GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for
Andrew Altman, Director
Office of Planning

DATE: October 8, 2002

SUBJECT: BZA Case No. 16921 (Celia Berg & Jack Benson
4432 Faraday Street, N.W.)

APPLICATION

The application by Celia Berg & Jack Benson requests, pursuant to 11 DCMR 3104.1, a special exception under Section 223 to add a one-story rear addition to a one-family dwelling in the R-2 District.

RECOMMENDATION IN BRIEF

The Office of Planning recommends **Approval** of the requested special exception.

SITE AND AREA DESCRIPTION

The subject premises are in the Friendship Heights neighborhood of Ward 3, located at 4432 Faraday Place, N.W., which is on the south side of the block. The referenced property is within a triangular-shaped area, 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.

Neighborhood support services in the subject area are conveniently located along both sides of the Wisconsin Avenue Corridor, between Chesapeake and Ingomar Streets. This corridor is less than two blocks to the northeast of the subject property. The area at the intersection of Wisconsin & Western Avenues (less than three blocks to the northwest of the subject site) is also a commercial support area. .

BZA
Case No. 16921
Exhibit No. 24
Board of Zoning Adjustment
District of Columbia
CASE NO.16921
EXHIBIT NO.24


45th St NW
44th St NW
SQR1581
Garrison St NW
R-2
SQR1582
4432 Faraday Place, N.W.
Faraday Pl NW
44th St NW
45th St NW
R-2
R-2
Fessenden St NW
River Road
Feature Key
Zoning Boundaries
Square Index
Board of Zoning Adjustment
Application No. 16921
DC Office of Planning
September 17, 2002
Scale 1:1262
25 0 25 50 75 100 Feet
Attachment 1

PROPOSAL

The applicant proposes to build a one-story addition to the rear of a single-family detached dwelling. The proposed addition will project into the rear yard setback area required in the R-2 district (20 ft.) by 11.4 feet.

ZONING REQUIREMENTS

The subject dwelling is in the R-2 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, which were built prior to the adoption of the Zoning Act of 1958. As families who live in such dwellings grow in size, living space becomes increasingly constrained. Some owners of these dwellings need to build additions in order to accommodate expanding families. Section 223 of the Zoning Regulations is designed to provide expansion relief for such dwellings. Without zoning relief, the alternative for some is to move from the neighborhood or even from the city.

HISTORY OF PROPERTY

The subject structure is a single-family dwelling originally built of stone material in 1930, 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 all of the zoning requirements that were implemented since their construction.



Front view of 4432 Faraday Place.

THE PROJECT

The applicants propose to build 16.6 feet deep by 16.2 feet wide one-story family room on the rear of a single-family dwelling. The addition will be constructed of "cedar shake shingle" and will match the exterior finish on the existing structure. The first floor family room addition would be mostly common areas, with a counter top, (designed as a work station) and wall cabinets. The new addition would be within view and easy access of the kitchen. There will be three, 3 French doors with 3 small windows centered above the doors and a forth window near the top of the wall, at the roof peak. The windows will be located high on the rear exterior wall, and are designed to allow light to enter the proposed family room. The windows will be contoured to the gable shape of the exterior wall. There would also be a landing at the rear exit door and three steps that would exit into the east side of the rear yard.

RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The Comprehensive Plan Generalized Land Use Map depicts the subject site in the ***Low Density Residential Land Use Category.*** Single-family detached and semi-detached housing are the predominant uses.

The Comprehensive Plan Declaration of Major Policies in Section 300.2 recommends:

> **" A central theme of the Housing Element is that the District must stimulate a wide range of housing choices and strategies through the preservation of sound older stock."**

The Comprehensive Plan sets goals of stabilizing and improving the quality of residential neighborhoods. Comprehensive Plan Section 1104.1(h) outlines a policy to:

> **"Develop techniques and programs to encourage the maintenance of existing housing stock and, where appropriate, the rehabilitation and new construction of detached and row housing."**

REQUESTED ZONING RELIEF

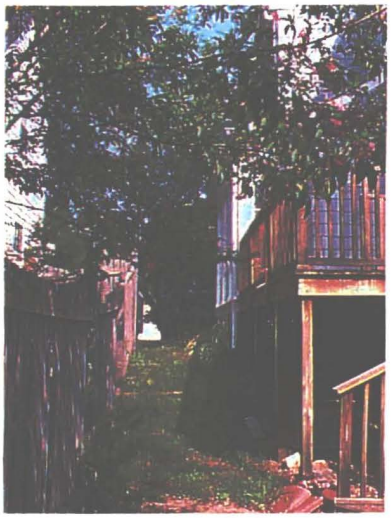
The subject site is in the R-2 zone and Section 223 of the Zoning regulations permit addition to one-family dwellings if approved by the Board of Zoning Adjustment. It is subject to the following provisions outlined in Section 223:

> **§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



East side of subject ***property.***

proposed addition will be to the rear of a structure that is orientated north/south. Most of the light that goes through the adjacent dwellings enters from the east or the west and there is adequate space between the subject dwelling and neighboring properties (6 feet to the property line on the east and 5 feet to the property line on the west) for the sufficient passage of air.



