GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

DATE: February 14, 2002

TO: District of Columbia Board of Zoning Adjustment

THROUGH: Andrew Altman, Director OP
Ellen McCarthy, Deputy Director OP

FROM: David J. McGettigan, AICP

SUBJECT: Board of Zoning Adjustment Case No. 16810 – Supplemental Report
Trautwine
1324 27th Street, NW
Square 1236 Lot 818

SUMMARY

The applicant, Lori Trautwine, the owner of the subject property seeks approval of a variance in accordance with §3103 from the requirements of §§401, 403, 404, 406, and 2001.3 for a rear addition to an existing single-family dwelling in the R-3 residential zone.

Recommendation:

The Office of Planning recommends approval of this application based on the following findings:

- The applicant meets the tests for a variance outlined in §3103.
- The proposed addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.
- The proposed addition will not tend to affect adversely the use of neighboring property.
- The variances are needed to permit reasonable and adequate living space.
- The variances will encourage the renovation and rehabilitation of this property.

BZA
Case No. 16810
Exhibit No. 43

Board of Zoning Adjustment
District of Columbia
CASE NO.16810
EXHIBIT NO.43

Trautwine
1324 27th Street, NW
Supplemental Report
February 14, 2002

Background

The original application for this project, proposed an 8-foot addition to the rear of the structure that would have conformed to the requirements of §223, which permits such additions with a special exception. In response to concerns of the ANC and adjacent neighbors the applicant modified the design to provide a 3-foot setback of the rear addition from the northern property line. This reduced the impact of the addition on rear yard of the property to the north. The new design resulted in a lot occupancy that did not meet the requirements of §223 as the 3-foot setback created a court of less than 5 feet, the area of which, by definition, must be counted in lot occupancy.

The application has subsequently been readvertised as a variance. This supplemental report reviews the application in light of the new design and evaluates how the application meets the standards of a variance.

Project Description

The applicant proposes using the structure as a single-family residence. A 12-foot, L-shaped rear addition provides the applicant with an additional 204 GSF of floor area. The interior will be reconfigured to provide an additional bedroom and dining room in the structure. A basement is proposed under the addition to provide some utility space.

The design proposes that the addition be extended out 3 feet for the full length of the building and then narrowed 3 feet from the northern property line to create a 7.75' wide addition extending 9 feet deeper. The 12-foot addition will abut an existing addition on the structure to the south.

Comprehensive Plan

The Comprehensive Plan sets goals of stabilizing and improving the quality of residential neighborhoods. Comprehensive Plan Section 1104.1(h) outlines a policy to "encourage the maintenance of existing housing stock and, where appropriate, the rehabilitation and new construction of detached and row housing." The property is identified as moderate density residential on the General Land Use map, which includes row houses and garden apartments as the predominant uses and may also include, as appropriate uses, low density housing.

Zoning

The proposed addition will require relief from the requirements of §§403, 404, 406 and 2001.3. The proposed addition will not comply with the lot occupancy requirements of §403, which permits a lot occupancy of only 60% (81.5% proposed). Normally, such relief can be granted with a special exception under §223, however §223.3 limits the relief allowed under the section to 70% lot occupancy in the R-3 zone. Also, the proposed addition will not comply with §404, which requires a 20' rear yard (10.5' proposed). Third, the court created by the proposed addition will not meet the courtyard

requirements of §406, which requires a court to be a minimum of 5' wide (3' proposed). Section 2001.3 limits the enlargement or additions to non-conforming structures devoted to conforming uses:

> 2001.3 Enlargements or additions may be made to the structure; provided, that the following requirements shall be met:
> (a) The structure shall conform to percentage of lot occupancy requirements; and
> (b) The addition or enlargement itself shall conform to use and structure requirements; and
> (c) The addition or enlargement itself shall not increase or extend any existing, nonconforming aspect of the structure, and shall not create any new nonconformity of structure and addition combined.

The proposed addition will not meet the requirements of this section.

Variance Tests

Exceptional Narrowness, Shallowness or Shape

In considering this case, the Board must determine that there is an exceptional narrowness, shallowness or shape of the property existing prior to adoption of the zoning regulations that results in peculiar or exceptional practical difficulties that may be relieved by a variance to the zoning regulations. In this case, the existing lot is exceptionally narrow, being only 10.75 feet wide. The minimum lot width in the R-3 district is 20 feet. In addition the lot is exceptionally shallow at 48.37 feet. Though there is no minimum lot depth in the R-3 zone, the minimum lot area is 2000 square feet for a row house. At minimum width of 20' a typical lot would be at least 100 feet deep, over twice the depth of the existing lot.

Practical Difficulties

The exceptionally small dimensions of this existing lot create practical difficulties in meeting other area requirements of the R-3 zone. For example, in the scenario above of a 20-foot by 100-foot lot, the 20-foot rear yard requirement would only take up 400 square feet or 20% of the lot. The 20-foot rear yard requirement in this case would take up 215 square feet or 41% of the lot. The lot occupancy requirement would similarly show this disparity. The 60% lot occupancy requirement for the example lot would yield a minimum of 1200 square feet, more than double the size of the entire existing lot area of 520 square feet. The 60% lot occupancy requirement on this property would only permit a lot occupancy of 312 square feet.

An additional practical difficulty regarding the development of this property is its contribution to the historic district. Historic properties such as the subject site provide limited flexibility in modification. For example the construction of an additional story would not be in character with the surrounding historic properties and would impair the historic quality of the structure. Also, the need to stabilize the rear wall of the existing structure and rehabilitate the interior requires a significant amount of investment in the structure that could only be reasonably justified by an owner if additional floor space

were added to the house to make it livable. These situations along with the character of the neighborhood combine to create peculiar practical difficulties for the reasonable single-family use of this property.

Adversely Affect Use of Neighboring Property

The Board should determine if the variance could be granted without substantial detriment to the public good and without impairing the intent, purpose and integrity of the zone plan. As discussed in the original report the proposed addition will not adversely affect neighboring properties. The proposed addition will still provide a small garden and the rear property line abuts an alley, so the proposed addition will not unduly limit light and air on that side. Additionally, the rear yards on the properties to the north will ensure that the "court" that is created by the addition will not be enclosed by a structure along that property line.

Given the above, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

Community Comments

In a second meeting, ANC2E supported the proposed L-shaped 12 feet deep addition that it supported originally except for a new request to remove windows from the north wall of the addition. This change request is intended to address privacy concerns of the property owner to the north. The adjacent property owners still oppose the addition.

Recommendation

As outlined above, the applicant meets the tests for a variance outlined in §3103. The proposed addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The proposed addition will not tend to affect adversely the use of neighboring property. The Office of Planning concurs with the applicant's statement that adequate separation exists from the property to the north to allow windows on the north wall of the addition. The variances are needed to permit reasonable and adequate living space. The variances will encourage the renovation and rehabilitation of this property. Therefore, the Office of Planning recommends approval of BZA application 16810 requesting variances from lot occupancy, rear yard, and court requirements to allow the proposed addition.