GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: March 26, 2003

SUBJECT: BZA Application 17003

APPLICATION
Ed Robinson, the applicant, is requesting a special exception to allow expansion of an existing two-story semi-detached dwelling on property located at 1420 A Street, S.E. (Square 1058 Lot 801) pursuant to Sections 223 and 3104 under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning,

SUMMARY RECOMMENDATION
The Office of Planning recommends approval.

SITE AND AREA DESCRIPTION
The subject property is a 0.06-acre (2,562 square foot) interior lot along the northern tree-lined frontage of A Street, S.E. The 2-story masonry semi-attached dwelling is constructed to the southern (front) and western property boundaries, and is set 3.58 feet back from the eastern property line. The 20' x 128' lot abuts an alley 30-feet wide. A wooden picket fence 6-8 feet tall and open masonry wall 5 feet tall surrounds the rear yard that includes a metal storage building.

Development in the vicinity mostly consists of 2-3 story masonry row dwellings. This site and the surrounding properties are zoned R-4 (please refer to Exhibit 1), and are located outside the Capitol Hill Historic District.

APPLICANT'S PROPOSAL
Currently the kitchen area is located in a 12' x 14' extension from the main dwelling. The one-story space is 12 feet wide and 14 feet deep, while the rest of the 2-story dwelling is over 16 feet wide. The applicant plans to expand the extension to the width of the dwelling, and extend the second floor over the new kitchen to provide a master bedroom that opens onto a 6' x 10' wooden deck. The construction would:

- add approximately 292 square feet to the existing 1,219 square-foot dwelling;
- maintain the existing setback from the eastern boundary;

BZA
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Exhibit No. 22

Board of Zoning Adjustment
District of Columbia
CASE NO. 17003
EXHIBIT NO. 22

- extend any further into the rear yard than the existing extension; and
- not cover any windows on the adjacent dwellings.

The applicant submitted building plans to the D.C. Department of Consumer & Regulatory Affairs in order secure the necessary permits. After reviewing these plans, the Zoning Administrator sent a memorandum dated January 2, 2003 to the Board of Zoning Adjustment stated that the proposed addition requires special exception relief for a nonconforming side yard (refer to Exhibit 3). As a result, the applicant submitted the subject application.

EXISTING ZONING AND RELIEF REQUESTED

The site is zoned R-4. Section 350.4 (a) of the Zoning Regulations (per Sections 320.3 [a] and 300.3 [c]) allows a semi-detached single-family dwelling in this zoning district as a matter of right. The property is also subject to the following provisions:

Standard	R-4 Requirement	Existing	Proposed	Required Relief
Lot Area	3,000 s.f.	2,562 s.f.[1]	Same	N/A
Lot Width	18 feet	20 feet	Same	N/A
Floor Area	N/A	1,219 s.f.[2]	1,511 s.f.[2]	N/A
Floor Area Ratio	N/A	1.49	1.54	N/A
Height	40 feet/3 stories	20 feet	20 feet	N/A
Lot Occupancy (max.)	60 %	42%[3]	45%[3]	N/A
Rear Yard	20 feet	76 feet	21 feet	N/A
Side Yard	8 feet	3.6 feet	3.6 feet	Variance/SE
Parking (on-site)	1 space[4]	1 space	1 space	N/A

This review indicates that the proposed addition generally meets the zoning requirements, and confirms that it requires relief from the side yard requirement from the eastern property boundary.

ANALYSIS

Section 3104.1 grants the Board of Zoning Appeals (BZA) the authority "to grant special exceptions where in the judgment of the Board, those special exceptions 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."

The referenced special exception, to allow an addition to a one-family semi-detached dwelling that does not meet the required side yard in R-4, is subject to the provisions under Section 223.

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[1] District of Columbia land records
[2] Calculations based on land records and plans submitted by the applicant
[3] Includes setback of 3.6 feet from eastern property boundary
[4] Based on the available space inside the rear gate

Compliance with Section 223
The requirements under this section include:

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; The availability of light and air to neighboring properties would not be significantly affected. The building addition will not extend any further into the rear yard (although the raised deck extend 6 feet further north), and the existing set back from the eastern boundary will be maintained. Taller dwellings to the east and west are constructed to the shared property boundaries, and extend much further into the rear yard than the subject dwelling.

As a result, the expanded kitchen and second floor would continue to be 9 feet away the exterior (storage room) window on the dwelling to the west, and the second floor deck would not come closer than 3 feet. The exterior wall of the dwelling to the east has no exterior windows in the section that abuts the property line, but first and second floors windows do appear as the wall turns east, perpendicular to the boundary, then continues north. Air and light to second floor windows would not be affected by the proposed construction, however it appears that afternoon shadows would fall on first floor (kitchen) windows earlier than is the case currently.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; The addition will not extend as far into the rear yard as the neighboring dwelling, and the existing fences and wall currently screen most of the rear yard.

