GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE December 19, 2001

SUBJECT: BZA Application 16819
1521 Kalmia Road, Single-Family Dwelling

APPLICATION

An application by Ira and Marlene Jefferson, pursuant to 11 DCMR 3104.1 for a special exception to allow an expansion of an existing garage space and addition of a new family room to a single family dwelling under Section 223, not meeting side and rear yard requirements (Section 404, 405) in a R-1-B District at 1521 Kalmia Road, NW. (Square 2770, Lot 24)

SUMMARY RECOMMENDATION

The Office of Planning **recommends approval** of the special exception from the rear and side yard requirements in accordance with the provisions of Section 223.

SITE AND AREA DESCRIPTION

The subject property is located at 1521 Kalmia Road, NW, Square 2770, Lot 24. The site is currently developed with a two-story single-family dwelling (with basement) and a covered garage owned by Ira and Marlene Jefferson. The dwelling is on the north side of Kalmia Road, NW, with similarly constructed single-family residences on both sides. The immediate area surrounding the subject property can be characterized as well maintained single-family structures to the east and west and along the 16th Street corridor.

BZA
Case No. 16819
Exhibit No. 19

Board of Zoning Adjustment
District of Columbia
CASE NO.16819
EXHIBIT NO.19

BZA Application Case No. 16819
Side and Rear Yard Exception

PROJECT DESCRIPTION

The applicants are proposing to construct a new single-story rear addition for an expanded garage and a family room. The current garage is a non-conforming structure, not meeting the side and rear yard requirements of 8 feet and 25 feet respectively. Currently, the garage located at the eastern rear of the property has a 3 feet side yard measured from the property line to the east side garage wall. The rear yard is 4 feet from the property line representing a deviation of 21 feet.

ZONING REQUIREMENTS

The applicant is requesting a special exception from the yard requirements, to allow an addition to a nonconforming structure (Section 404 and 405) devoted to conforming use.

Section	Item	Restriction	Provided	Deviation
401	Lot Area	5000 square feet (minimum)	6000 square feet	+1000 square feet
403	Lot Occupancy	2400 square feet	2051 square feet	0
404	Rear Yard	25 feet	4 feet	21 feet
405	Side Yard	8 feet	3 feet	5 feet
406	Courts	N/A	N/A	0

From the information provided, the applicants seek relief from the rear and side yard provision of 404 and 405.

Special Exception Relief

Relief is requested from the requirements of § 404, 405, under Section 223, provided that the lot occupancy of the dwelling does not exceed 50% in the R-1-B districts, subject to the following:
223.2

- The addition shall not have a substantially adverse effect on the use and 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;
  - (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
  - (c) The addition, together with the original building, as viewed from the street alley, and other public way, shall not visually intrude upon the character, scale, and pattern of houses along the subject frontage;

ANALYSIS

This proposed addition/expansion of family room and garage space must meet the requirements as identified in 11 DCMR §223 as follows:

(a) *The light and air available to neighboring properties shall not be unduly affected.*

This expansion is an at-grade single story addition to an existing structure (garage) and a new family room (17.6'x 21.5'). There is no addition to the elevation of the existing or proposed structures that may contribute to the reduction of light to the immediate surrounding properties. The additions do not expand in width beyond existing structures to prevent the circulation of air and will have no adverse impact on current light conditions.

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

The proposed addition is enclosed and will not cause visual encroachment to neighboring properties. The addition/expansion is at the rear of the residence and does not decrease the existing side yard measurements. In addition, the side yard to the west of the property will remain intact, providing an adequate buffer area between the property owners thus maintaining the current privacy of use and enjoyment of the immediate neighbors. The garage will continue to be accessed from the rear alley, consistent with other neighboring dwellings.

(c) *The addition 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.*

Similarly, the proposed addition will not cause any visual intrusion from the subject street frontage since it is at the rear of the property. The completed structure will not visually intrude on the character of the neighborhood as viewed from the alley.

(d) *In demonstrating compliance with (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 to adjacent buildings and view from public ways.*

The applicant has provided photos, elevation drawings, and a site plan showing the relationship of the proposed addition to adjacent buildings and views from public ways.

