GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: July 22, 2003

SUBJECT: BZA Case No. 17048
Greg Gay & Marlene Liddell – Special Exception

APPLICATION

The application by Greg Gay & Marlene Liddell request, pursuant to 11 DCMR 3104.1, the following special exception:

- Section 223, Additions to One-Family Dwellings or Flats (R-1)

The structure that is subject to this application is in the R-4 District, located at 1118 East Capitol Street, N.E., Square 988, Lot 818.

RECOMMENDATION IN BRIEF

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

SITE AND AREA DESCRIPTION

The subject premise is in the Capitol Hill neighborhood of Ward 6, directly north of Lincoln Park. The general boundaries of the subject property are Walter Houp Court, N.E. to the north, East Capitol Street to the south, 12th Street to the east and 11th Street to the west. Row houses and garden apartment are the predominant use in this portion of Capitol Hill. The subject property is a row dwelling on an interior lot at 1118 East Capitol Street, N.E., three houses from the corner of East Capitol & 12th Streets. Houses on the 1100 block of East Capitol Street face Lincoln Park, a public park directly across East Capitol Street, south of the subject property.

BZA
Case No. 17048
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO. 17048
EXHIBIT NO. 25



East view of the north side of the 1800 block of E.



South view of Lincoln Park, from subject block.

HISTORY OF PROPERTY

The subject premise is located in the Capitol Hill Historic District, at 1118 East Capitol Street, N.E. Most of the residential dwellings on Square 988 were constructed between 1900 and 1920, which was prior to the adoption of the Zoning Act of 1958. Therefore, many of these dwellings do not comply with all of the zoning requirements that were enacted since their construction. Example, the subject property has a lot area of only 1630 square feet. The minimum lot area permitted in the R-4 District is 1800 square feet.



Front view of subject dwelling, at 1118 East Capitol Street, N.E.


R-4
SQR0988
Site
R-4
R-4
SQR0988
Lincoln Park Dr NE
SQR0988S
GOV
14th St SE
Feature Key
Zoning Boundaries
Square Index
Ortho-Photography was taken in 1999.
Board of Zoning Adjustment
Application No. 17048
DC Office of Planning
July 28, 2003
Scale 1:772
25 0 25 50 75 100 Feet
Attachment 1

The Historic Preservation Review Board must approve any interior or exterior renovations made to the properties in the Historic District. The applicant has met with the Historic Preservation Office on June 26, 2003 and anticipates formally submitting plans after the BZA hearing.

PROPOSAL

The applicants propose to build a two-story addition to the rear of their three-story row house and add a small one-story addition and basement to a portion of the west side/rear court. The additions are requested so that the owners will be able to accommodate their changing needs as they enter retirement. The proposed new addition would add a five-foot two-story extension to the rear of the existing dwelling, and fill in a small portion of an existing 26,"11-1/2'in length court (on the west side/north end of the structure) with a small one-story/basement addition. The majority of the rear and side elevation would be occupied by French doors, transoms, and extensive use of glass panels arranged in a rectilinear pattern. Sheet metal cladding would fame the windows on the rear.

Many of the dwellings on the subject block have rear additions (mostly porches), which provide depth to the buildings with deep shadows, that establishing a frequently ambiguous distinction between inside and outside. The proposed addition will reinforce this neighborhood characteristic and the scale of the addition will be in keeping with the adjacent neighboring dwellings.

The small one-story and basement addition, proposed for a portion of the existing open court on the west side of the subject structure, will be built against the neighboring three-story, windowless party wall. The addition will be recessed approximately 24'-3" from the face of the adjacent (west) neighbor's rear porch. There will be a small bathroom built into the one-story addition.

ZONING ANALYSIS

The subject dwelling is in the R-4 District. The R-4 district consists of those areas that have been developed with row dwellings, and conversions of existing dwellings to two or more units. The subject dwelling and most of the other dwellings on the 1110 block of East Capitol Street, N.E. are examples of row dwellings that were built prior to the adoption of the Zoning Act of 1958.

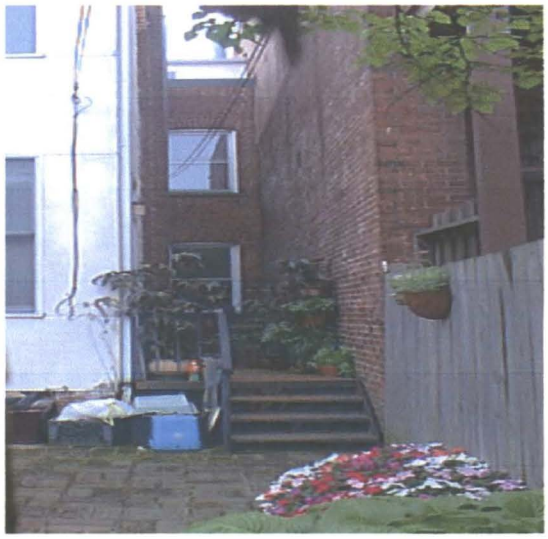
223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS

The subject site is in the R-4 district where limited additions to non-conforming one-family dwellings are permitted if approved by the Board of Zoning Adjustment subject to the following provisions 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, 406, or 2001.3 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;



Area of the small one-story/basement addition.

