GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

DATE: February 19, 2004

TO: District of Columbia Board of Zoning Adjustment

THROUGH: JLS for Andrew Altman, Director OP
Ellen McCarthy, Deputy Director OP

FROM: David J. McGettigan, AICP

SUBJECT: Board of Zoning Adjustment Application #17119
Whitney Property
1743 S Street, NW
Square 152 Lot 29

SUMMARY

Jack and Linda Whitney, the owners of the subject property seek approval, pursuant to 11 DCMR § 3104.1, of a special exception to allow a deck addition to a single-family dwelling under section 223, not meeting the lot occupancy requirements (section 403), and the non-conforming structure requirements of §2003 in the R-5-B District at premises 1743 S Street, NW (Square 152, Lot 29).

Recommendation:

The Office of Planning recommends approval of this application based on the following findings:

- The proposed deck will not negatively impact the light and air of neighboring properties.
- The proposed deck will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.
- The proposed deck will not tend to affect adversely the use of neighboring property.

BZA
Case No. 17119
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO. 17119
EXHIBIT NO. 25

Background

The subject property, at 1743 S Street, NW (Square 152, Lot 29), is located in the R-5-B Zone District and the Dupont Circle Historic District (See Attachment 1). An existing two-story flat currently occupies the site. The brick structure was built in 1890 and creates a symmetrical set with the neighbor to the west. The existing structure creates a non-conforming 4-foot by 32-foot court on the east. The existing lot occupancy of 60% meets the current R-5-B requirement.

The lot is toward the middle of the block and shares common walls with a symmetrical dwelling to the west and a small multi-family dwelling to the east. The neighborhood is characterized by low scale historic structures with a mix of row, flat and multi-family dwellings. To the west along 18th Street, NW in the C-2-A District are a mix of retail and office uses.

Project Description

The applicant proposes adding a new second-story deck to the rear of the existing structure. The deck extends the width of the property and 9 feet into the rear yard. A door that will open out onto the new deck will replace the existing second story window. Approximately 10 feet above finished grade, the wooden deck will provide outdoor recreation space to the upper unit of the flat.

Comprehensive Plan

The Comprehensive Plan sets goals of stabilizing and improving the quality of residential neighborhoods. Comprehensive Plan Section 1104.1(h) outlines a policy to "encourage the maintenance of existing housing stock and, where appropriate, the rehabilitation and new construction of detached and row housing." The property is identified as moderate density residential on the General Land Use map, which includes row houses and garden apartments as the predominant uses and may also include, as appropriate uses, low density housing.

Zoning

An addition to a flat that does not comply with all of the requirements of §§401, 403, 404, 405, 406 or 2001.3 shall be permitted if approved by the Board of Zoning Adjustment, subject to the provisions of §223. The proposed addition will not comply with the lot occupancy requirements of §403, which permits a lot occupancy of only 60% (70% proposed). Also, the existing historic structure does not comply with the court requirements of §406. Section 223 requires that the non-complying addition shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property; in particular:

The light and air available to neighboring properties shall not be unduly affected;
Based on analysis by the Office of Planning the amount of light and air available to neighboring properties will not be unduly affected by the proposed addition. The small

deck will not significantly impact the light and air available to neighboring properties. The existing structure and the adjoining structure to the west are completely overshadowed by the larger building to the east; therefore, the impact of the proposed deck to light on the adjoining dwelling to the west is imperceptible.

The privacy of use and enjoyment of neighboring properties shall not be unduly compromised

The deck will end approximately one foot shy of the window on the adjoining rear façade of the building to the west. This will have a substantial impact on the privacy of use and enjoyment for the neighboring property. The Office of Planning recommends that the applicant install a privacy screen on the west side of the deck to mitigate this impact. The screen should not be solid, but should allow some light and air to filter through while providing some privacy.

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 street frontage;

The proposed addition will not be visible from the street. The Historic Preservation Office staff has approved the project in concept. Due to the adjoining structures to the east and one lot over to the west the deck will not be visible from most of the alley.

Given the above the special exception 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 Maps.

