GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

Memorandum

D.C. OFFICE OF ZONING
2003 JUN -3 PM 2:32

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: June 10, 2003

SUBJECT: BZA Application #17019
3934 McKinley Street, N.W. (Square 1747, Lot 60)

APPLICATION

The application by Mr. S. Seelig and Ms. Wang (Applicant) requests, pursuant to 11 DCMR 3104.1, a special exception as outlined in Section 223 to allow a deviation from the side yard requirement of Section 405 for a single-family dwelling in the R-2 District.

SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends that the special exception request to allow the applicant to provide a side yard setback that is less that required for the construction of a garage for the use of the residents be **APPROVED**.

SITE AND AREA DESCRIPTION

The subject property, 3934 McKinley Street, N.W. (Square 1747, Lot 60), is located in the Chevy Chase neighborhood (Attachment 1). This is a residential community between Connecticut Avenue and Western Avenue, N.W. The property is developed with a two-story, single-family detached house. The property is triangular shaped and has McKinley Street to the north, a single-family detached house to the east, a 15-foot alley and Morrison Street o the south, and Belt Road to the west. The area is a mixture of single-family detached and attached houses.

PROPOSAL

The proposed reduction in the rear yard setback requirement will accommodate the construction of 2-car garage to the side of the property.

BZA
Case No. 17019
Exhibit No. 18

Board of Zoning Adjustment
District of Columbia
CASE NO. 17019
EXHIBIT NO. 18

ZONING REQUIREMENTS

The subject site is in the R-2 District which consists of those areas that are developed with one-family semi-detached dwellings and contains some small one-family detached dwellings. The requirements for development in the R-2 District and that proposed are outlined below in Table 1.

Table 1

Item	Required	Existing	Provided
Lot Area	4,000 s.f.	4,810 s.f.	4,810 s.f.
Lot Width	40 ft.	177.24 ft. in front 97.72 ft in rear	177.24 ft. in front 97.72 ft in rear
Lot Occupancy (max. 60%)	40%.	25%	33%
Side Yard	8 ft.	20 ft.	1 ft.
Rear yard	20 ft.	5 ft.	5 ft.
Parking Spaces	1	1	2

ANALYSIS

The house on the subject site is centrally located on the triangular shaped property unlike most of the other houses in the square that are on rectangular shaped lots and are closer to the right-of-way on which they front. A number of the houses that front on McKinley Street and Morrison Street have accessory garages to the side and are accessed from the alley.

Placing the garage on this side of the house seems to be the best solution to minimizing its impact on the community. If the garage were to be placed outside of the required yard setbacks it could only be accommodated in the northern side yard. However, because of the shape of the property, the one of the side-yards front on McKinley Street unlike other properties in the square whose front yards are along McKinley Street or Morrison Street. Placing the garage within the side yard which abuts McKinley Street would not be in keeping with the character of the other houses in the neighborhood that have their garages to the rear of the house and in a few cases to the side of the house. Additionally, the garage would be visible from McKinley Street and be out of character with the other homes whose garages are not visible from the street. The proposed garage will be attached to the house and will be 1-foot away from the alley right-of-way. Again, this is not unusual as many of the houses in the community have accessory garages that are within the rear yards and are close to the property line or are directly on the property line. All the garages along the alley are 1-story.

The proposal meets the requirements to be granted the special exception as outlined in Section 223;

223.1 An addition to a one-family dwelling or flat, in those Residence Districts where a flat is permitted, that does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, 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;

As shown on the aerial photograph, the houses along McKinley Street and Morrison Street are closer to this road than to the alley. Therefore, the proposed garage will be more in-line with other garages along the alley. Additionally, the proposed garage will be 9-feet high at its highest point and will not block the light and air to neighboring properties.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

Since the proposed garage is to the side of the lot and will be 1-story high it will not impact on the use of adjacent properties. The neighboring properties across the alley and immediately adjacent to the west of the property all have very large trees in their rear and side yards and therefore the new garage will be barely visible from these properties. The location of the garage will not impede access to properties along the alley and therefore, the enjoyment of these property will not be 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 subject street frontage; and*

Due to the triangular shape of the property, the existing house can be seen from McKinley Street, Belt Road, and the alley. However, McKinley Street is the main thoroughfare and the proposed garage will not be visible from this roadway and will not be intrusive on Belt Road as it will be setback from this roadway. Placing the garage close to the alley right-of-way will be consistent with the pattern of garage locations along the alley.

(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 views from public ways.

The photographs and plans submitted by the applicant do not demonstrate the relationship of the subject property and adjacent properties. However, from the aerial photograph and field observations the Office of Planning is satisfied that proposal will not negatively impact the character of the neighborhood, adjacent properties, and that views from the adjacent streets will not be compromised as demonstrated in paragraphs *a, b, and* c above.

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 subject property is in the R-2 District which permits up to 40% lot occupancy. The existing house and the proposed garage together have a lot occupancy of 25%.

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 building materials, brick, will be compatible to the existing house as well as the surrounding houses. Additional screening is not necessary as the garage will not be very visible from many of the homes due to the large trees in their backyard and fences.

223.5 This section may not be used to permit the introduction or expansion of a nonconforming use.

The existing house will continue to be used as a residence. The garage that is to be added to the house is a permitted use solely for the residents of the house.

