APPLICATION OF
ICG BANCROFT ASSOCIATES LLP
2138 BANCROFT PLACE, N.W.
SQUARE 2532 LOTS 56 AND 811

Special Exception Relief for an Addition that Does Not Meet the Rear Yard Requirements

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Introduction

ICG Bancroft Associates LLP ("ICG") seeks special exception relief from the Board of Zoning Adjustment ("Board" or "BZA") to allow the construction of an addition to a single family dwelling that does not comply with the minimum rear yard requirements. The subject property is located on a corner lot at 2138 Bancroft Place, N.W. (Square 2532, Lots 56 and 811) in the R-3 District, a residential zone designed primarily for rowhouses that may be used as single family dwellings. The property is also located within the Sheridan-Kalorama Historic District and contributes to the character of the historic area.

Under section 404 of the Zoning Regulations, properties located in the R-3 District must have minimum rear yard depth of twenty feet. After construction of the proposed addition, the property will have a rear yard of only four and one-half feet.

The Board may grant relief from the rear yard requirements for a one-family dwelling as a special exception under section 223 of the Zoning Regulations, provided certain standards are met. Specifically, the addition must not have a substantial adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property in the following respects:

(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;

BZA
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(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 paragraphs (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 building and view from public ways.

As described below, ICG meets these standards and is thus entitled to the special exception relief requested.

Site Description and Statement of Existing and Intended Uses

The subject property is located at the corner of Bancroft and Phelps Places, N.W., with a fifteen foot alley located at the rear of the property. Lot 56 comprises the majority of the site and contains approximately 4,211 square feet of land area. Lot 811 is a small rectangular parcel at the southeast corner of the site and contains approximately 60 square feet of land area. The grade drops off sharply by approximately twelve feet from the front of the property to the rear, creating an exposed basement level at the back of the house. The property is presently improved with a three-story building that was originally designed as a single-family residence. The building, together with the building across the alley to the south, was used for many years as a private school known as the Kingsbury Center. ICG proposes to return the structure to residential use and create two single-family attached dwellings.

Project Description

As part of that conversion, ICG will construct additions to the rear of the building. One addition will replace an unsympathetic two-story wing along the east property line and replace it with an in-fill addition extending the full height of the building. It will

project no farther, however, than the existing rear wall of the house and does not require any zoning relief. The second rear addition consists of a three-car garage at the basement level, with a garden patio on top. This addition will comply with the Zoning Regulations in all respects except the rear yard requirements. Because of the configuration of the lot and adjoining property, the sloping topography of the site, and the architect's skillful design, the addition will not adversely affect the one rowhouse that abuts the subject property to the east, or the two properties across the alley to the south, which are also owned by ICG. These two buildings, which were part of the former Kingsbury Center, are also being returned to row dwellings as a matter of right under the Zoning Regulations.

Light and Air

The proposed additions will not unduly affect the light and air of the adjacent properties. ICG discussed the project with the abutting neighbor to the east to ensure that the proposed addition will not cause any adverse impacts. The garage addition will abut the neighbor's adjoining garage and rooftop patio, and will not extend any higher that the existing privacy fence that separates the two parcels. The upper portion of the garage addition will serve as a garden wall to the neighbor's patio, with a height of no more than six and one-half feet. Because of the limited height and size of the addition, it will not adversely affect the light or air of the neighbor's house or yard to the east. The light and air of ICG's property to the south will also be protected by the fifteen-foot alley and the small scale of the proposed garage. Consequently, the proposed addition meets the first test for special exception relief under section 223 of the Zoning Regulations.

Privacy of Neighboring Properties

The proposed addition has likewise been carefully designed so that the privacy of the adjacent property will not be compromised. The additions abut blank walls and a privacy fence of the adjacent property to the east and, thus, will have no effect on the neighbors' use and enjoyment of their house and yard. In fact, the garden wall created by addition will enhance the privacy of use and enjoyment of the neighbor's patio area. The proposed addition likewise does not create any objectionable conditions for ICG's properties to the south. Because the privacy of all adjacent properties will be unaffected, ICG meets the second test for special exception relief under section 223 of the Zoning Regulations.

Compatibility of Design

The proposed addition also has been carefully designed to complement the existing building and blend in with the existing scale and character of the Sheridan-Kalorama Historic District. The existing building is large, measuring approximately forty-three feet wide, fifty-five feet deep and approximately forty-three feet in height to the top of the parapet, as measured from the front of the building.[1] In comparison, the three-car garage at the basement level is relatively small, particularly in light of the twelve-foot grade change from the front of the property to the rear. It measures approximately eleven feet in height at the western portion, or below the finished grade of the front of the house, and approximately seventeen feet in height at the eastern portion, which creates the privacy wall between the subject property and the rowhouse to the east.

[1]For zoning purposes, the height of the building is calculated at only thirty-three feet, which is measured from the finished grade level at the middle of the front of the building to the ceiling of the top story.

The design of the addition was approved in concept by the D.C. Historic Preservation Board ("HPRB") on February 7, 2002. The staff report noted, and the HPRB found, that the garage addition is consistent with the character of the historic district and with the purposes of the historic preservation law. This approval helps demonstrate that the additions will not visually intrude upon the character, scale and pattern of houses along the street frontage or at the alley elevation. Thus, ICG meets the third test for special exception relief under section 223 of the Zoning Regulations.

Plans and Photographs

The architectural drawings and photographs included with this application illustrate the relationship of the proposed addition to the adjacent buildings and view from public ways, and demonstrate compliance with section 223 of the Zoning Regulations.

Conclusion

Based on the foregoing, the proposed addition meets the standard for special exception relief under section 223. The proposed addition will not adversely affect the light, air or privacy of adjacent properties, or visually intrude upon the character of the neighborhood. Moreover, approval of the requested relief will be in harmony with the general purpose and intent of the Zoning Regulations and Maps, as required under section 3104.1. Additional exhibits and information supporting the application will be provided to Board in the applicant's pre-hearing statement to be submitted fourteen days prior to the hearing.