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: February 10, 2004

SUBJECT: BZA Case No. **17112**

APPLICATION
The application by Nancy McKeon pursuant to 11 DCMR 3104.1, for a special exception to allow the construction of a one-story addition to a single family row dwelling not meeting the open court requirements (Section 406) in the R-3 Zone District, located at 3422 N Street, N.W., Square 1221, Lot 828.

RECOMMENDATION IN BRIEF
The Office of Planning recommends **approval** of the requested special exception.

SITE AND AREA DESCRIPTION
The subject premise is in the Georgetown Historic District in Square 1221. The Square is bound by N Street to the north, Prospect Street to the south, 34th Street to the east and 35th Street to the west. The subject property is a two-story row dwelling, which abuts a north south public alley, to the west of the property and a residence on the east.

PROPOSAL
The applicant proposes to construct a one-story kitchen addition to the rear of an existing two-story row dwelling. The addition is designed to increase the livable space in an otherwise small dwelling. The dwelling was constructed in 1900, prior to the adoption of the Zoning Act of 1958.

The 120.5 square foot addition is12 feet wide, 10 feet long and 13.1 feet high. The new kitchen extension would align with the original building and would not create a new court narrower than the existing court. Building materials for the new extension will be consistent with materials on the original structure.

BZA
Case No. 17112
Exhibit No. 23

Board of Zoning Adjustment
District of Columbia
CASE NO. 17112
EXHIBIT NO. 23

ZONING ANALYSIS

The subject dwelling is permitted in the R-3 Zone District, although it does not comply with all of the zoning requirements. The structure was constructed in 1900, prior to the enactment of the current Zoning Regulations.

The minimum lot area permitted in the R-3 District is 2000 square feet and the property has a lot area of only 1897 square feet. An open court in the R-3 District must be a minimum of 5 feet in width and the existing structure currently has a non-conforming open court area, which is only 4.1 feet in width. The existing open court is approximately 1 foot less than the required width, thus the applicant requires Board approval to permit the expansion (in length) of the non-conforming open court.

223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS

The subject site is in the R-3 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;

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

No. The new rear addition will be constructed along the same building line as the rear portion of the original dwelling. Additionally, the new kitchen extension will only be one-story, and approximately 13 feet in height. Light and air to neighboring properties will not be affected since the addition will abut an alley to the west of the property. The proposed one-story kitchen extension will not affect the availability of light and air to neighboring properties.

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

No. The proposed new addition will not compromise the privacy and enjoyment of neighboring properties. There are security fences on both sides of the subject dwelling, and to the rear of the property, limiting views of the addition from neighboring properties. Additionally, there are 10-foot wide public alleys to the west side and rear of the property,

which separate the subject property from neighboring properties. There are no windows on the addition, which may affect the privacy of abutting neighbors to the east of the property and the addition is only one-story high.

(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. The ten-foot kitchen extension will align with the rear portion of the original two-story building, thus continuing the scale and pattern of houses on the block. The new one-story addition will not affect the character of the subject block, because it will be at the rear of the structure, and not visible from N Street. The privacy fence on both sides of the property, and at the rear of the property, will limit views of the new addition from the alleys.

(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 submitted 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-3 District. The minimum lot area for row dwellings in the R-3 District is 2000 square feet, and a row dwelling can occupy a maximum of 60% of the lot area. The existing dwelling is 680.12 feet on a lot area of 1897 square feet, which represent lot occupancy of 35.8%. The proposed addition will be 120.5 square feet, and increases the lot occupancy to approximately 42.2%, which is less than the maximum permitted lot occupancy.

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-3 District, a district where row dwellings and flats are the predominant uses. The applicant's proposal to construct a one-story kitchen extension to the rear of the subject dwelling is in character with other additions to dwellings in the Georgetown community.

Many of these dwellings were built prior to the adoption of the current Zoning Regulations and, thus do not comply with all of the yard requirements prescribed by the regulations. This addition would only increase the lot occupancy by 161.50 square feet, or up to 47.8%, which is less than the allowable at 60%. Section 223.3 specifically provides a means for permitting row dwellings in the R-3 District to expand up to 70% of lot area, if approved by the Board.

Since the addition is proposed to the rear there will be no intrusion on the character, scale or pattern of the street frontage, as viewed from N 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 has a privacy fence on both sides of the dwelling, and at the rear of the property.

The requested special exception will not adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps.

COMMUNITY COMMENTS

The property is located in the Georgetown Historic District, and the addition was reviewed and approved by both the Fine Arts Commission and The Historic Preservation Review Board. The proposal was also presented to the Old Georgetown Board with no objections.

At its January 2004 meeting, the Advisory Neighborhood Commission (ANC) 2E reviewed the addition and had no objection to the proposal.

RECOMMENDATION

After review of the applicant's special exception request, 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 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.





Zoning and Land Use
BZA Application #17112

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Feet

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

Office of Planning ~ February 10, 2004

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Note: Land Use Info based on OTR records.

Land Use Legend

- Non-conforming Use
- Single-family Detached
- Single-family Semi-detached
- Row house
- Accessory Garage
- Singlefamily Mixed Use
- Flat
- Multi-family Dwelling
- Retail
- Religious
- Vacant
- 300 Foot Buffer



Attachment 1