GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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**MEMORANDUM**

**TO:** Board of Zoning Adjustment

**FROM:** VLS for Andrew Altman
Director

**DATE:** February 18, 2003

**SUBJECT:** BZA Application 16978 - Request filed by Bruce Wentworth, Wentworth-Levine Architect Builder, for a **special exception** for construction of a one-story addition to the rear of an existing row house, proposed by Gloria Junge for 1356 North Carolina Avenue, N.E.

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## APPLICATION

Application of Gloria Junge for:

1) **Special exception relief pursuant to §223 of Title 11 DCMR** to permit the construction of a one-story building addition to the rear of an existing row house not in conformance with §403.2

for property located on the northwest side of North Carolina Avenue, N.E., between 13th Street and 14th Street, 1356 North Carolina Avenue, Square 1034, Lot 102.

Case No. 16978
Exhibit No. 33

## 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 the construction of a one-story building addition onto the rear of an existing row house. The building addition is proposed to be located within the area now occupied by an open court. The existing rear yard setback will be maintained.

## SITE AND AREA DESCRIPTION

The property consists of Lot 102 of Square 1034, in the North East quadrant of the District and is located within the Capitol Hill Historic District. It is 1,103 square feet in area, has a minimum lot width of 16.6 feet, and is improved with a row house used as a single-family dwelling constructed

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in 1906. The subject property includes an existing open court that ranges in width between 4 feet and 4.96 feet. The rear yard setback is 19.2 feet.

The surrounding area is developed primarily with two-story row houses, but also includes three and four story apartment buildings, three story row houses and churches. All surrounding properties are located within the R-4 district.

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-4, row dwellings, conversions, and apartments.

**R-4 Residential District**
*"The R-4 district is designed to include those areas now developed primarily with row dwellings but within which there have been a substantial number of conversions of the dwellings into dwellings for two (2) or more families."* (§330.1)

**RELIEF REQUESTED:**
**Special Exception pursuant to §223– Additions to One-Family Dwellings or Flats**
§223 sets forth the specific criteria under which additions to one-family dwellings may be permitted within a residential district. Those criteria are as follows:

*"223.2 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 requirements of §§401, 403, 404, 405 or 406 of this title shall be permitted 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 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 or 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 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 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-1 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."*

The proposed addition is to a one-family dwelling in a district in which it is permitted, the R-4 zoning district. The subject property is not in compliance with §401, as it is only 1,103 square feet in area, less than the minimum 1,800 square feet required, and is only 16.6 feet in width, less than the minimum 18 feet. It is also not in compliance with §403 as the lot occupancy is proposed to be 70 percent, in excess of the maximum 60 percent permitted, but equal to the maximum 70 percent permitted under §223.3. The existing lot occupancy is 63.4 percent, and not 70 percent as stated in the application. The application included the existing maximum 4.96-foot wide open court in the lot occupancy calculation. However, the Zoning Administrator has informed the Office of Planning that although an open court of less than 5 feet in width is included in a building area calculation, it is not included in a lot occupancy calculation. Therefore, this application proposes to increase the lot occupancy from 63.4 to 70 percent.

The proposed building addition will also be limited to the existing open court and will "*be limited to that portion of the rear yard included in the building area on May 12, 1958.*" (§404.4) Therefore, the subject property is in conformance with §404. The subject application is also in conformance with §405, Side Yards, as no side yard setback is required. Section 406, Courts, is not applicable as this application proposes that no courts be provided.

The proposed building addition will not be visible from any street, alley or public space as there is no alley to the rear of the subject property. The subject property is also located mid-block and the adjoining properties to the rear are developed as row houses with no opportunity to see between them to the rear of the subject property. The addition will not adversely affect the privacy of the adjoining properties as no side windows are proposed to open onto an adjoining property.

The only property for which light and air would be affected by this proposal is the adjoining property to the southwest. The two properties share a common open court, with four feet, or one half of the width, located on each side of the common property line. The proposed building is only one story in height, reducing the impact that this addition will have on the adjoining building. The adjoining row house has two windows that face onto the proposed addition. However, both are relatively small, one of which having been substantially reduced from its original size, reducing its importance in the provision of light and air. The height of the proposed building addition is less than that of the adjoining two-story structure, and will, therefore, allow the remainder of the open court to continue to allow light and air in. A parapet wall is proposed for the edge of the building addition facing the row house to the southwest, increasing slightly the height of the proposed addition as viewed from the side. However, it is only 1.5 feet in height and the architect for the applicant has informed the Office of Planning that it is a fire code requirement, meant to prevent fire from going from one structure to the next.

The applicant submitted architectural drawings as a part of the application in support of §223, copies of which are attached to this report.

It is the Office of Planning's conclusion that the applicant has satisfactorily met the criteria for special exception relief of Section 223 and that in granting the relief, the intent and purpose of the chapter "shall not adversely affect the use of the neighboring properties."

## COMMUNITY COMMENTS

**ANC 6B** unanimously voted in support of the subject application at their meeting of January 14, 2003.

## HISTORIC PRESERVATION REVIEW BOARD

The Historic Preservation Review Board reviewed the proposed building alteration on their consent calendar of December 19, 2002, and approved the project in concept as consistent with the purposes of the preservation act.

## 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 relief pursuant to §223 of Title 11 DCMR** to permit the construction of a one-story building addition to the rear of an existing row house.

AA/sjm$_{AICP}$




Feature Key

Zoning Boundaries
Square Index

Board of Zoning Adjustment
Application No. 16978

DC Office of Planning
February 6, 2003

Scale 1:975

25 0 25 50 75 100 Feet

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Attachment 1