Section 3104.1

The application meets the requirements of Section 3104.1 that outlines the requirements of approving a special exception.

". . . the 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 Map subject in each case to the special conditions specified in this title, . . ."

As demonstrated above, the request for the proposed reduction in the side yard meets the requirement for approval as the proposal to allow the construction of the garage is in harmony with the intent of the Zoning Regulations and that neighboring properties will not be adversely affected.

COMMUNITY COMMENTS

The application was reviewed by ANC-3G on April 28, 2003 and they recommended support and approval of the special exception request.

SUMMARY AND RECOMMENDATION

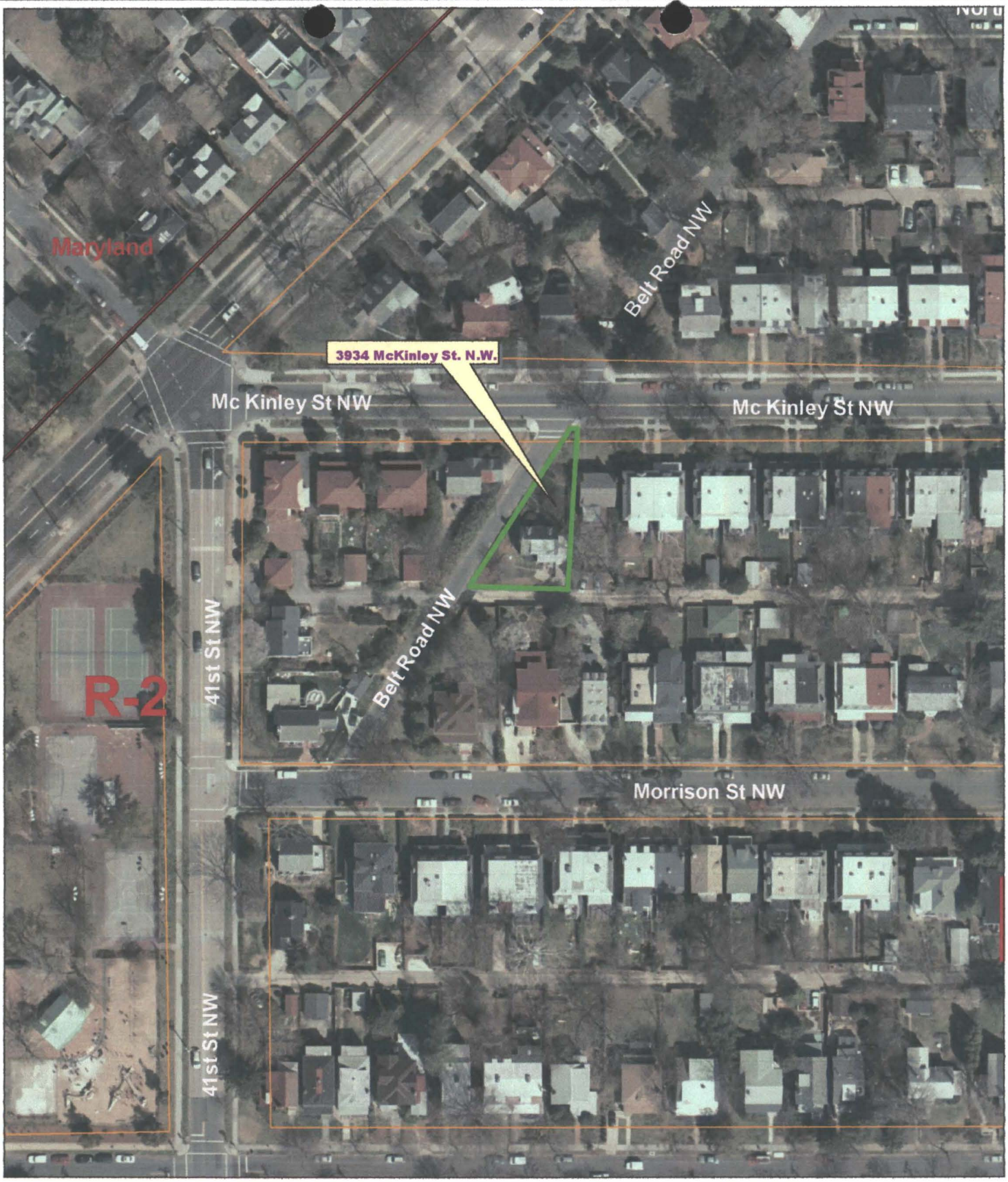
The proposed request to reduce the side yard meets the provisions of Sections 223 and 3104.1 of the Zoning Regulations for granting special exceptions. The proposed reduction in the side yard will allow the owners of the property to have a garage to the side of their house. The addition will not be visible from McKinley Street and will be consistent with the character of the neighborhood with garages

located to the side and within the required side yard setback. The Office of Planning therefore recommends that the Board of Zoning Adjustment **APPROVE** the requested special exception.

Attachment

1. Site Location

AA/mbr



Feature Key

Zoning Boundaries

Square Index

Ortho-Photography was taken in 1999.

Board of Zoning Adjustment
3834 McKinley St., N.W.
Application No. 17019

DC Office of Planning
May 19, 2003

Scale 1:1345

25 0 25 50 75 100 Feet

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Attachment 1