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GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE January 17, 2002

SUBJECT: BZA Application 16824
816 E. Capitol St. S.E., Single-Family Dwelling

APPLICATION

An application of Stanley Greenberg, pursuant to 11 DCMR 3104.1 for a special exception to construct an addition to a one-family row dwelling under Section 223, not meeting the lot occupancy (Section 403) and open court (Section 406) provisions in the R-4 District at 816 East Capitol St. NE. (Square 919,Lot 41).

SUMMARY RECOMMENDATION

The Office of Planning **recommends approval** of the special exception from the lot occupancy and courtyard requirements in accordance with the provisions of Section 223.

SITE AND AREA DESCRIPTION

The subject property is located at 816 East Capitol St., NE, Square 919, Lot 41. The site is currently developed with a three-story single-family row dwelling. The dwelling is on the north side of East Capitol St. N.E., with similarly constructed row houses on both sides, with an apartment building (Davmar Apartments) abutting the rear of the alley. The immediate area surrounding the subject property can be characterized as well maintained row structures along the *historic East Capitol Street* corridor between 8th and 9th Streets, N.E. The area is zoned R-4.

BZA
Case No. 16824
Exhibit No. 19

Board of Zoning Adjustment
District of Columbia
CASE NO.16824
EXHIBIT NO.19

PROJECT DESCRIPTION

The applicant is proposing to construct a new porch over the existing deck area to the rear of the building, and to extend the porch around the rear wall of the residence. The proposed porch will be screened, including the section of the porch to the eastern rear/side of the residence. The resulting court-yard (4-feet wide) will not meet the minimum six (6) feet requirement. In addition, the porch expands the lot occupancy from 1,282 square feet to 1,410 square feet, thereby increasing the lot occupancy beyond the 60% requirement to 64.77%.

ZONING REQUIREMENTS

The applicant is requesting special exception relief from the court-yard and lot occupancy requirements, according to the provisions of Section 223 and as specified in sections 403 and 406.

Section	Item	Restriction	Provided	Deviation
401	Lot Area	1800 square feet (minimum)	2176.95 square feet	0
403	**Lot Occupancy**	1306.17 square feet	1410.08 square feet	103.91 square feet
404	Rear Yard	20 feet	24.82 feet	0
405	Side Yard	N/A	N/A	0
406	**Courts**	6 feet	4 feet	2 feet

Special Exception Relief

The applicant may seek relief from the requirements of Sections 403 and 406, provided that the lot occupancy of the dwelling does not exceed 70% in the R-4 Districts (per Section 223.3), and subject to requirements of Section 223.2. Additionally, Section **223.4** states that … "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 or nearby properties."

ANALYSIS

The owner proposes to renew an existing deck including connecting it to a screened (8'x16') porch on the rear left (east) side of the property. The vertical screening creates the effect of a courtyard in the area of the existing stairwell to the basement, affecting both court-yard and lot occupancy requirements in an R-4 zone District. Zoning regulations describe an open courtyard as "…bounded on two (2) or more sides by the exterior walls of the building or by two or more exterior walls, lot lines or yards." The court-yard is reduced to 4 feet wide, decreasing the width from the minimum requirement of 6 feet. The east lot line has an existing 8-foot fence that acts as a privacy screen

between the applicant's and neighboring property. The height of the porch from grade level to the roof measures 14.5 feet. The property is well screened from the alley by existing trees, walls and wooden fencing to 100% opacity. The porch addition also increases the lot occupancy beyond the 60% requirement in R-4 zones. However, the addition of 128 sq. feet (porch area) increases it to 64.77%, which falls within the 70% lot occupancy limit requirement of Section 223.3.

The proposed addition of the screened porch must satisfy the standards identified in 11 DCMR §223 as follows:

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

The screening of the porch will not affect the light source to neighboring properties. The screen will only reduce the amount of light in the immediate porch area of the applicant's property. The reduction in size of the courtyard has no adverse effect on the light source to neighboring properties since the courtyard remains an open yard with no solid walls created along any property lines.

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

The proposed screening enhances the privacy of use and enjoyment of the neighboring property, as well as that of the applicant's. There is currently an 8-foot privacy fence separating the two properties on the eastern side of the lot. The porch is not at all visible from the alley or from the neighboring property to the west.

