GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

RECEIVED
D.C. OFFICE OF ZONING
2002 MAR 11 PM 1:28

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman

DATE: March 19, 2002

SUBJECT: BZA Case 16845 Special Exception Request

APPLICATION-IN-BRIEF

Applicant: Mr. & Mrs. Robert Burchard
4417 Farraday Street, N.W.
Square 1582, Lot 220

Relief Sought: Pursuant to 11 DCMR 3104.1, the applicant is requesting a special exception for a two-story rear addition to a one-family dwelling, in the R-2 zone district.

Relief Sought Under: Subsection 223

OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

The Office of Planning recommends the subject application be approved.

Applicant's Justification:

The applicants would like to build a two-story addition on the rear of their one-family dwelling. The request is being made because the applicants need more space to accommodate a growing family. The applicant express a commitment to continue living in the District, but predicates that decision on their ability to increase the livable space at their current dwelling.

BZA
Case No. 16845
Exhibit No. 21

SITE AND AREA DESCRIPTION

The subject premises are in the Friendship Heights neighborhood of Ward 3, located at 4417 Faraday Place, N.W. The referenced property is within a triangular-shaped area,

Board of Zoning Adjustment
District of Columbia
CASE NO.16845
EXHIBIT NO.21

generally bounded by Wisconsin Avenue to the north, River Road to the south, the intersection of Wisconsin Avenue and River Road to the east and Western Avenue to the west. Low-density single-family detached dwellings are the predominate use in the Friendship Heights neighborhood.

Commercial services in the subject area are conveniently located along both sides of the Wisconsin Avenue Corridor. The strip between Ingomar & Chesapeake Streets is classified as a low-density commercial area. This commercial area is anchored on both ends by mixed-use areas. The section to the west (between Ingomar Street and Western Avenue) is medium density mixed-use and the area to the east (between Chesapeake& Albemarle Streets) is low-density mixed-use.

The subject structure was built as a dwelling unit prior to the adoption of the Zoning Act of 1958. Most of the residential dwellings on Square 1582 were constructed prior to 1958 and therefore may not comply with zoning regulations that were implemented since their construction.

The property is non-conforming and does not meet the current zoning requirements of lot area (4,000 square feet required, 2,850 square feet existing), lot width (40 feet required, 38 feet existing) and side yard (8 feet required 5.48 existing).

AREA ZONING

The subject dwelling is in the R-2 zone district. The R-2 district consists of those areas that have been developed with one-family and semi-detached dwellings. The subject dwelling and most of the other dwellings on the 4400 block of Faraday Place are examples of small one-family dwellings in the R-2 zone district.

APPLICANT'S PROPOSAL

The applicants propose to build a 12 feet deep by 20 feet wide two-story addition on the rear of their single-family dwelling. The addition will be constructed of a vinyl exterior finish. The roof will be constructed of fiberglass shingles, with a gable end. There would be a skylight above the bathroom in the master suite. The gable end of the addition would have a circular window centered on the second floor. This design feature will allow maximum light to enter the master suite, without compromising user privacy. The rear of the second floor addition will contain two additional windows, both 3-foot wide by 5 feet tall. There would be a 30 inch by 36 inch window on the east side of the second floor and another 3x5 feet window on the west side. The first floor family room addition would contain three, 3-feet wide by 5 feet tall windows, one each on the east and west sides, and one on the rear of the addition. The addition would yield an 18.5-foot wide by 10.8-foot deep family room with a half bath on the first floor and a master bedroom suite, (of the same dimensions) on the second floor. There would also be a rear door near the west side of the first floor, which would lead to a 4 by 4 foot wooden exit



Feature Key

Zoning Boundaries

Square Index

Board of Zoning Adjustment
Application No. 16845

DC Office of Planning
February 7, 2002

Scale 1:1736

25 0 25 50 75 Feet

Attachment 1

deck that will be about 30 inches above the ground. The deck would lead to steps that will exit into the back yard.

RELATIONSHIP OF THE APPLICATION TO THE 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 Comprehensive Plan Generalized Land Use Map depicts the subject site as being in the ***Low Density Residential Land Use Category.*** Single-family detached and semi-detached housing are the predominant uses in this category.

REQUESTED ZONING RELIEF

Pursuant to 11 DCMR 3104, the applicant is requesting a special exception under section 223 (addition to one-family dwellings), in the R-2 zone district, due to the non-conforming status of the property.

§223.1 - An addition to a one-family dwelling or flat, where a flat is permitted, that does not comply with all the requirements of §§401, 403, 405 or 406 of this title shall be permitted if approved by the Board of Zoning Adjustment in accordance with the conditions specified in §3104 of chapter 31 of this title, subject to the provisions of this section.

