GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: ~~Andrew Altman~~
Director

DATE: March 30, 2004

SUBJECT: BZA Application 17140 - Request filed by Richard P. Schmitt, Esquire for a **special exception** for construction of a one-story addition to the side of an existing single – family semi-detached dwelling, proposed by Dwight Sterling for 4311 Brandywine Street, N.W.

APPLICATION
Application of Dwight Sterling for:

1) **Special exception relief pursuant to § 223 of Title 11 DCMR** to permit the construction of a one-story building addition to the side of an existing single-family semi-detached dwelling not in conformance with § 405.9, Side Yards, and § 401.3, Minimum Lot Dimensions

for property located on the north side of Brandywine, N.W., between 43rd Place and 43rd Street, Square 1649, Lot 820.

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 building addition onto the side and front of an existing single-family semi-detached dwelling 2.91 feet from the east side lot line. The building addition is proposed to enlarge the living room to the front and east side of the dwelling. An open porch at the front and east side of the structure is to be removed, and a new smaller porch is proposed to the front of the building addition on the west side of the lot.

BZA
Case No. 17140
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO. 17140
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SITE AND AREA DESCRIPTION

The property consists of Lot 820 of Square 1649, in the North West quadrant of the District. It is 2,500 square feet in area, has a minimum lot width of 25 feet, and is improved with a single-family semi-detached dwelling constructed in 1925. A 15-foot deep building restriction line extends across the front of property, and 15-foot wide public alley provides access to the rear.

The existing dwelling and new front porch will be set back behind the building restriction line. The proposed building addition is 2.91 feet from the east side lot line and the existing dwelling is 30 feet from the rear lot line. The proposed building addition will be set back the same distance from the east side lot line as the existing porch, or 2.91 feet. The remainder of the dwelling, with the exception of the chimney, is set back 7 feet from the side lot line. No side yard is provided to the west, where the dwelling on the subject property is attached to an adjoining semi-detached dwelling.

The surrounding area is developed residentially. To the north, across the public alley, and to the west, are single-family semi-detached dwellings within the R-2 Zone District. To the east are single-family detached dwellings within the R-2 Zone District. To the south, across Brandywine Street, are single-family detached dwelling within the R-1-B Zone 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 predominant uses."

EXISTING ZONING

The subject property is zoned R-2, high-density one family detached dwellings residence district.

R-2 Residential District

"The R-2District consists of those areas that have been developed with one-family, semi-detached dwellings, and is designed to protect them from invasion by denser types of residential development. It shall be expected that these areas will continue to contain some small one-family detached dwellings." (§ 300.1)

RELIEF REQUESTED:

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

§ 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 if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

The proposed addition is to a one-family semi-detached dwelling in a district in which the use is permitted, the R-2 Zone District. The subject

property is not in compliance with §§ 401 and 405 of the Zoning Regulations, Minimum Lot Dimensions and Minimum Side Yards.

The existing lot is 25 feet in width, less than the minimum requirement of 30 feet, the existing lot area is 2,500 square feet, less than the minimum requirement of 3,000 square feet, and the proposed building addition is set back 2.91 feet from the eastern side lot line, less than the minimum required 8 feet. The existing structure is set back 7 feet from the side lot line, also less than the minimum 8 foot requirement. The subdivision of the subject property predates the adoption of the Zoning Regulations and the subject application will have no effect on the existing lot dimensions.

"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;

The only adjoining property directly affected by this application is located to the east. This application proposes to maintain the existing 2.91-foot side yard that is currently provided by the open porch with an enclosed building addition. Therefore, the proposed building addition will not result in a side yard any smaller than what currently exists. Light and air will not be unduly affected because the yard will not be reduced from the existing 2.91 feet. In addition, the dwelling on the adjoining property, as indicated by the application, is at least 8 feet from the common lot line, for a combined total of almost 11 feet, and the dwelling on the adjoining lot to the east is improved with only one window and no doors on the side facing the subject property, reducing the impact the building will have on light and air.

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

The only adjoining property directly affected by this application is located to the east. This application proposes to maintain the existing 2.91-foot side yard that is currently provided by the open porch with an enclosed building addition. Therefore, the proposed building addition will not result in a side yard any smaller than what currently exists. Privacy of use and enjoyment will not be unduly compromised because the yard will not be reduced from the existing 2.91 feet.

(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 frontage; and

The proposed building addition will be visible from the street as it is to be constructed onto the front of the dwelling. However, it will "*not substantially visually intrude upon the character, scale and pattern of houses along the frontage*" as proposed building addition will replace an existing porch, and because the enclosure of the porch will be similar to one that was enclosed within the same block. The façade of the proposed building addition is consistent with the architectural style of the dwelling.

(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 views from public ways.

The applicant submitted photographs and architectural drawings as a part of the application in support of § 223.

"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 proposed lot occupancy of 38.42 percent is less than the maximum 50 percent permitted by § 223.3 for the R-2 Zone District.

"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 Office of Planning does not recommend any special treatment.

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

As a single-family semi-detached dwelling, it is permitted as a matter of right within the R-2 Zone District. The approval of this application will not permit the introduction or expansion of a nonconforming use.

