GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

TO: D.C. Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: May 13, 2002

SUBJECT: BZA Application No. 16874 (Request for a Special Exception to Allow an Addition to a Single-Family Residence not Meeting Side Yard Requirements), 4912 Quebec Street, N.W.

APPLICATION

Application of Peter Anthony and Michelle Pablo, pursuant to 11 DCMR Section 3104.1, for a special exception to construct a two-story addition to a one-family dwelling under Section 223, not meeting the side yard requirements (section 405), lot width requirements (sections 401 & 2001.3), in an R-1-A district at premises 4912 Quebec Street, N.W. (Square 1474, Lot 20).

SUMMARY RECOMMENDATION

The Office of Planning recommends approval of this special exception to allow construction of a two-story addition to the rear of a single-family residence, in accordance with the provisions of Section 223.

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Exhibit No. 21

BACKGROUND

This application involves a request for an addition on the rear of a single-family dwelling. It is the type of addition that Section 223 of the Zoning Regulations is intended to address. The Zoning Commission adopted Section 223 on February 23, 1998, in Z.C. Order No. 840 (Z.C. Case No. 97-2/94-6), to provide a remedy for applicants who wished to make reasonable additions to their homes but who could not meet the strict requirements for an area variance. In 2001, the Zoning Commission amended Section 223 to extend special exception relief to homeowners with nonconforming structures, who otherwise would have to seek a variance from the provisions of 2001.3 for their proposed

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additions (Zoning Commission Case No. 01-10TA, adopted by the Zoning Commission on July 12, 2001, effective on publication in the D.C. Register on September 28, 2001). Section 223 reads as follows:

223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-l)

223.1 An addition to a one-family dwelling or flat, in those districts where a flat is permitted, that does not comply with all of the applicable area requirements of §§401, 403, 404, 405, 406, and 2001.3 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 or 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 substantially visually intrude upon the character, scale and pattern of houses along the street frontage; and

(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.

223.3 The lot occupancy of the dwelling or flat, together with the addition, shall not exceed fifty percent (50%) in the R-l and R-2 districts or seventy percent (70%) in the R-3, R-4 and R-5 Districts.

223.4 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 and nearby properties.

223.5.1 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

In this case, the application does not comply with Section 405, "Side Yards," or with the lot width requirements (Sections 401 & 2001.3).

SITE AND AREA DESCRIPTION

This application is for a rear addition to a single-family detached dwelling at 4912 Quebec Street, N.W. (Square 1474, Lot 20) in the Spring Valley neighborhood of Northwest Washington. The property is located on the south side of Quebec Street, one property east of the intersection of Quebec and 49th streets, N.W.

The single-family dwelling that is the subject of this application is on a relatively large lot in area, 9,586 square feet, though the lot is somewhat narrow and long, tapering to the rear of the lot. The front width of the lot on Quebec Street is approximately 65 feet and the width of the lot at the rear, adjoining a public park, is approximately 53 feet. The length of the lot on the east is approximately 171 feet and the length of the lot on the west is approximately 157 feet. The width of the lot is less than the 75-foot minimum now required in the R-1-A District. The lot was subdivided and the original house was built before the present zoning regulations were adopted in 1958.

The Spring Valley neighborhood was developed by the W.C. and A.N. Miller Company, beginning in the 1920s. It was one of the first areas in Washington where curvilinear streets were introduced, with streets designed to follow the topography rather than extending the conventional grid street system. The house that is the subject of this application was built in 1933, about the same time as other houses along this section of Quebec Street.

This section of Quebec Street extends along a ridge and the terrain drops off to the north and the south. In the case of the house in this application, the front yard and house are generally level with Quebec Street, but the land falls off sharply to the south at the rear of the house, from an elevation of about 88 meters (approximately 289 feet) to about 82 meters (approximately 269 feet) at the southwest corner of the lot.

One of the special features of this lot, and other adjacent lots, is the linear public park (identified as "Spring Valley Park" on some maps) that extends east-west from 49th Street on the east to Fordham Road on the west and adjoins the rear lot line of the properties in Square 1474 that are on the south side of Quebec Street. This linear park is heavily wooded and is essentially in its natural state. It varies in width from east to west and is widest at 49th Street. Back (south) of the lot in this application, the park is approximately 165 feet wide.

This neighborhood is indicated on the Comprehensive Plan Generalized Land Use Map as **low density residential**. Square 1474 and adjacent squares are zoned **R-1-A.**

APPLICANT'S PROPOSAL

The present owners purchased the property in late 1998. At present, the house has a one-story sunroom on the left rear of the house that was constructed in the 1980s. This sunroom extends to 6.5 feet from the left (east) property line, less than the 8 feet required for a side yard in the R-1-A District. The main part of the house (the original 1933 house) is about 13 feet from the left (east) lot line.

The owners propose to demolish the existing sunroom and construct a two-story addition, with a family room on the first floor and a master bedroom and bath on the second floor. The addition would follow the existing line of the sunroom on the left side of the house, i.e. it would be 6.5 feet from the property line (the shorter protrusion of the chimney would be about 5 feet from the property line). The new addition would extend about two feet further to the rear than the existing sunroom and would fill out (square off) the area where a hallway off the existing sunroom is now located. The addition will be constructed of materials that will match the original house (brick walls and a slate roof). It appears that, in terms of design and materials, this new addition will be more compatible with the existing house than the existing sunroom.

