GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: October 14, 2003

SUBJECT: BZA Case No. 17057
Janet R. McCarthy – Special Exception

APPLICATION

The application by Janet R. McCarthy requests, pursuant to 11 DCMR 3104.1, a special exception to allow an addition to a one-family dwelling in the R-1 District as outlined in Section 205 of the Zoning Regulations.

RECOMMENDATION IN BRIEF

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

SITE AND AREA DESCRIPTION

The subject property is in the Palisades Neighborhood of Ward 3, located at 5126 Fulton Street, N.W (Square 1419, Lot 822). The property is on the south side of the block, near the intersection of Fulton Street and Dana Place. It is developed with semi-detached houses with basements. The subject site is one block north of MacArthur Boulevard and just south west of Francis Scott Key Elementary School.

The Palisades community is predominantly developed with single-family detached dwellings. The semi-detached dwellings that cover the entire south side of 5100 block of Fulton Street, (between N. Glade Street and Dana Place) are exceptions to the single-family detached character of the community. Macarthur Boulevard, (between Arizona Avenue and Dana Place) which abuts the subject block to the north, is improved with a mixture of low-density commercial structures and semi-detached dwellings.

BZA
Case No. 17057
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO. 17057
EXHIBIT NO. 26

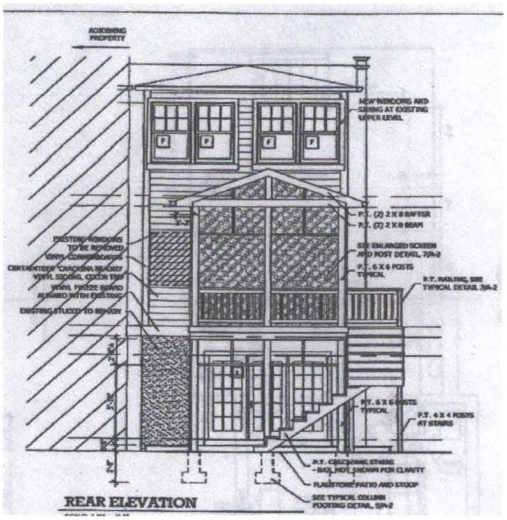
HISTORY OF PROPERTY

Nearly all of the semi-detached dwellings on the 5100 block of Fulton Street were built in 1928, and thus, many of these dwellings do not comply with all of the zoning requirements that were enacted since their construction. These structures were grand fathered in the R-1 District. For example, most of the lots are very deep (at least 100 ft.) but only about 25 feet in width. The subject lot, which is typical of the other lots on the block, measures 125.63 feet in length and 25 feet in width. The rear yard of the subject property is approximately 49 feet in depth, which is almost twice the 25-foot requirement in the R-1-B District.

According to the applicant, the kitchen on the house was previously a back porch that was added to the main house in the early 1950's. The kitchen is set back approximately one foot from the southwest corner of the main structure.