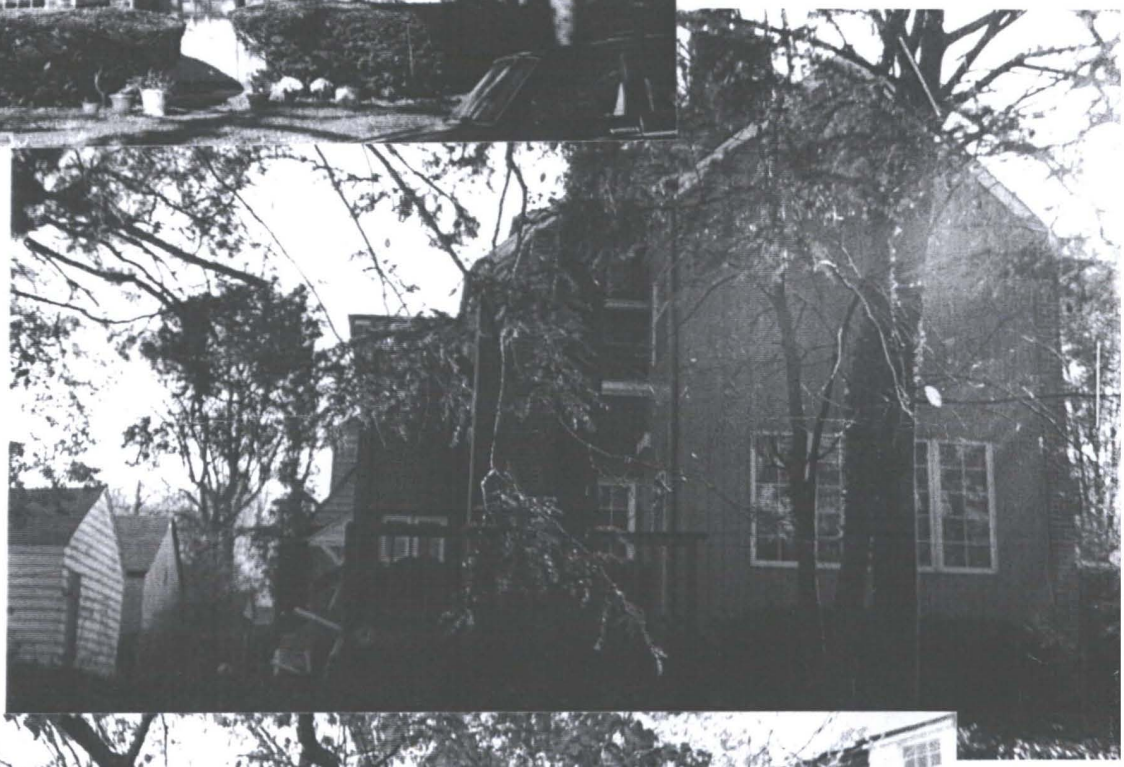
COMMUNITY COMMENTS

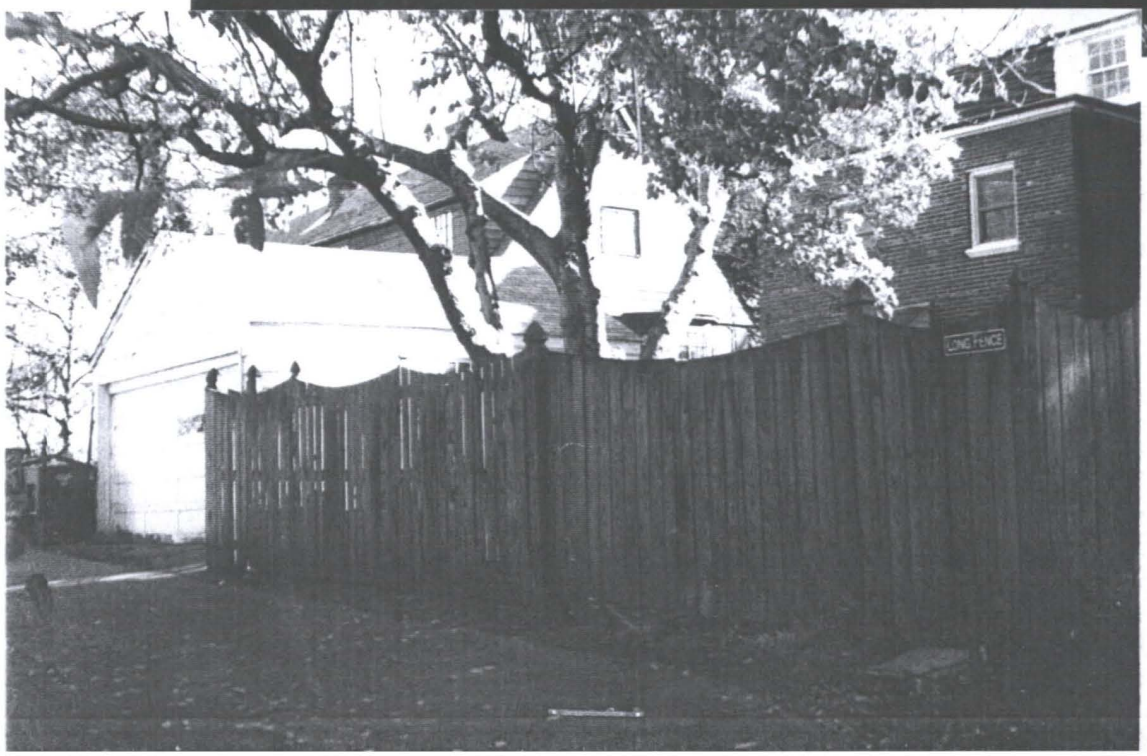
The ANC 4 reports that the item was approved at their January 2, 2002 meeting.

