GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman
Director

DATE March 1, 2004

SUBJECT: BZA Application 17131
347 Tennessee Avenue, N.E.

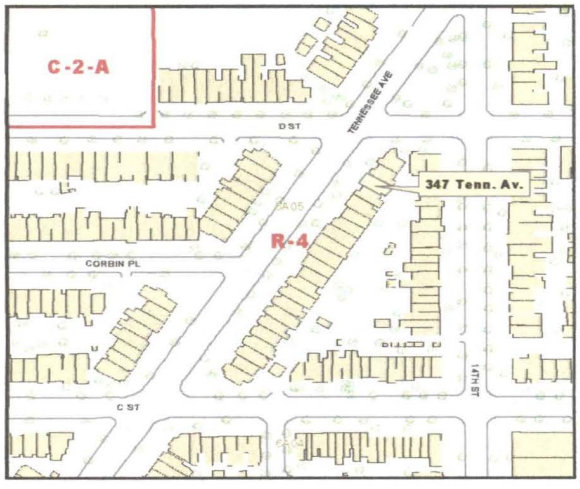
APPLICATION

An application of Mary Johnson, pursuant to 11 DCMR § 3104.1, for a special exception to allow a two-story rear addition to a single family row dwelling under section 223, not meeting the lot occupancy requirements (section 403) and rear yard requirements (section 404) in the R-4 District at premises 347 Tennessee Avenue, N.E. (Square 1032, Lot 14).

SUMMARY RECOMMENDATION

The Office of Planning **recommends approval** of the special exception from the rear yard, and lot occupancy requirements in accordance with the provisions of Section 223.

SITE AND AREA DESCRIPTION



The subject property is located at 347 Tennessee Avenue, N.E., in Square 1032. The square is bounded by 14th Street to the east, C Street to the south, Tennessee Avenue to the west, and D Street to the north. The site is developed with a two-story, brick, single-family row dwelling, typical of the surrounding residences. The surrounding area is zoned R-4.

BZA
Case No. 17131
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO. 17131
EXHIBIT NO. 25

BZA Application Case No. 17131
347 Tennessee Ave, NW - Lot Occupancy and Rear Yard (223)

PROJECT DESCRIPTION

The applicant is proposing to expand both levels of the existing two-story brick and frame row house. The expansion includes a rear addition, which will be designed to increase the kitchen and living area on the first floor, and provide an additional closet and bathroom on the second floor. The residence occupies 560 square feet of the 995–square foot lot at 56% lot occupancy. The 1120-square foot, non-conforming structure, does not meet the rear yard requirement of 20 feet and the lot area of 1,800 square feet for a row dwelling in the R-4 Zone District. The 252-square foot addition will increase the lot occupancy to 69%, which is below the maximum permitted for consideration of special exception approval under §223.

ZONING REQUIREMENTS

The applicant is requesting a special exception from the rear and lot occupancy requirements, to allow an addition to a nonconforming structure (§§403, 404 and 405) devoted to conforming use.

Section	Allowed	Provided	Proposed	Deviation
401 Lot Area	1,800 Square Feet	995 Square Feet	995 Square Feet	-805 sq. feet
403 Lot Occupancy	60% (70% per §223)	56%	69%	+9 %
404 Rear Yard	20 Feet	19 Feet, 23 Feet	13 Feet, 17 Feet	-7, -3 Feet

The lot is trapezoid in shape, which creates an irregular rear yard with varying measurements from the residence to the rear property line.

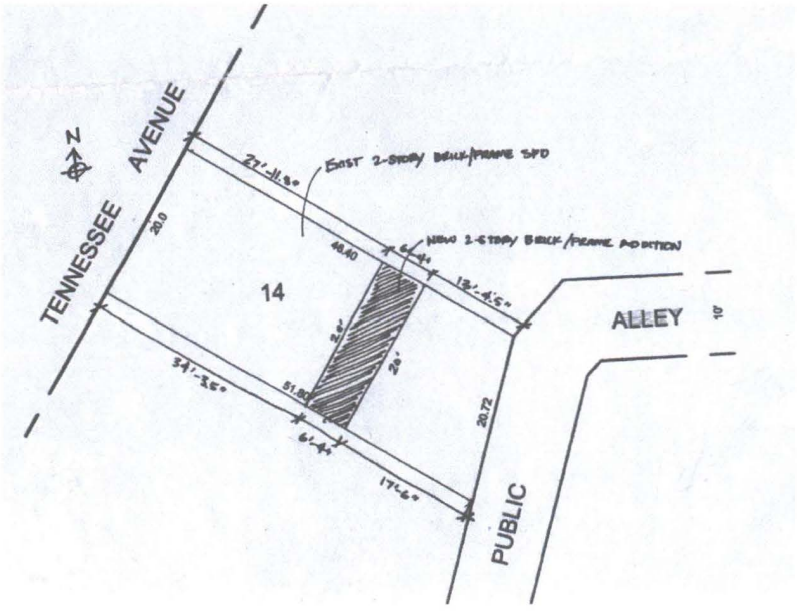


Figure 1
(Provided by the applicant)

BZA Application Case No. 17131
347 Tennessee Ave, NW - Lot Occupancy and Rear Yard (223)

Special Exception Relief

Relief may be granted from the requirements of §§401, 403 and 404, under Section 223, provided the lot occupancy of the dwelling does not exceed 70% in the R-4 districts. The proposal does not expand the overall lot occupancy beyond the 70% maximum.

The proposed rear addition must satisfy the standards as identified in §223.2 as follows:

(a) *The light and air available to neighboring properties shall not be unduly affected.*



Essentially, the applicant's rear addition will extend the party wall 6 ' 4" beyond the existing structure on both levels. OP believes that the lot's orientation would prevent shadowing of the proposed addition on the neighboring properties. The abutting property on the left has a similar addition, which does not extend to the full width of the property. However, there are no windows facing the subject property so light and air to the neighboring property would not be affected. The applicant informed the adjoining neighbors about the proposed addition and received verbal and written agreements in support of the addition.

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

The addition has no windows along any party walls to create privacy concerns among abutting neighbors. In addition, the lower level of the property will remain screened by an existing six-foot privacy fence.

(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.*

The proposed addition will not visually intrude upon the character of the subject street frontage, since it is at the rear of the property. The completed structure will not visually intrude on the character of the neighborhood as viewed from the alley or from D Street. From the renderings provided, the brick addition seems compatible with the main structure, maintaining the character of the building's exterior and other rear additions of neighboring properties.

(d) *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 drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and view from public ways.*

The applicant has provided photos, elevation drawings, and a site plan showing the relationship of the proposed addition to adjacent buildings and views from public ways.

COMMUNITY COMMENTS

The Single-Member District meeting was held on February 24, 2003, and no opposition to the addition was expressed. The full quorum of ANC 6A will meet on March 11, 2003.

The applicant informed the adjoining neighbors about the proposed addition and received verbal and written agreements in support of the addition. This property is not within a historic district.

CONCLUSION

The Office of Planning concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3104.1 and Section 223 of the Zoning Regulations, for the granting of a special exception to permit the expansion of a nonconforming structure at 347 Tennessee Avenue, N.E. The request can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the Zoning Regulations.

The Office of Planning **recommends approval** of the special exception by the Board of Zoning Adjustment to allow the rear addition of the property at 347 Tennessee Avenue, N.E.