Community Comments

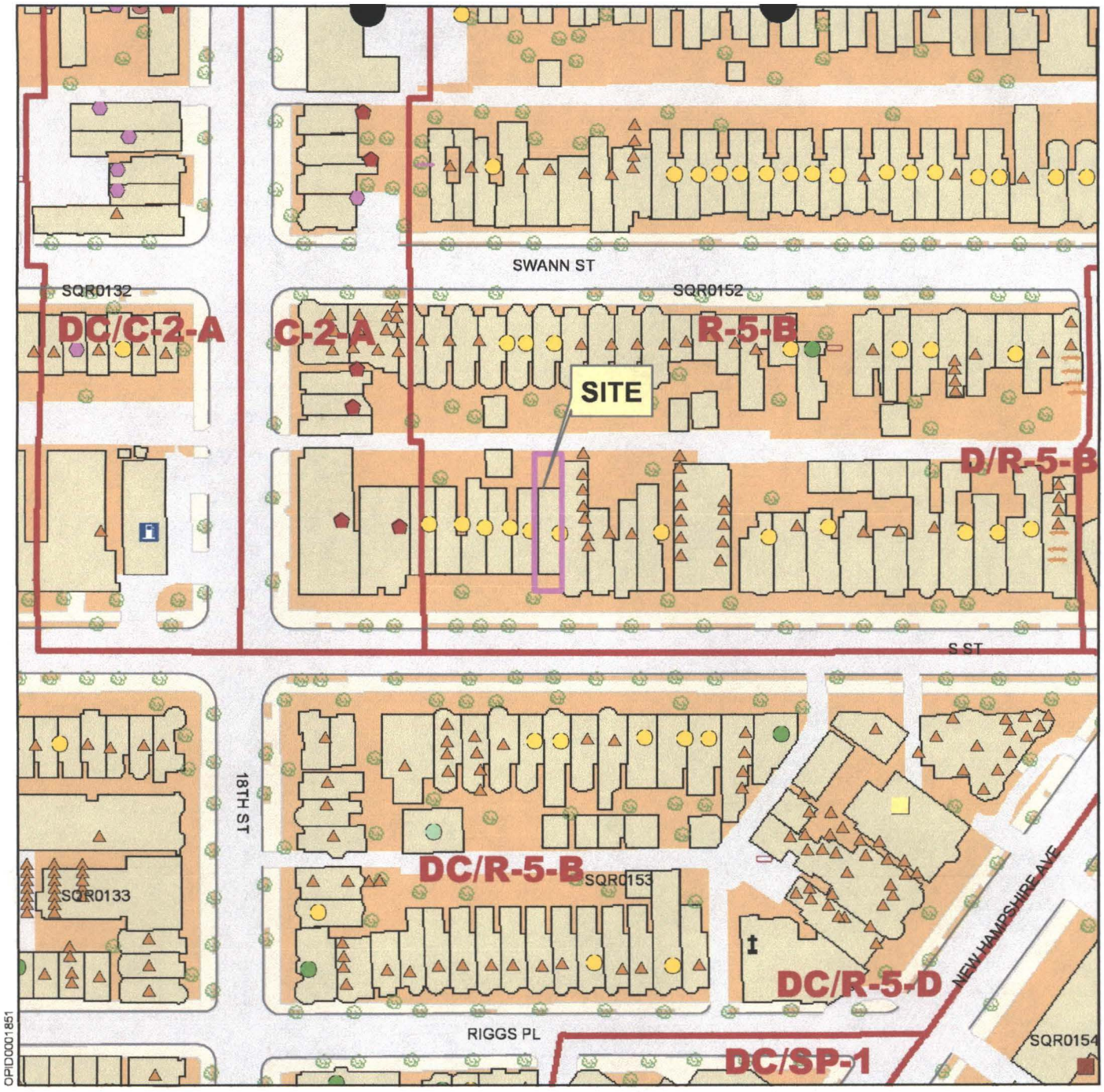
ANC 2B reviewed the application and voted unanimously to recommend approval of the application. The property owner to the west has indicated to the applicant that he is in support of the application.

Recommendation

The Office of Planning recommends approval of BZA application 17119 requesting a special exception pursuant to §223.1 to allow a deck addition up to 70% of lot occupancy to a non-conforming structure on the condition that a privacy screen be installed on the west end of the deck.

ATTACHMENTS:

1. Location Map
2. Comprehensive Plan
3. Aerial Photo
4. Aerial Oblique Photos



Zoning and Land Use
BZA Application #17119

N

Feet

0 50 100 150

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Office of Planning ~ November 10, 2003