(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 addition would not "visually intrude" because the changes will not be easily seen. The yard is not visible from A Street. As noted above, adjacent dwellings extend further into the rear yard that existing building. This circumstance would continue with the proposed construction. The rear yard is also screened by a solid wall garages north of the alley, a 6-foot tall wooden picket fence and gate along on the subject property, and garages and fences on the adjacent lots.

(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. Sufficient graphical documentation has been submitted for staff review and analysis.

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 existing dwelling, storage building and planned ground floor expansion represent 45% lot occupancy

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.* No additional treatment is recommended because: the addition will be constructed with bricks and windows that match the existing dwelling according to the submitted plans; and the rear yard is currently adequately screened.

Based on these findings, OP concludes this application meets the requirements of Section 233.

Compliance with Section 3104.1:
Based on the findings under Section 233, the proposed construction will be in harmony with the general purpose and intent of the Zoning Regulations, and Zoning Map, and proposed changes will not tend to affect adversely the use of the neighboring properties.

COMPREHENSIVE PLAN
The Comprehensive Plan Generalized Land Use Map designates this area for Moderate Density residential development characterized by row houses and garden apartments as predominant uses. The Comprehensive Plan states, as its first principle, the importance of stability for residential neighborhoods. District elements of the Plan propose that the residential character of neighborhoods be maintained and improved. ...

> Ensuring good quality neighborhoods is of utmost importance to the District."

In Title 11, the Land Use Element, the Plan gets quite specific. Section 1103, Objectives for Residential Neighborhoods, states:

> "The residential neighborhood objectives are to conserve the essentially satisfactory qualities of the District's many stable residential neighborhoods, to enhance other neighborhoods to improve and achieve stability, to redirect public and private initiatives to neighborhoods most in need of improvement and stability, to encourage development of adequate neighborhood shopping and support services in all sections of the District, to protect residential neighborhoods from disruptive uses and to prevent concentrations of non-residential uses in residential neighborhoods."

Policies in support of these objectives include "(1) Promote the conservation, enhancement and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses; ..."

COMMUNITY COMMENTS
Advisory Neighborhood Commission (ANC) 6B reviewed this application on March 11, 2003 and recommended approval (refer to Exhibit 4). The applicant also provided a petition in support signed by area property owners including the adjacent neighbors at 1418 and 1422 A Street, S.E. (refer to Exhibit 5).

AGENCY COMMENTS
Copies of the application were referred to the Fire and Police Departments for comment. The Fire Department did not express any concern (refer to Exhibit 6). No other comments have been received.

RECOMMENDATION
The Office of Planning recommends approval of this application as presented.

AA/afj

Attachments:

Exhibit 1 Aerial Including Zoning
Exhibit 2 DC Surveyor's Plat dated May 20, 2002 (edited)
Exhibit 3 Memorandum from Robert Kelly, Zoning Administrator, to the Board of Zoning Adjustment dated January 2, 2003
Exhibit 4 Letter from Candace L. Avery, Executive Director, Advisory Neighborhood Commission 6B to The Board of Zoning Adjustment dated March 13, 2003
Exhibit 5 Applicant Petition
Exhibit 6 Memorandum from Kenneth B. Ellerbe, Fire Marshall, to Andrew Altman, Director, Office of Planning dated March 26, 2003

