GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

BZA
Case No. 16903
Exhibit No. 21

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: July 16, 2002

SUBJECT: BZA Application 16903 - Request filed by Bolling & Bolling for a **special exception** for use of an existing single-family detached dwelling with an accessory apartment, proposed by Maggie A. Bolling for 4513 Meade Street, N.E.

APPLICATION
Application of Maggie A. Bolling for:

1) **Special exception relief pursuant to §202.10 of Title 11 DCMR** to permit use of an existing single-family detached dwelling with an accessory apartment

for property located on the south side of Meade Street, N.E., between 45th and 46th Streets, 4513 Meade Street, Square 5155, Lot 166. The property is zoned R-2, one-family, semi-detached dwellings.

SUMMARY RECOMMENDATION
The Office of Planning recommends approval of the request for special exception relief as submitted by the applicant.

PROJECT DESCRIPTION
This proposal is to permit an accessory apartment within an existing single-family detached dwelling consisting of 2,148 square feet, according to the Office of Tax and Revenue. No building additions are proposed. The accessory apartment is existing and proposed to be rented out to no more than four people.

SITE AND AREA DESCRIPTION
The property consists of Lot 166 of Square 5155, in the North East quadrant of the District and is 10,000 square feet in area. It is improved with a single family detached dwelling that has been divided into two apartments. The senior-citizen owner of the property occupies the first floor

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apartment by herself and the second floor is leased. The property is located on the south side of the 4500 block of Meade Street. Vehicular access to the site is from the public alley to the rear of the site.

The surrounding area is residential and industrial in nature. To the east, west and south are residential uses. To the north is a mixture of residential and industrial uses. Approximately two blocks to the northeast is the entrance to the Deanwood Metro Station (orange line).

The area has been identified on the Generalized Land Use Map as located within the moderate density residential land use category- "Row houses and garden apartments are the predominant uses; may also include low density housing."

EXISTING ZONING
The subject property is zoned R-2, one-family semi-detached dwellings.

R-2 Residential District
The R-2 district "...consists of those areas that have been developed with one-family, semi-detached dwellings, and is designed to protect them from invasion by denser types of residential development."(§300.1)

RELIEF REQUESTED:
Special Exception pursuant to §202.10– Accessory Uses
Section 202.10 sets forth the specific criteria under which accessory apartments may be permitted within a residential district. Those criteria are as follows:

"202.10 An accessory apartment may be added within an existing single family detached dwelling if approved by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the following provisions:

(a) The lot shall have a minimum lot area for the following zone districts:

(1) Seven thousand five hundred square feet (7,500 ft. sq.) for R-1-A;

(2) Five thousand square feet (5,000 ft. sq.) for R-1-B;

(3) Four thousand square feet (4,000 ft. sq.) for R-2; and

(4) Four thousand square feet (4,000 ft. sq.) for R-3;

(b) The house shall have at least two thousand square feet (2,000 ft. sq.) of gross floor area, exclusive of garage space;

(c) The accessory apartment unit may not occupy more than twenty-five percent (25%) of the gross floor area of the house;

(d) The new apartment may be created only through internal conversion of the house, without any additional lot occupancy or gross floor area; garage space may not be converted;

(e) If an additional entrance to the house is created, it shall not be located on a wall of the house that faces a street;

(f) Either the principal dwelling or accessory apartment unit must be owner occupied;

(g) The aggregate number of persons that may occupy the house, including the principal dwelling and the accessory combined, shall not exceed six (6);

(h) An accessory apartment may not be added where a home occupation is already located on the premises; and

(i) The Board of Zoning Adjustment may modify or waive not more than two (2) of the requirements specified in paragraphs (a) through (h); Provided, that the following occurs:

(1) The owner-occupancy requirement of paragraph (f) shall not be waived;

(2) Any modification(s) approved shall not conflict with the intent of this section to maintain a single-family residential appearance and character in the R-1, R-2 and R-3 districts; and

(3) Any request to modify more than two (2) of the requirements of this section shall be deemed a request for a use variance."

The area of the subject property is 10,000 square feet, in excess of the minimum requirement of 4,000 square feet for an accessory apartment in the R-2 district. The house consists of 2,148 square feet, in excess of the minimum requirement of 2,000 square feet. The applicant has indicated that the accessory apartment is in excess of 25 percent of the square footage of the house, and requests that the Board waive this requirement, as permitted by Section 202.10(i). The extent to which this proposal exceeds that requirement has not been provided. The Board may grant this request because the owner occupies the house and because it is the only waiver requested (a maximum of two may be granted). The waiving of this one requirement will not alter the single-family residential appearance of the structure, which from the outside appears to be a single-family detached dwelling.

The accessory apartment exists; therefore no additional lot occupancy or gross floor area is necessary in order to create the additional apartment unit. The entrances to the accessory

apartment exist, with one facing the street and the other facing the alley. The application indicates that the owner alone occupies the first floor apartment and that no more than four people will occupy the second floor unit, for a maximum total of 5 people, less than the maximum of six permitted. No home occupation exists within the house.

It is the Office of Planning's conclusion that the applicant has satisfactorily met the criteria for special exception relief of Section 202.10 and that in granting the relief, the intent and purpose of the chapter "shall not adversely affect the use of the neighboring properties"

COMPREHENSIVE PLAN

This proposal will contribute toward Ward 7 housing objectives to *"(p)rovide for the housing needs of the elderly and to reduce their overall housing costs;"* and to *"(p)rovide for the housing needs of low- and moderate-income households..."*(§1808.1)

COMMUNITY COMMENTS

ANC 7-D has been notified of the application and the Office of Planning has attempted to contact the ANC by telephone. No comments have been received.

RECOMMENDATIONS

The Office of Planning has reviewed the application in terms of the property's zoning, the intensity of use, the character of the neighborhood and the standards for special exception. OP concludes that the special exception meets the required tests and can be granted "without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map."

The Office of Planning recommends approval of the following:

> **Special exception pursuant to §202.10 of Title 11 DCMR** to permit an accessory apartment, as submitted by the applicant.

AA/sjm$_{AICP}$



Feature Key

Zoning Boundaries
Square Index

Board of Zoning Adjustment
Application No. 16903

DC Office of Planning
July 5, 2002

Scale 1:1368

25 0 25 50 75 100 Feet

Attachment 1