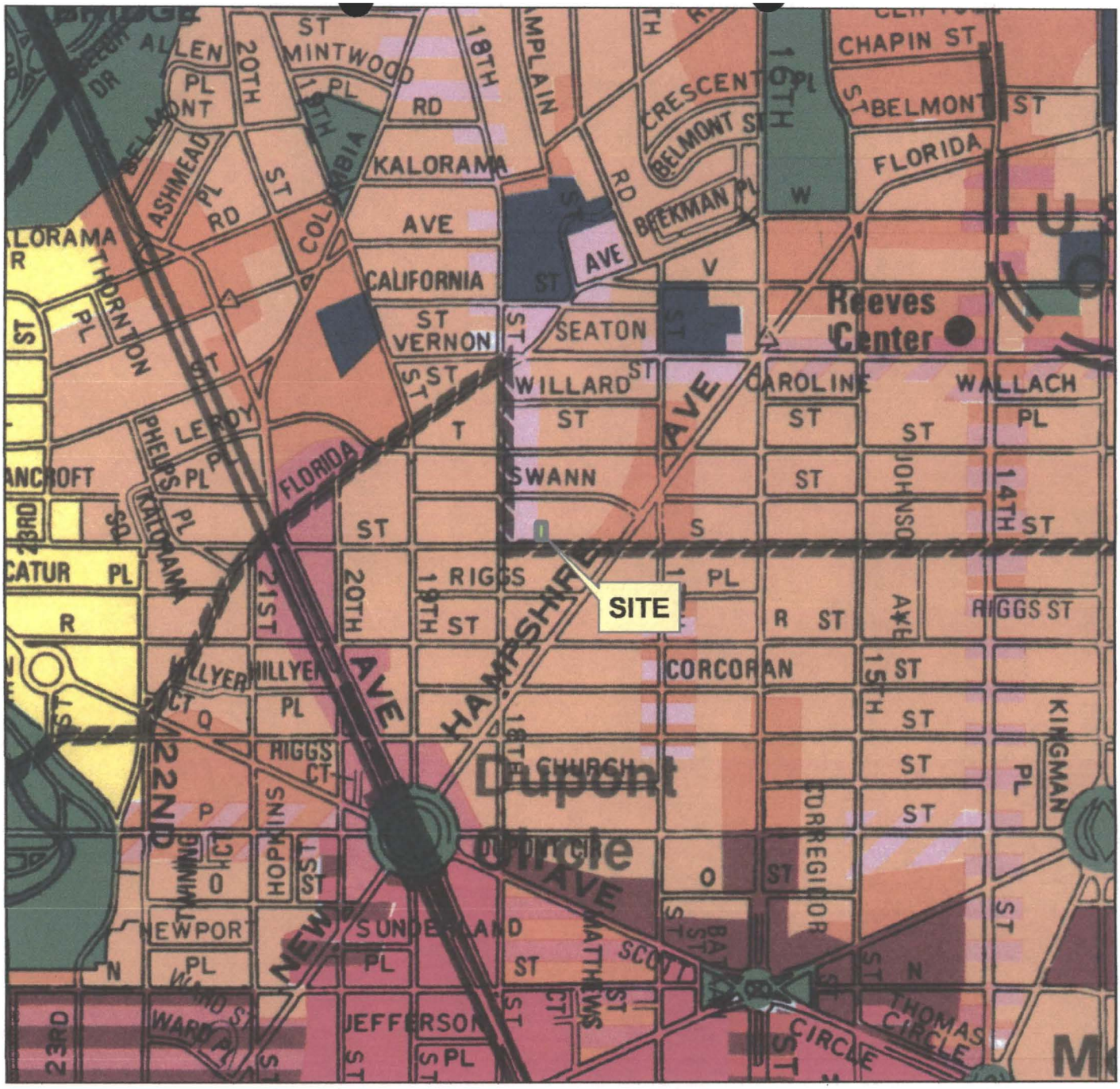
This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Land Use Legend

- Non-conforming SF Use
- Rowhouse
- Single-Family Detached
- Single-Family Semi-Detached
- Resid. Garage
- Multi-family
- Multi-Resid. Garage
- Hotel
- Club
- Dormitory
- Fraternity/Sorority House
- Resid. Transient
- Store
- Office
- Parking - Special Purpose
- Restaurant
- Religious
- Medical
- Educational
- Embassy or Chancery
- Museum, Library, Gallery
- Special Purpose
- Vacant
- Vehicle Service Station

Note: Land Use Info based on OTR records.

Attachment 1



Comprehensive Plan Map
BZA Application #17119

N

Feet

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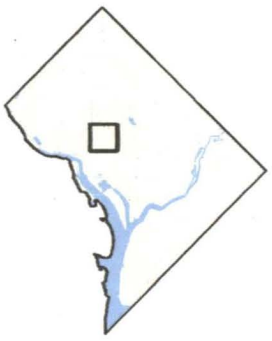
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Office of Planning ~ December 11, 2003

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Generalized Land Use Key

- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment



Attachment 2



Aerial Photo
BZA Application #17119

N

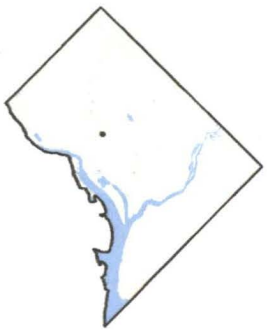
Feet

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Office of Planning ~ January 22, 2004

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Attachment 3



OPID0001870

Aerial Oblique Photos
BZA Application #17119

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Office of Planning ~ January 12, 2004

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Oblique imagery ©2003 Pictometry International

☆ Subject Site - 1743 S Street, NW



Attachment 4