CONCLUSION

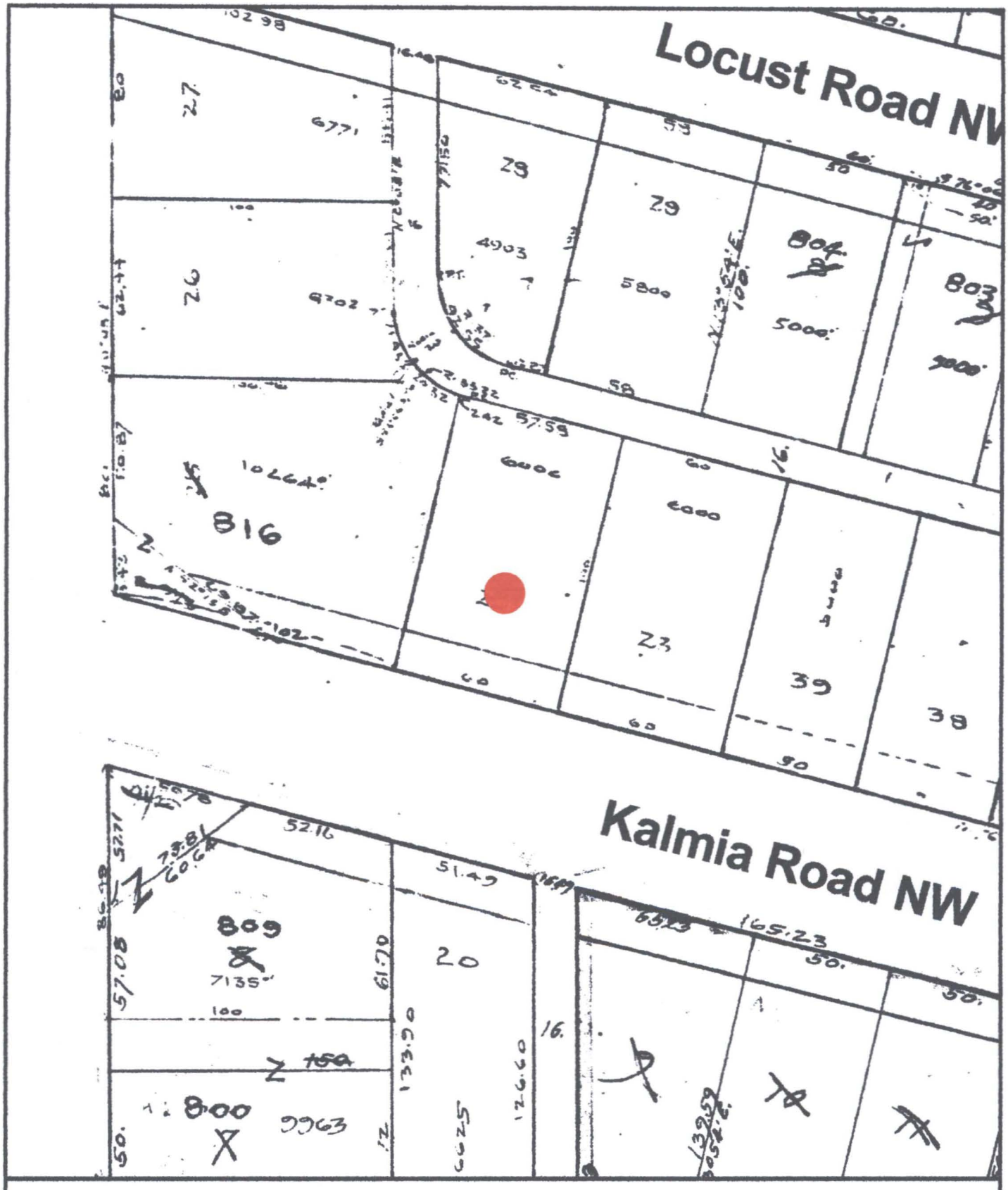
The Office of Planning concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3104.1 and Section 223 of the Zoning Regulations, for the granting of a special exception to permit the expansion of a nonconforming structure at 1521 Kalmia Road, NW. The request can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the Zoning Regulations. The Office of Planning recommends that the Board of Zoning Adjustment approve a special exception to allow the expansion of the existing garage space and addition of a family room to the rear of the single-family residence at 1521 Kalmia Road.






LONG FENCE

SSL: 2770 0024




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Kalmia Road NW
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