

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Anne Fothergill, Case Manager
Joel Lawson, Associate Director Development Review

DATE: January 26, 2016

SUBJECT: BZA Case 19162 - request for special exception relief under § 223 for an expansion of the 3rd story at 3901 Illinois Ave., NW

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403, Lot Occupancy (maximum 60 % allowed, 70 % existing non-conformity); and
- § 2001.3, Addition to a nonconforming structure

to construct the addition to the 3rd story as proposed at 3901 Illinois Avenue, N.W. The existing property is also non-conforming for lot area and rear yard.

II. LOCATION AND SITE DESCRIPTION

Address	3901 Illinois Ave., N.W.
Legal Description:	Square 3314, Lot 0026
Ward:	4/ANC 4C10
Lot Characteristics:	The lot is a corner lot with frontage on Illinois Avenue and Randolph Street and an alley at the left side (north).
Zoning:	R-4 - attached row and semi-detached single-family dwellings
Existing Development:	The lot is developed with a semi-detached corner row dwelling.
Historic District:	N/A
Adjacent Properties:	The subject property is the west end of a row of three residential row dwellings; the adjacent two row dwellings to the east side front Randolph Street. Across Randolph Street is the campus of the Armed Forces Retirement Home.
Surrounding Neighborhood Character:	The neighborhood is residential with detached and semi-detached houses and with the large campus to the east.



III. PROJECT DESCRIPTION IN BRIEF

The owners are proposing to expand an existing 3rd story and construct a roof deck at the north side of the house.

IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	35 feet max.	32' 3"	34' 4"	None required
Lot Width (ft.) § 401	18 ft. min.	40 ft.	40 ft.	None required
Lot Area § 401	1,800 SF. (min.)	1,417 SF	1,417 SF	Existing non-conformity
Lot Occupancy § 403	60% max.	70%	70%	Relief requested
Rear Yard § 404	20 ft. min.	1.5 feet	1.5 feet	Existing non-conformity

V. OP ANALYSIS

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1)
AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

¹ Information provided by applicant.

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.*

The subject application is for relief from § 403, Lot Occupancy, to permit an addition to a one-family row house within the R-4 district.

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;*

Light and air available to the abutting property would not be unduly impacted. The proposed addition is limited to the third floor and would not exceed the current structure's footprint, which aligns with the neighboring properties.

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

The privacy of use and enjoyment of the abutting neighbors should not be compromised unduly beyond what currently exists. Windows are proposed only for the rear façade of the addition, maintaining the privacy of adjoining neighbors.

(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, as viewed from the street and public alley, would not substantially alter the character, scale and pattern of the houses. The proposed expanded house with the small addition will remain consistent with the context of neighboring houses.

(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 plans, photographs and elevations sufficient to represent the proposed addition.

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 existing and proposed lot occupancy is 70% and would not exceed the 70% maximum permitted under this Section.

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 suggest any additional screening for this project.

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

A permitted residential use would be continued on this property.

VI. AGENCY COMMENTS

At the time of the staff report, no other agency comments had been submitted.

VII. COMMUNITY COMMENTS

The applicant submitted a letter of support from the adjacent neighbor at 339 Randolph Street. (Exhibit 6).

The ANC supports the proposed relief (Exhibit 23).