West side of subject property.

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

No. It is unlikely that the subject new addition would compromise the privacy of use and enjoyment of neighboring properties.
The rear alignments for almost all the houses on the south side of the 4400 block of Faraday Place were built on consistence alignments. The new rear addition to the subject dwelling will extend approximately 16 feet beyond the existing structure, and will be 20.8 feet in height, which is approximately 10 feet below the maximum height of the existing roof. Additionally, many of the houses on the block have fences that abut the alley and serve to increase the privacy of individual properties. Further, many of the houses on the block have either trees or evergreen on the property boundaries with the alley to the south, which further enhances the privacy of neighboring properties.

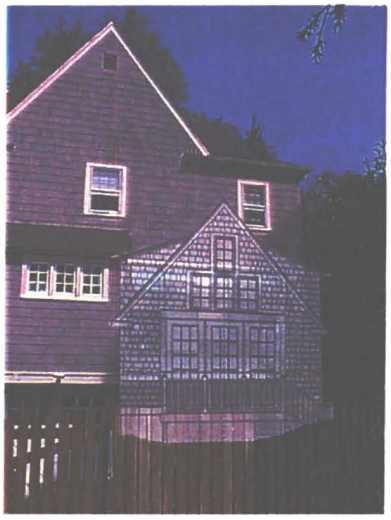


Landscaping along the alley.

(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. The proposed new rear addition will be constructed on the east side of the property, on the same building alignment as the existing dwelling. The appearance, looking south at the structure from Faraday Place, would be the continuation of the original building on the east side. The addition will

not be visible, from Faraday Place on the west side of the structure because the family room would only extend to a point on the rear of the existing house, slightly beyond the middle of the structure. The addition will encroach into the 20-foot rear yard set back by 11.4 feet, but will not increase any non-conforming aspects of side yards requirements.



Imposed new addition.

(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 present 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.



Faraday Place, looking towards back yard.

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 percentage of lot occupancy in the R-2 district under § 223 of the Zoning Regulations is fifty per cent **(50%)** in the R-1 and R-2 districts. The existing structure and the proposed new addition combined will consume approximately 1, 472 square feet or about 43 per cent of the subject lot, which is 3,412.5 square feet.

The addition does not comply with the rear yard requirements in §404.1 of the Zoning Regulations, but can be permitted under §223, if approved by

the Board. The new family room will protrude approximately 11.8 feet into the 20 feet rear yard, but will not increase any non-conforming aspect of the property. There would be approximately 8.6 feet between the new rear addition and the 16 feet public alley to the south.

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 proposed new family room will be in harmony with the general purpose and intent of the Zoning Regulations and Maps. The subject dwelling is a non-conforming use, 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 intent of the R-2 zone is to allow single-family detached and semi-detached dwellings. Semi-detached dwellings are required to have lots of at least 3,000 square feet and detached units are required to have lots a minimum of 4,000 square feet. These units are expected to provide rear yards a minimum depth of 20 feet. The new addition will be a 16.6 feet deep by 16.2 feet wide one-story addition on the rear of the subject single-family dwelling. This proposal would result in a dwelling that will continue to be used as a single-family dwelling. There are at lease three other houses on the 4400 block of Faraday Place with new additions on the rear.

One of the intended applications of Section 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, it could have a negative affect on neighborhood stabilization. The granting of the requested special exception to allow for a small addition to such dwelling is an appropriate application of Section 223 of the Zoning Regulations.

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

No. The proposal to build a one-story rear addition to the property at 4432 Faraday Place, N.W., will not adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps. The addition will not be visible from the front of the property and there are sufficient buffers (trees, evergreens and wooden fences) at the rear alley to minimize the visibility of the addition from view of most other neighboring properties. The applicant has the support of the neighbors on both sides of the subject property, as well as general neighborhood support. 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.

COMMUNITY COMMENTS

The applicants proposal to build a one-story addition on the rear of the subject property will be presented to Advisory Neighborhood Commission 3E (ANC) at its October 10, 2002 monthly meeting, which is two days after the BZA Hearing. The applicant has discussed the proposal with the ANC and believes the ANC will not oppose the application.

The neighbor, whose house is on the west side of the subject property, does not object to the new addition to the subject house. The neighbor on the east side (where the addition is proposed) is concerned about future light and air provisions.

OP SUMMARY RECOMMENDATIONS

After reviewing the application submitted by Celia Berg/Jack Benson, requesting a special exception to build a one-story addition to the rear of their home at 4432 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.