§223.2 - The addition shall not have a substantially adverse affect on the use of or enjoyment of any abutting or adjacent dwelling or property; in particular;

(a) Will the proposed addition affect unduly the availability of light and air to neighboring properties?

No. The proposed addition will not affect unduly the availability of light and air to neighboring properties. The proposed addition will be to the rear of a structure that is orientated north/south. Most of the light that goes through structures enters from the east or the west and there is adequate space between the subject structure and neighboring properties on both sides, for the sufficient passage of air



(b) Will the addition unduly compromise the privacy of use and enjoyment of neighboring properties?

No. The rear alignments off the alley for almost all of the houses on the north side of the 4400 block of Faraday Place were built on consistence alignments. The new two-story addition to the subject structure will extend approximately 12 feet beyond the rear of the structure, thereby reducing the chance that the subject new addition would compromise the privacy of use and enjoyment of neighboring properties. There is also a large tree to the rear of the property, which will buffer the view of the addition from neighboring properties, directly across the alley on Garrison Street.

(c) Will the addition, together with the original building, as viewed from the street, alley, and other public way, substantially visually intrude upon the character, scale and pattern of houses along the street frontage?

No. Based on the plat and site plan submitted, the scale of the addition is consistent with the existing structure, in height but smaller in size. The property will continue to appear as a single-family residence from the rear alley and the addition will not be visible from Faraday Place. This is because the new addition will be indented on the existing structure by approximately 12 inches on the east side and 7 feet on the west side. The addition will encroach into the 20-foot rear yard set back by one and one half feet, but will not increase the non-conforming aspects of the side yards.



(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 drawing sufficient to represent the relation of the proposed addiction to adjacent buildings and views from public ways.

The applicant will presented building plans, photographs and section drawing sufficient to represent the relation of the proposed addition to rear of the existing building to represent the relation of the proposed addition to adjacent buildings and views from public ways.

223.3 - The lot occupancy of the dwelling or flat, together with the addition, 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 property is non-conforming and does not meet the current zoning requirements of lot area (4,000 square feet, 2850 square feet existing), lot width (40 feet required, 38 feet existing) and side yard (8 feet required 5.48 existing).

The percentage of lot occupancy in the R-2 zone district is 40 per cent. The combination of the existing amount of lot occupancy and the new addition for the subject property is 29.41 per cent of lot occupancy.

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST

Will the special exception be in harmony with the general purpose and intent of the Zoning regulations and Maps?

Yes. The subject dwelling unit is a non-conforming structure, which was constructed prior to the adoption of the Zoning Act of 1958. It does not fully comply with all of the regulations that have been implemented since its construction. The new addition will be a 12 feet deep by 20 feet wide two-story addition on the rear of their single-family dwelling. The proposed two-story addition to the Burchard's dwelling will be in harmony with the general purpose and intent of the Zoning Regulations and maps. The intent of the R-2 zone is to allow single and semi-detached dwellings. This proposal would result in a dwelling that will continue to be used as a single-family dwelling. There is a house to the west of the subject structure, at 4425 Faraday Place with a recent new addition on the rear.



One of the intended applications of subsection 223 is to provide housing modification relief for owners of dwellings that pre-date zoning. If property owners in the R-2 zone district could not obtain relief from the BZA, when there is a need to make modifications to structures that predate-zoning, it would have a negative affect on neighborhood stabilization. The granting of the requested special exception to allow for a small addition to such a dwelling is an appropriate application of this special exception provisions.

Will the special exception adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps?

No. The Burchard's proposal to build a two-story addition on the rear of their property at 4417 block of Faraday Place is contained entirely within their property. A rear alley adds to the distance between the addition and the rear neighbors. The addition is proposed at two stories, which is consistent with the existing structures and typical of neighboring houses. Neighbors on their immediate east, at 4413 and 4409 Faraday Place and neighbors to the immediate west, at 4421 and 4425 Faraday Place, as well as the neighbor to the rear of their property support it, directly across the alley at 4412 Garrison Street, N.W. Most of the houses on the square pre-dates zoning and many are in the same situation (need for more space) as the applicant. OP is not aware of any expressions in the community, that the proposed addition would adversely affect the neighborhood. Further, ANC 3E provided the applicant a letter, stating that the ANC would not oppose the application.

COMMENT COMMENTS

The applicants proposal to build a two-story addition to the subject property was presented to Advisory Neighborhood Commission 3E (ANC) on September 13, 2001. The ANC voted 5-0 to approve a resolution to not to oppose the application

OP SUMMARY RECOMMENDATIONS

After reviewing the application submitted by Robert and Beth Burchard, requesting a special exception to build a two-story addition to the rear of their home at 4417 Faraday Place, the Office of Planning recommends that the Board **approve the application**. The Office of Planning finds that the applicant has satisfactorily met all the tests specified in Section 3104.1, and 223 and concluded the application 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.