(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.*

The porch is located to the rear of the property and is not visible from the street frontage along East Capitol Street. In addition, there is no significant departure from the structure and character of surrounding properties as viewed from the rear in 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 photographs and side and rear elevation drawings depicting the effect of the screened porch on the property and the adjoining property. The surveyor's plat provided the dimensions of the resulting court-yard. (See Attachment)

COMMUNITY COMMENTS

The application was scheduled for ANC 6A review on January 17th, 2002. The applicant was not present and therefore a decision was not rendered.

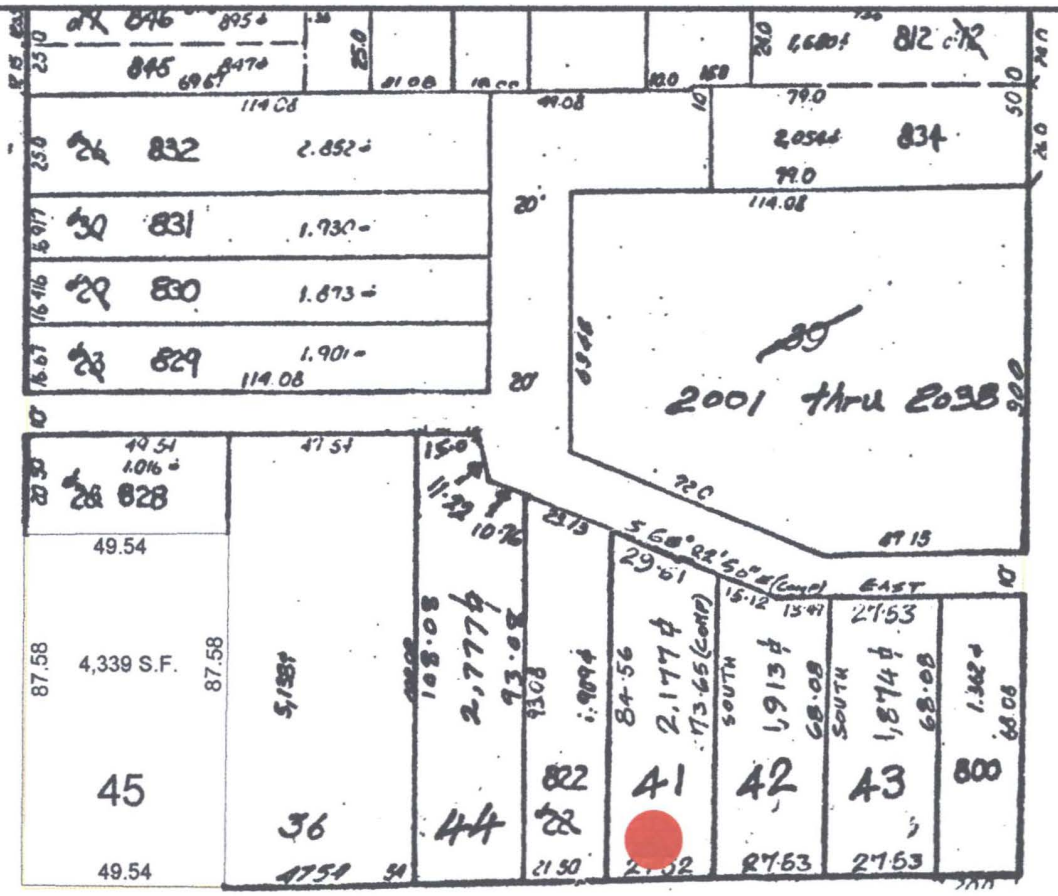
HISTORIC PRESERVATION

The property is located in the Capitol Hill Historic District. The Historic Preservation Office of OP reports that this addition is atypical of this area. In addition, the structure is recently rebuilt and not classified historic.

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 addition of a porch to the rear of the property.

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Property Maps and data maintained by:
Government of the District of Columbia
Office of Tax and Revenue
941 North Capitol Street, NE
Washington, D.C. 20002

20 0 20 40 Feet

Prepared on: January 18, 2002

= the selected property