GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: April 3, 2002

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

The attached report concerning a request from Trautwine and Joyner, requesting a variance for a residential addition, is being submitted less than 7 days prior to the Board of Zoning Adjustment's Public Hearing. The Office of Planning respectfully requests that the Board waive its rule and accept the report into the record.

BZA
Case No. 16810
Exhibit No. 69

Board of Zoning Adjustment
District of Columbia
CASE NO.16810
EXHIBIT NO.69

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

DATE: April 2, 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 – Second Supplemental Report
Trautwine Property
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.

Trautwine Property
1324 27th Street, NW
Second Supplemental Report
April 2, 2002

Background

The original application for this project, proposed an 8-foot addition to the rear of the structure with a basement under the addition 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 was subsequently re-advertised as a variance.

This second design was determined to be unacceptable to the Old Georgetown Board with the recommendation that the applicant provide an addition the full width of the house. This L-shaped design has been subsequently abandoned. This supplemental report reviews the application in light of a new design that intends to meet the concerns of the Old Georgetown Board 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 10.25-foot deep rear addition is proposed that provides the applicant with an additional 180 GSF of floor area in two stories. The interior will be reconfigured to provide an additional bedroom and dining room in the structure.

The design proposes that the addition be extended out 10.25 feet from the rear of the existing structure. The addition will be 8.75 feet wide and abut the property to the south, which has an existing addition of similar depth. The addition will be set back 2 feet from the property to the north.

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% (75% 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 (12.25' 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 (2' 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.

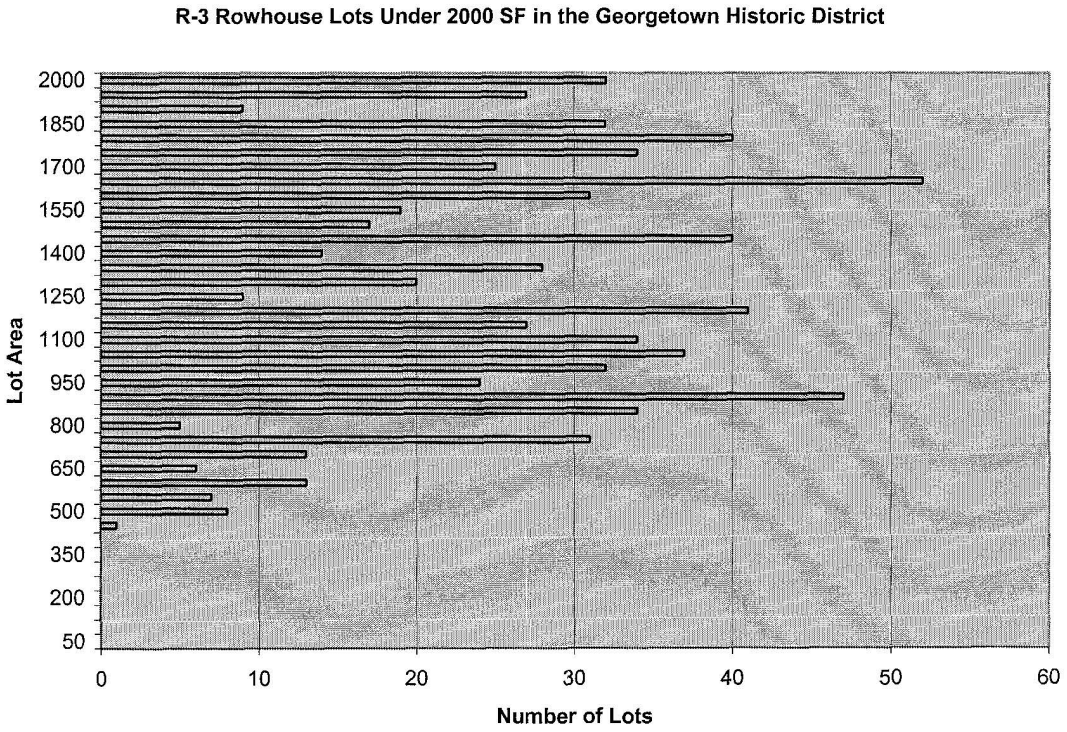
The proposed addition will not meet the requirements of this section.

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.

Though there are certainly many R-3 rowhouse lots that are less than 2000 square feet in the Georgetown Historic District only a handful are as small as the subject property. The average lot size in this population is 1324 square feet. The 520 square foot area of the subject lot is just barely within two standard deviations of this mean. Only about 1% of the approximately 1900 R-3 rowhouse lots in the Historic District are below 520 square feet.



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.

The need for this variance arises out of concerns from the Advisory Neighborhood Commission (ANC) and the neighbor to the North, Dr. and Mrs. Joiner. The original proposal for an addition to this structure could be granted by a special exception. Since an addition of this magnitude could be allowed by special exception and the special design constraints of the ANC and the Joiners force a variance situation, the unique size of the lot and relationship to the lot to the north create a situation where the strict application of the zoning regulations (essentially, the inclusion of open courts of less than five feet in calculating building area) results in exceptional practical difficulties.

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.

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 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.