GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman
Director

DATE: November 18, 2003

SUBJECT: BZA Application 17073 - Request filed by Holland & Knight, LLP, for a **special exception** for construction of a building addition to the rear and side of an existing single-family detached dwelling, proposed by PSD Trust for 2740 32nd Street, N.W.

APPLICATION
Application of PSD Trust for:

> **Special exception relief pursuant to § 223 of Title 11 DCMR** to permit the construction of a one-story building addition to the rear and side of an existing single-family detached dwelling not in conformance with § 405.9

for property located on the southwest side of 32nd Street, N.W., between Woodland Drive and Fulton Street, Square 2119, Lot 18.

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 glass and masonry conservatory with basement addition onto the side and rear of an existing single-family detached dwelling. The building addition has already been constructed. Building Permit No. B-448662 was issued for the construction of the building addition. During final inspection it was determined that the side yard setback was incorrectly measured from an existing wall and fence that only approximates the location of the side lot line.

SITE AND AREA DESCRIPTION
The subject property consists of Lot 18 of Square 2119, in the North West quadrant of the District and is located within the Normanstone Tree and Slope Overlay District. It is 14,675.5 square feet

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Case No. 17073
Exhibit No. 27

Board of Zoning Adjustment
District of Columbia
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EXHIBIT NO. 27

in area, has a minimum lot width of 75 feet, and is improved with and used as a single-family detached dwelling originally constructed in 1934. A 15-foot deep building restriction line runs across the front and rear lot lines. The existing side yard setback, including the building addition that is the subject of this application, is a minimum of 6.83 feet.

The surrounding area is developed with single-family detached dwellings, but also includes some diplomatic missions. To the rear of the property is Normanstone Park, also known as Normanstone Drive. To the north, south, and east (across 32nd Street) are single-family detached dwellings within the R-1-A Zone District and the Tree and Slope Protection Overlay District.

The area has been identified on the Generalized Land Use Map as located within the low density residential land use category- "*Single-family detached and semi-detached housing are the predominate uses.*"

EXISTING ZONING

The subject property is located within the R-1-A Zone District, low density one-family detached dwellings residence district, and the Tree and Slope Protection Overlay District (TSP).

R-1 Districts

"*The R-1 District is designed to protect quiet residential areas now developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes.*" (§ 200.1)

Tree and Slope Protection Overlay District

"*The Tree and Slope Protection Overlay Protection (TSP) Overlay District is established to preserve and enhance the park-like setting of designated neighborhoods adjacent to streams or parks by regulating alteration or disturbance of terrain, destruction of trees, and ground coverage of permitted buildings and other impervious surfaces.*" (§ 1511.1)

RELIEF REQUESTED:

Special Exception pursuant to § 223– Additions to One-Family Dwellings or Flats

Section 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:

> *"223.1 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 by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*
>
> The addition is to the one-family dwelling within a zone district in which one-family dwellings are permitted, but is not in conformance with § 405, Side Yards, because it is set back 6.83 feet from the side lot line, less than the minimum 8 feet required side yard setback. The application is in conformance with all of the other above-mentioned requirements.

"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;*

Light and air to neighboring properties will not be unduly affected. The proposed encroachment into the side yard setback is a maximum of 1.17 feet at the rear corner of the addition only, as the building addition is at an angle to the property line, reducing the impact the addition will have on the adjoining neighboring property. In addition, this corner of the building is stepped back on the upper story of the addition. As a result, the existing wooden fence screens the portion of the addition extending closest to the neighboring property. A second portion of the addition that is less than the minimum required 8 feet from the side property line is set back between 7.16 and 7.21 feet for the exterior wall of a stairway. Therefore, the location of the existing wall and fence and the minimal amount of the variance requested (between 0.79 and 0.84 feet) combine to result in a situation where the light and air to the neighboring property is not unduly affected.

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

The adjacent property to the south and the subject property are separated by the existing brick wall and fence. The side yard area is well vegetated and treed, buffering and screening it from the street. Therefore, the impact of the building addition to neighboring properties will not unduly compromise the use and enjoyment of those properties.

(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

The building addition is not visible from the street due to the location of the addition and the existing vegetation on the subject property. Therefore, the addition together with the original building, does not substantially intrude upon the character, scale and pattern of houses along the subject street frontage.

(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.

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

"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 lot occupancy with the building addition is 25.7 percent, less than the maximum 50 percent permitted by this Section and the 30 percent restriction of the Tree and Slope Protection Overlay District (§ 1513.1).

Section 1513.2 permits a maximum impervious surface coverage of 50 percent, provided it does not "*[p]reclude enlargement of a principal building in existence as of March 20, 1992...*" The subject application is for the enlargement of a principal building that was constructed in 1934.

"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 adjoining property to the south is buffered from the subject property by the existing wall and fence and landscaping. The Office of Planning does not recommend additional special treatment.

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

This application is not for the introduction or expansion of a nonconforming use. The use of the property, a one-family detached dwelling, is permitted as a matter of right within the R-1-A Zone District.

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 3C informed the Office of Planning that it considered the subject application at its meeting of October 27, 2003 and has no objection to the request.

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 a building addition onto the existing dwelling to be 6.83 feet from the southeast side lot line.

AA/sjm$_{AICP}$



BZA Zoning Map

N

Feet

0 25 50 75

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District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ October 20, 2003

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Street Centerlines
Tree / Slope Prot
Sidewalks
Curbs
Swimming Pools
Zoning Districts
Structure Lines
Buildings



OPID000995

Zoning Map

N

Feet

0 50 100

Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ November 10, 2003

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Water

Street Centerlines

Zoning Districts