It is the Office of Planning's conclusion that the applicant has satisfactorily met the criteria for special exception relief of § 223 and that in granting the relief, the intent and purpose of the chapter "shall not adversely affect the use of the neighboring properties."

COMPREHENSIVE PLAN

This proposal will contribute toward achieving the following objective of the Ward 3 Element:

"... Existing housing should be maintained and improved for current and future residents;" (§ 1402.3)

COMMUNITY COMMENTS

ANC 3E, in their letter to the Board of Zoning Adjustment of February 12, 2004, *"...agreed to approve [not to oppose] the application..."* by a vote of 4-0 at their meeting of February 12, 2004.

Six property owners from both sides of the 4300 block of Brandywine Street, including the ones on either side of the subject property, submitted letters in support of the application.

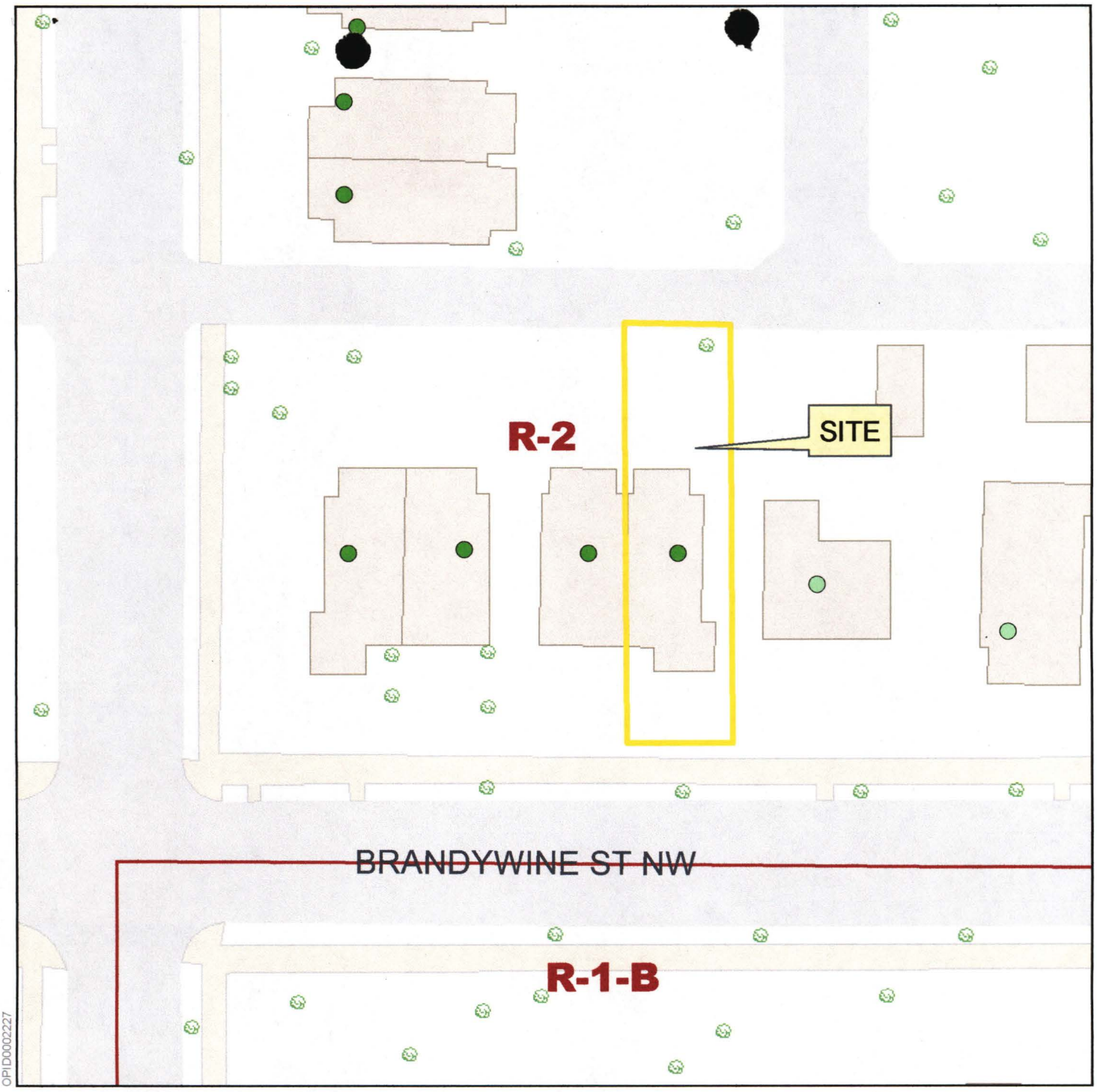
RECOMMENDATIONS

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. The Office of Planning 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:
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> Reduce the east side yard from 8 feet to 2.91 feet for the construction of a one-story building addition to the front and side of an existing single-family semi-detached dwelling;

AA/sjm$_{AICP}$



BZA Application No. 17140

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Feet

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

Office of Planning ~ March 23, 2004

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.

Trees

Single-Family Semi-Detached

Single-Family Detached