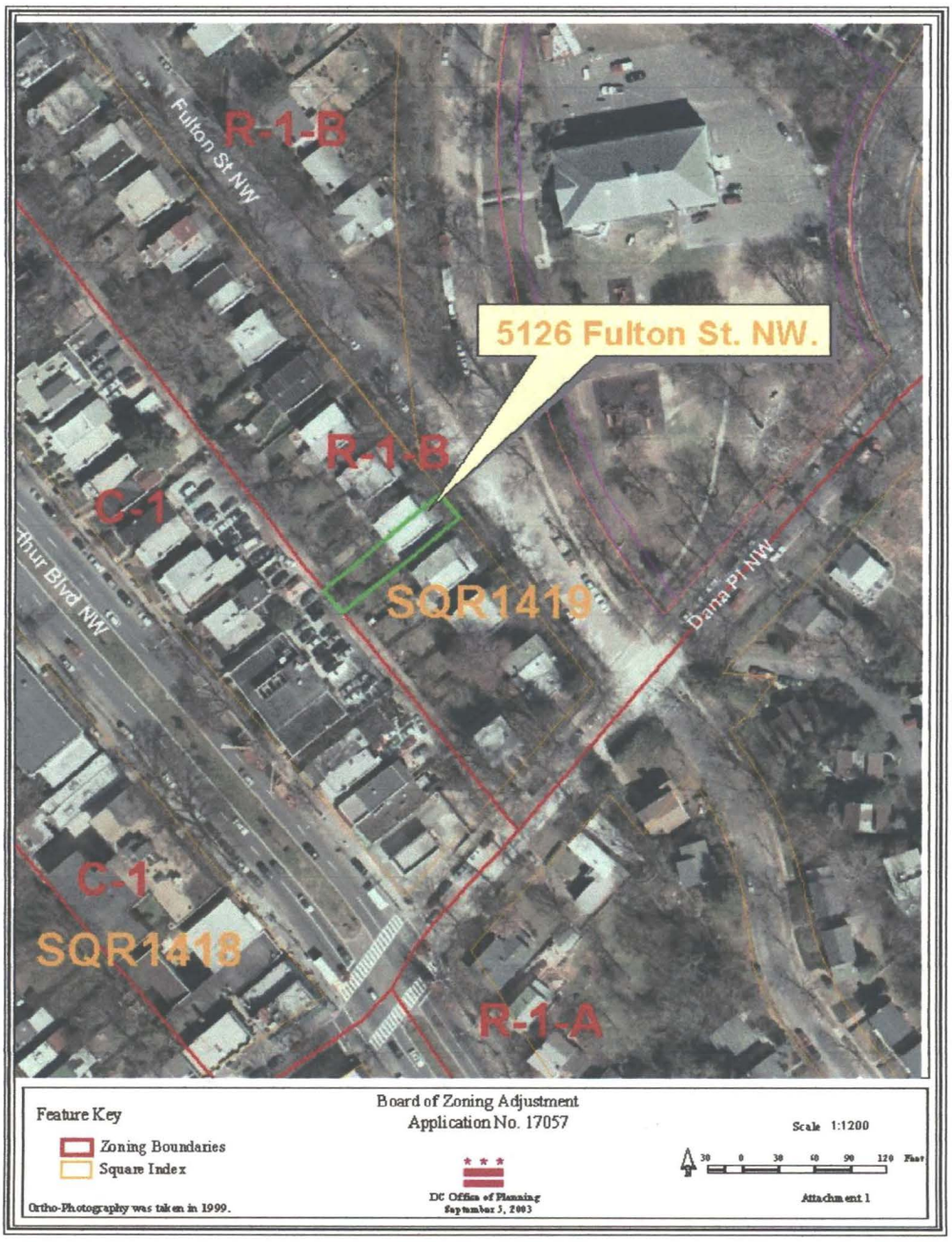
PROPOSAL

The applicant proposes to perform interior renovations and improvements to the subject house, and add a screen porch behind the existing kitchen. The subject house is currently built with only one entrance/exit (front door) on the first floor. The applicant considers the lack of back door on the first floor to be both inconvenient and un-safe.
The applicant desire a rear exist from the first floor of the house. Currently, in order to enter/exist the house from the rear, the applicant has to go downstairs and exist through the basement door. There will be a set of outside steps attached to the porch, which will connect to an existing patio located to the rear of the structure, at the basement level. The stairs will be 4-foot wide and located on the south side of the new screen porch.



Rear elevation of screen porch, steps and patio.

The proposed porch will be 11 feet wide and 15 feet deep. It will be aligned with the kitchen, which is set back approximately one foot from the southwest corner of the main structure. The new screen porch will be added to the rear and south side of the structure, on a consistent building line with the existing kitchen. The porch will be approximately one foot in width less than the 16-foot main structure.



ZONING ANALYSIS

The subject dwelling is in the R-1-B District. The R-1 is designated to protect quite residential areas developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes. The subject dwelling and all of the other dwellings on the south side of the 5100 block of Fulton Street, N.W., are examples of semi-detached dwellings that

were built prior to the adoption of the Zoning Act of 1958, and are grand fathered into the R-1-B District. Many of the dwellings on the subject block have rear additions (mostly rear decks and/or patios), which provide more livable space. The proposed addition will be in keeping with many of the changes to adjacent neighboring dwellings.

223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS

The subject site is in the R-1-B district where limited additions to non-conforming, one-family dwellings are permitted if approved by the Board of Zoning Adjustment subject to the 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;

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

No. The proposed rear screen porch will not affect unduly the availability of light and air to neighboring properties. The proposed porch will be only one story tall and will be set back 4'6" from the property line. There is an existing privacy fence currently along the south property line. There will be sufficient space between the subject dwelling and the semi-detached structure on the south side, for the passage of light and air.



West view, subject house and neighboring and property.

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

No. *The proposed new porch will not compromise the privacy and enjoyment of neighboring properties. The subject structure abuts semi-detached unit on both the northwest and southeast sides. There is a privacy fence between the subject dwelling and the dwelling on the southeast side, which contributes towards the privacy of both properties.*



Privacy fence between subject and neighboring property.

(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?

No. *Mostly all of the semi-detached dwellings on the west side of Fulton Street, N.W., were built on consistent building lines in 1928. The entire block slopes sharply from front to back, which limits the view of the rear of the properties from Fulton Street. The new porch will be constructed on the rear of the subject semi-detached dwelling. The kitchen is set back approximately one foot from the south west corner of the main structure and is not visible from Fulton Street.*



North view of Fulton St, south side.