Exhibit 1

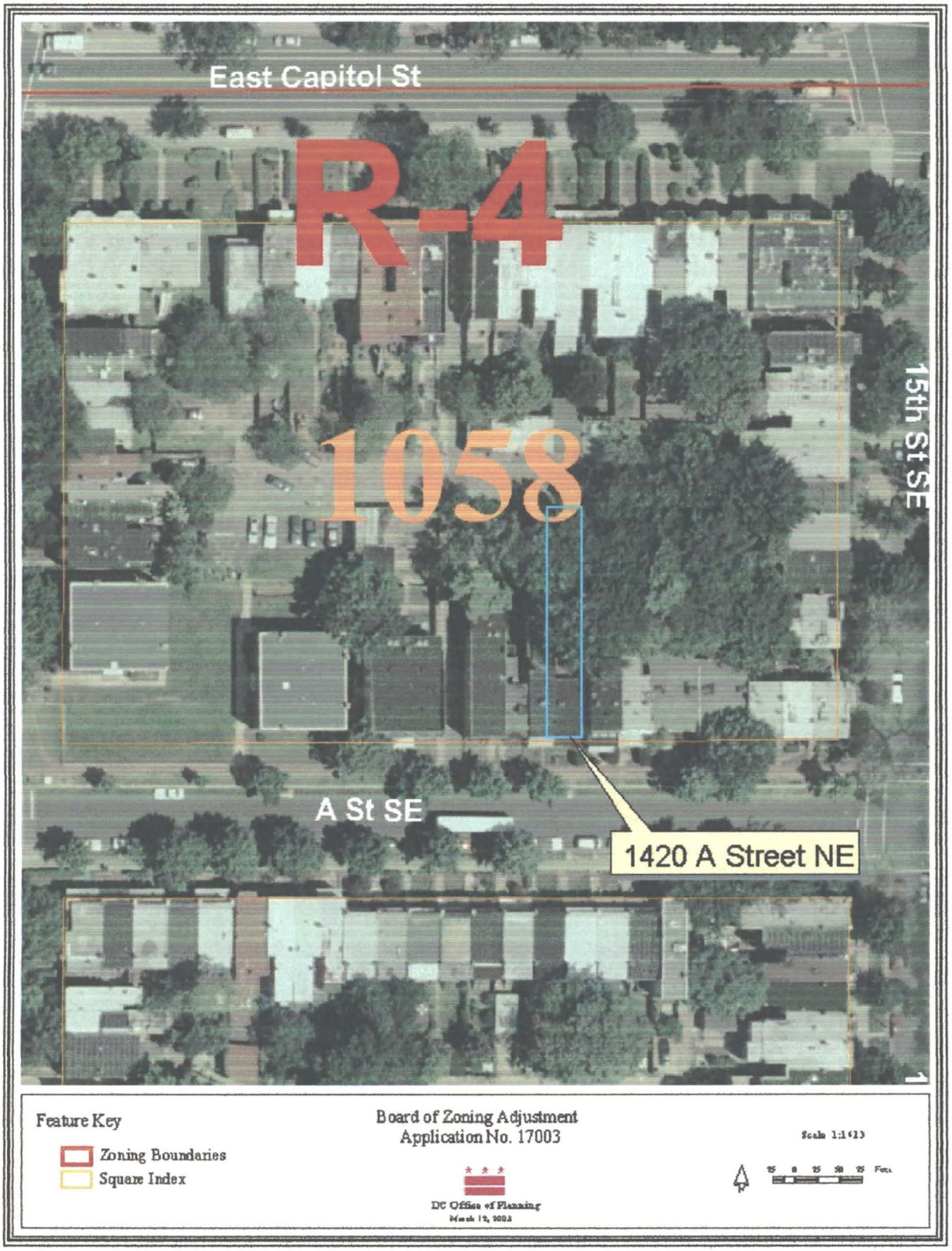

East Capitol St
R-4
1058
15th St SE
A St SE
1420 A Street NE
Feature Key
Zoning Boundaries
Square Index
Board of Zoning Adjustment
Application No. 17003
DC Office of Planning
March 12, 2003
Scale 1:1413
Feet

Exhibit 2

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., MAY 20, 2002

Plat for Building Permit of SQUARE 1058 LOT-801

Scale: 1 inch = 20 feet Recorded in Book A&T Page MICRO

Receipt No. 8669

Furnished to: ROBINSON

Surveyor, D.C.