There is not a zoning issue with the small extension to the rear or with expanding the footprint of the addition to the right (west). Present lot occupancy is 13.1 percent,

considerably below the requirement of 40 percent. Future lot occupancy, with the slightly larger footprint of the addition, will be 14.5 percent. The zoning issue in this case is continuing, with the new addition, the same location as the existing sunroom that is 6.5 feet from the lot line, less than the 8.0 feet required.

The owners have submitted photographs of the existing conditions. They have also shown the plans for the new addition to the neighbors. The adjoining neighbors to the left and the right of the house have indicated in writing that they do not object to the addition being built as designed.

ANALYSIS

The Office of Planning has reviewed the plans and visited the site in order to evaluate the requirements outlined in Section 223. These are discussed below.

223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1)

223.1 An addition to a one-family dwelling or flat, in those districts where a flat is permitted, that does not comply with all of the applicable area requirements of §§401, 403, 404, 405, 406, and 2001.3 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.

This section allows the Board to approve an addition to a one-family dwelling when it does not comply with certain requirements, and to allow an expansion of a non-conforming building subject to the provisions of Section 223. **In this case, the addition will not comply with the side yard requirement of 8 feet as outlined in Section 405. The existing sunroom addition is non-conforming by 1.5 feet (i.e. it extends 1.5 feet into the required 8 foot side yard area). The new addition, which will replace the former addition, will also extend 1.5 feet into the 8.0 side yard on the east rear of the house and the shorter chimney protrusion will extend about 3.0 feet into the side yard.**

223.2 The addition shall not have a substantially adverse affect on the use or 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;

As a practical matter, the neighboring property that is potentially most affected by this requested rear addition to 4912 Quebec Street is the adjacent single-family detached house to the east (4900 Quebec Street). The Office of Planning does not believe that the light and air available to that house, or to any other nearby houses, is unduly affected. There are no windows in the east side of the addition, facing the east property line, so privacy impact is not an issue. The Office of Planning also notes that the owners of the house at 4900 Quebec Street have provided a letter indicating that they do not object to the new addition extending 1.5 feet into the side yard. The owners of the house to the

right, 4922 Quebec Street, have also provided a letter indicating that they do not object to the new addition.

As previously noted, there is a public park at the rear of this property. The park has a width back of this property of approximately 165 feet. This means that the distance from the rear of this house at 4912 Quebec Street, with the new addition, to the rear of the houses to the south which front on Hillbrook Lane, is approximately 300 feet with the view through forested parkland. Views of the proposed addition from the houses on Hillbrook Lane are not a problem.

> (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 street frontage; and

The width of the new addition to the east of the existing house is narrow, 6 feet, 8 inches, which is the same width that the existing sunroom extends east of the main part of the house. Due to the design of the existing sunroom, the second floor of the addition will not be much higher than the front plane of the sunroom that is now visible from Quebec Street on the left (east) side of the house. The new materials, brick walls and slate roof, will be more compatible with the materials of the original house than the materials of the existing sunroom. The new addition will not be visible from Quebec Street on the right side of the house. The park to the south has already been noted. This means there is no problem with views of the addition from Hillbrook Lane, due to the distance and the intervening wooded parkland. In summary, the Office of Planning does not believe the addition will intrude on the character, scale and pattern of the houses along Quebec Street as viewed from Quebec Street or from any other nearby street.

> (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 owners have submitted plans and photographs that show the relationship of the proposed addition to adjacent buildings and views from public ways.

223.4 The lot occupancy of the dwelling or flat, together with the addition, shall not exceed fifty percent 1(50%) in the R-l and R-2 districts or seventy percent (70%) in the R-3, R-4 and R-5 Districts.

There is not a problem with lot occupancy in this case. Due to the large lot size, the existing lot occupancy is only 13.1 percent. The lot occupancy with the addition will be 14.5 percent.

223.4.1 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 and nearby properties.

The Office of Planning does not believe that any additional screening or special design features are needed in this case.

223.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

There is no issue with this section. The proposed addition is for expansion of the permitted residential use.

In summary, the Office of Planning believes the rear addition to the house at 4912 Quebec Street, N.W., as proposed by the applicant, meets the requirements for a special exception under Section 223.

ANC AND COMMUNITY GROUPS

At ANC-3D's publicly announced meeting on Wednesday, May 1, 2002, the Commission voted **4-0-0 to recommend approval** of BZA Application 16812 for a special exception for an addition to the residence of Peter Anthony and Michelle Pablo at 4912 Quebec Street, N.W. The recommendation of ANC-3D is indicated in a May 6, 2002 letter to the BZA.

RECOMMENDATION

The Office of Planning recommends that the Board of Zoning Adjustment **approve a special exception** to allow an addition to the rear of the single-family residence at 4912 Quebec Street, N.W.

Attachment

AA/jf



Feature Key

Zoning Boundaries

Square Index

Note: Contour Elevations in Meters

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DC Office of Planning
May 15, 2002

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Scale 1:965

25 0 25 50 75 100 Feet

Attachment 1