There is a 16-foot public alley, which separates the rear of the subject block from the rear of commercial properties on Mac Arthur Boulevard, to the west. The sharp front-to-back slope of the subject block and a number of privacy fences and garage additions on the rear of many of the properties, limit views of the rear of properties from public streets to the east and west. There is also an abundance of mature trees and shrubbery at the rear of most of the properties on the block, which further serves to reduce visibility. Each of these elements adds a measure of privacy to the properties and will limit the view of the new porch from the alley or from Fulton Street.



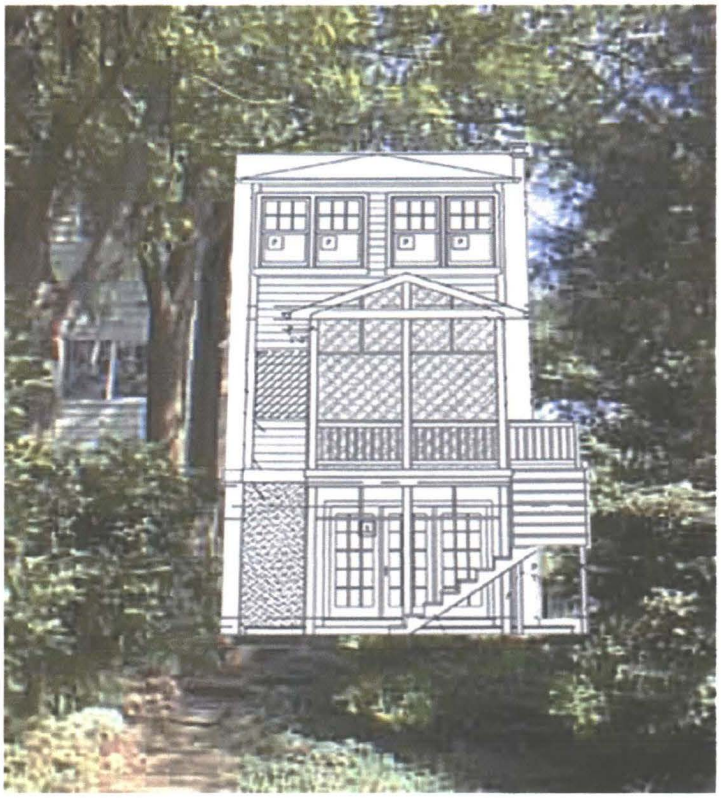
East view of privacy fence between subject property and neighboring property on the south.

(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 elevations, a site plan and photographs to represent the relation of the proposed addiction to existing building and to other 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 existing dwelling and the proposed rear addition combined, will occupy only about 24.6 of the subject lot, after the screen porch is built. The subject lot is very narrow (only 25 ft. wide), but very long, measuring 125 feet in length. The semi-detached dwelling on the lot is 16 feet wide.



Rear elevation of screen porch, outside stairs and patio.

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 semi-detached dwelling in the R-1-B District, a district where detached dwellings are the predominant uses. The R-1 districts are designed to stabilize and protect the quiet residential areas and to provide suitable environments for family life. The referenced dwelling, as well as most of the dwellings on the south side of the 5100 block of Fulton Street, N.W, was constructed in 1928 prior to the adoption of the Zoning Act of 1958, and thus, are grand fathered in the R-1 District. The applicant's plan to build an addition to the rear of the dwelling is in character with additions added to many of the semi-dwellings on the subject block.*

Most of the properties on the south side of the block slope sharply from the front to the alley at the rear of the block. The semi-detached style of construction on the subject block and the general sloping of the block, reduce the view of the addition from the street,

alley, and other public way. As such, the new screen porch will not visually intrude upon the character, scale and pattern of houses along the street frontage.

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

No. *The proposed rear screen porch will not intrude on the character, scale or pattern of the street frontage, as viewed from Fulton Street. Nor will the design of the porch limit the ability of neighboring properties to receive light and air, or affect the privacy of use of neighboring properties. Many of the semi-detached houses on the south side of the subject block are built on narrow long lots. Some of the properties have increased living space by adding rear additions.*

RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN
The Generalized Land Use Map depicts the 5100 block of Fulton Street, N.W., in the Low Density Residential Land Use category. Singe-family detached and semi-detached housing are the predominant uses in this category.

COMMUNITY COMMENTS
The applicants' proposal to add a screen porch to the rear of semi-detached dwelling was presented to Advisory Neighborhood Commission (ANC) 3D at its September 3, 2003 meeting. ANC 3D voted unanimously to support the application. The applicants have provided letters from immediate neighbors in support of the application.

OP RECOMMENDATION
After reviewing the application requesting a special exception to build a screen porch addition to the rear of a semi-detached dwelling, 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.