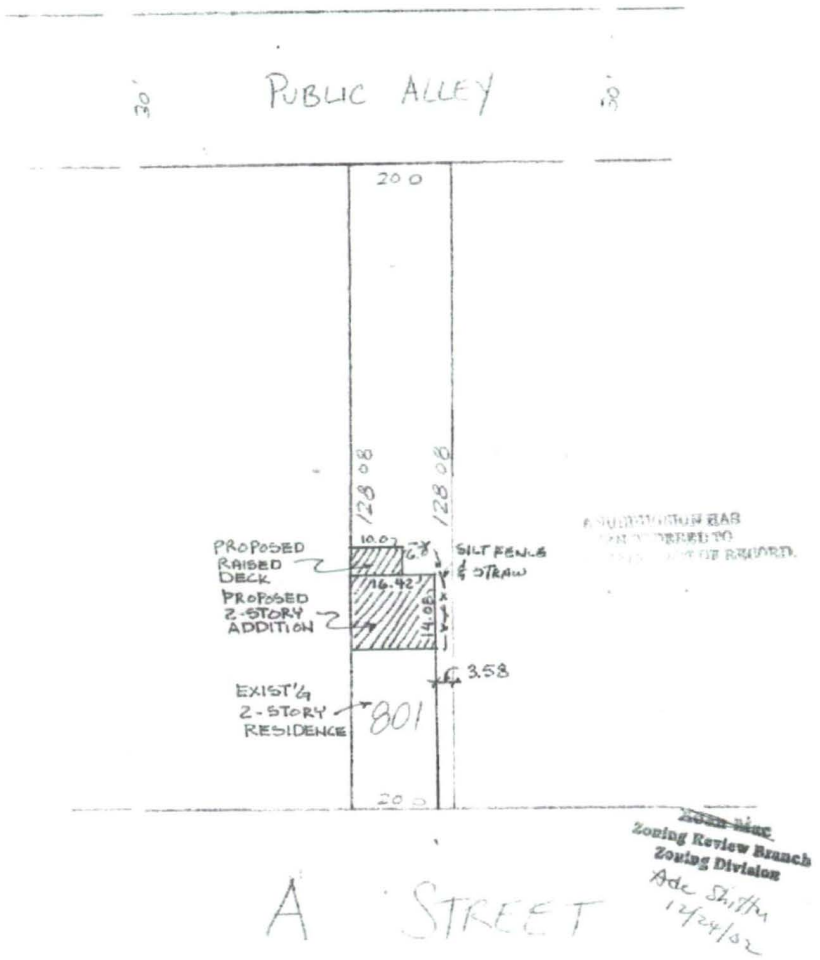
By: M.T

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat;and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: 12/9/02

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



Zoning Review Branch
Zoning Division
Ade Smith
12/24/02

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator

January 2, 2003

MEMORANDUM

TO: **Board of Zoning Adjustment**

FROM: **Robert W. Kelly**
Zoning Administrator

SUBJECT: **Proposed Addition Structure and Deck located at the Rear of 1420 A Street, SE, Lot 801 in Square 1058, Zoned R-4**

Review of plans for the proposed new addition to an existing strascure at the above subject premises indicates that Board of Zoning Adjustment approval is required as follows:

1. **Special Exception to 223 for a non-conforming side yard requirement for a single family dwelling in the R-4 Zone. (Section 3103.2)**

RWK/AS/ee/er

Exhibit 4

CAPITOL HILL — NEAR SOUTHEAST 921 PENNSYLVANIA AVENUE, S.E. — SUITE 108
PHONE: 543-3344 WASHINGTON, D.C. 20003

6B

To Arthur Jackson

Commission

March 13, 2003

OFFICERS

Chairperson
Jnike Olson

Vice Chairperson
Will Hill

Secretary
Scott M. Carnich

Treasurer
Keith A. Smith

Parliamentarian
Neil Glick

Government of the District of Columbia
Board of Zoning Adjustment
441 4th Street N.W.
Suite 210
Washington, D.C. 20001

Re: BZA Application 17003 of Edward Robinson
For a special exception to allow an addition to a
Single family dwelling at 1420 A. Street S.E.

COMMISSIONERS

SMD 1 *David Sheldon*
SMD 2 *Mary Wright*
SMD 3 *Jnike Olson*
SMD 4 *Scott M. Carnich*
SMD 5 Vacant
SMD 6 *Will Hill*
SMD 7 *Daryl Snowden*
SMD 8 *Neil Glick*
SMD 9 *Keith A. Smith*
SMD 10 *Frances Campbell*
SMD 11 *Vacant*

EXECUTIVE DIRECTOR

Candace Avery

Dear Board of Zoning Adjustment:

At its regularly scheduled and properly noticed meeting on March 11, 2003 ANC 6B voted unanimously (9-0-0) to support the above referenced application of Edward Robinson for special exception to allow an addition to a single family dwelling at 1420 A. Street. S.E.

If you have any questions or need further information please do not hesitate to contact me.

Very truly yours,

Candace Avery

Candace L. Avery
Executive Director

ANC Board

It has been brought to our attention that our neighbors (Edward and Uesa Robinson) living at 1420 A St. SE are planning on widening their kitchen and adding a room on top of this kitchen. It is understood that this will only enhance the living conditions in this dwelling! I am in FULL SUPPORT of the Robinson's being granted permission to make the necessary changes to their property as soon as it is possible.

Neighbors Name	Address	Signature	Phone#
Mildred J. Potter	1418 A St SE.		202 547-8481
Elizabeth Jackson	1422 A St SE	E. Jackson	202-726-3605
Edward Robinson	1431 A St SE		(202) 546 6742
Julio W Urbina	146 A ST, SE	CELIA CLAVIJO	202-544-9538
David Barenbaum	1414 A St. SE		(202) 543-4412
Tiffany A. Schermerhorn	1435 A St SE	Tiffany A Schermerhorn	(202)546-2915
Eric R Schermerhorn	1435 A St SE		(202)546-2915

GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
WASHINGTON, D.C. 20001

Exhibit 6

MEMORANDUM

TO: Andrew Altman
Director
Office of Planning

FROM: Kenneth B. Ellerbe
Fire Marshal

DATE: March 26, 2003

SUBJECT: BZA Application No. 17003

The D.C. Fire and EMS Department has reviewed the above application.

We have no objection to the proposal to replace the existing one-story extension in the rear of a semi-detached dwelling with a two-story addition and a second floor deck.

If you have any questions concerning this review, please contact my office at 727-3659.