(a) Will the proposed addition affect unduly the availability of light and air to neighboring properties?

No. Neither the proposed two-story rear addition, nor the small one story addition/basement will affect light and air from entering neighboring properties. The new rear addition is proposed to be set back short of the rear face of the existing structures on either side.

The new one-story and basement addition will be constructed in a small court area on the west side of the subject dwelling, between the existing exterior wall and the windowless three-story party wall of the neighboring structure. Therefore the one-story addition/basement will not affect light and air from entering neighboring properties.

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



View, looking south at rear porches on neighboring properties.



South view of privacy fences along the rear of most properties.

No. *The proposed new addition(s) will not compromise the privacy and enjoyment of neighboring properties. The new rear additions will be recessed further than the rears of the dwellings on either side, (both have existing rear porches). The dwellings on Walter Houp Court, which is on the north side of a 10-foot east west alley, directly across from the subject dwelling have windowless garage walls and doors that will serve as an effective privacy measure from the rear addition proposed for the subject dwelling.*

(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?



View of subject block, looking west along E. Capitol St.

No. *The new two-story addition and small one-story addition/basement as viewed from East Capitol Street will not be visible from the front of the subject property because the block consist of row dwellings and the new additions will be located in the rear of the property. The new two-story and small one-story additions as viewed from the alley, and public way, will not visually intrude upon the character, scale and pattern of houses along the rear frontages because each of the properties along the block including the subject property have privacy fences that limited the view of the proposed addition.*

(b) 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 provided a surveyor's plat, architectural renderings, a site plan and photographs to represent the relation of the proposed addiction to existing building and neighboring properties.

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 dwelling does not comply with §403 **(Percentage of Lot Occupancy)** of the Zoning Regulations for dwellings in the R-4 District. The minimum lot area for row dwellings in the R-4 District is 1800 square feet and structures can occupy a maximum of 60% of the lot area, unless approved by the Board. The subject dwelling was built before the adoption of the Zoning Act of 1958 and does not comply with all of the current zoning regulations. It occupies approximately 66% of a lot that is only 1630 square feet in lot area. The proposed additions will increase the lot occupancy to approximately 70% of lot area.

RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The Generalized Land Use Map depicts the subject area in the ***Moderate Density Residential Land Use Category.*** Row houses and garden apartments are the predominant uses, although low-density housing may also be included.

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 requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Map. The subject structure is a row dwelling in the R-4 District, a district where row dwellings and flats are the predominant uses. The subject dwelling is characteristic of most of the other row dwellings on the 1800 block of East Capitol Street, as well as many of the dwellings in the Capitol Hill neighborhood. The applicants plan to build an addition to the rear of their dwelling is in character with additions added to most neighboring dwellings. Section 223 of the Zoning Regulations is designed to provide expansion relief for such dwellings. Section223.3 specifically provides a means for permitting row dwellings in the R-4 District to expand up to 70% of lot coverage, if approved by the Board.*

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

No. *The requested special exception will not adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps. The subject dwelling and most of the houses in the Capitol Hill community are row dwellings, constructed before 1958. Small to medium size row dwellings (such as the subject unit) predominant the Capitol Hill community. The proposed rear additions will be consistent with most of the neighboring properties, where rear additions characterize the block. Because the additions are proposed for the rear of a row house on an interior lot, there will be no intrusion on the character, scale or pattern of the street frontage, as viewed from East Capitol Street. The design of the new addition will not limit the ability of neighboring properties to receive light and air, or affect the privacy of use of neighboring properties.*

The applicant, (just as most of the neighboring property owners on the block) will rebuild their privacy fence once the additions are completed. There are also windowless garages on most of the properties on the north side of the east west alley separating the rear yard of the subject new addition from properties that front on either 12th Street or Walter Houp Court.

COMMUNITY COMMENTS

The applicants' proposal to build two additions to the rear of the their row dwelling was presented to the Economic Development and Zoning Committee of Advisory Neighborhood Commission (ANC) 6A at its May 12, 2003 meeting. The Committee voted unanimously to recommend that the Commission send a letter of support for the requested special exception to the BZA, conditioned on HPRB concept approval and no significant opposition from owners of neighboring properties. ANC 6A, at its regularly scheduled monthly meet, held on June 12, 2003, voted unanimously not to oppose the special exception request.

The applicants have provided letters from the immediate neighbors on both sides of the subject property, (1114, 1116 and 1120 East Capitol Street, N.E.) expressing no opposition to the proposed additions.

OP SUMMARY RECOMMENDATIONS

After reviewing the application requesting a special exception to build a two-story addition to the rear of a two-unit three-story townhouse, and to add a small one-story addition/basement to a narrow court area to the west side of the property, the Office of Planning recommends that the Board **approve** the application. The Office of Planning finds that the applicant has satisfactorily met all the requirements 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.