                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Ward:                 | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Lot Characteristics:  | The rectangular lot is 158 feet deep and 50 feet wide along the Edmunds Street frontage. A 15 foot alley is located to the rear.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Zoning:               | Naval Observatory Overlay - established to promote the public health, safety, and general welfare on land adjacent to or in close proximity to the highly sensitive and historically important Naval Observatory, in keeping with the goals and policies of the Federal and District elements of the Comprehensive Plan and the adopted Master Plan for that facility.<br><br>R-1-B - Permits matter-of-right development of single-family residential uses for detached dwellings with a minimum lot width of 50 feet for residential, churches, and public recreation and community centers. |
| Existing Development: | Semi-detached dwelling, permitted in this zone. The structure shares a party wall with the adjacent dwelling at 3528 Edmunds Street NW.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Historic District:    | NA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|                                     |                                                                                                                                             |
|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Adjacent Properties:                | Adjacent properties include semi-detached structures.                                                                                       |
| Surrounding Neighborhood Character: | The surrounding neighborhood primarily consists of detached single-family structures. The US Naval Observatory is located to the southeast. |



### III. PROJECT DESCRIPTION IN BRIEF

The Applicant proposes to remove an existing bay window and construct a two-story rear addition to an existing nonconforming structure. The construction would extend vertically to the roofline.

### V. ZONING

| NO/R-1-B Zone           | Regulation         | Existing     | Proposed <sup>1</sup> | Relief:                |
|-------------------------|--------------------|--------------|-----------------------|------------------------|
| Lot Width (ft.) § 401   | 50 ft. min.        | 50 ft.       | 50 ft.                | None required          |
| Lot Area (sq.ft.) § 401 | 5,000 sq. ft. min. | 7,920 sq.ft. | 7,920 sq.ft.          | None required          |
| Floor Area Ratio § 401  | None prescribed    | NA           | NA                    | None required          |
| Lot Occupancy § 403     | 40% max.           | 39.4%.       | 39.7%                 | None required          |
| Rear Yard (ft.) § 404   | 25 ft. min.        | 79 ft.       | 79 ft.                | None required          |
| Side Yard (ft.) § 405   | 8 ft. min.         | 0 ft.        | 0 ft.                 | <b>Relief required</b> |
| Court § 406             | NA                 | NA           | NA                    | None required          |

<sup>1</sup> Information provided by applicant.



## 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.*

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 light and air available to neighboring properties would not be unduly affected. The addition would remove the existing bay window and would extend from the existing exterior wall a modest three feet. The neighboring property at 3528 Edmunds Street includes a similar addition, and the proposed addition would extend approximately 1.5 feet beyond the neighboring structure. The dwelling at 3532 Edmunds Street would be separated by side yards and would not be unduly affected.

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

As stated above, the addition would extend from the existing exterior wall a

modest three feet and would include windows near where they currently exist. Further, the dwelling at 3532 Edmunds Street would be separated by side yards and would not be unduly affected. Therefore, the privacy of use and enjoyment of neighboring properties should not be compromised.

- (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 be located at the rear of the existing structure and would not intrude upon the character, scale and pattern of houses along the subject street frontage.

- (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 included plans, photographs, and elevation drawings.

- 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 would be 39.7% and would comply with the R-1-B zone.

- 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 required and none is proposed at this time.

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

The applicant does not propose to introduce or expand a nonconforming use.

## VII. COMMUNITY COMMENTS

ANC 3C had no objection to the Applicant's proposal.

As of this writing, no comments from immediate neighbors have been submitted to the record.