GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: April 12, 2004

SUBJECT: BZA Application 17144

APPLICATION
Joan Fabry of Fabry Associates, representing the Applicants, requests a special exception under Section 223.1 to allow construction of a one-story addition on the rear façade of a detached single-family row dwelling located at 5519 Carolina Place, N.W. (Square 1449 Lot 98) pursuant to Section 3104 under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning.

SUMMARY RECOMMENDATION
The Office of Planning recommends approval of a special exception to reduce the required rear yard setback to 16 feet.

SITE AND AREA DESCRIPTION
The subject property is approximately 0.13-acre (5,6609 square foot) in size immediately east of Carolina Place, N.W. and developed with a two-story one-family detached dwelling (circa 1926) of wood frame construction with cedar-shingle siding and a rear deck. The residence is setback approximately 22 feet from Carolina Place, 11 feet from the northern and southern (side) boundaries, and 28-34 feet from the angled eastern (rear) property boundary. A gated wooden board-on-board fence five feet tall surrounds the rear yard, and an alley 15 feet wide extends along the rear property line.

The balance of the square is developed primarily consists of similar one-family dwellings, some with garages abutting the alley. The square is also zoned Residential (R-1-B) District (refer to Exhibit 1).

APPLICANT'S PROPOSAL
The Applicants would like to replace the existing rear deck with a one-story frame addition to provide a family room and allow interior changes to the kitchen and breakfast areas. The submitted zoning tabulation indicates that the proposed addition would reduce the minimum

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setback from the angled rear property boundary from 28 to 16 feet. No other exterior changes are proposed under the application.

EXISTING ZONING AND RELIEF REQUESTED
The site is zoned R-1-B. Zoning Regulation Sections 201.1 (a) and (i) allow one-family detached dwellings, and accessory private garages as a matter of right. The 1930's dwelling conforms with the regulations, however proposed construction would reduce the rear yard to 16 feet. Section 404.1 requires a minimum 25-foot rear yard setback. Note the total lot occupancy percentage would increase to 33%, less than the 40% allowed under Section 403.2. As a result, this proposal would not meet the rear yard setback required under the Zoning Regulations.

Zoning regulations include the following provisions regarding expansion of such buildings:

"2001.3 Enlargements or additions may be made to the structure; provided, that the following requirements shall be met:

(a) The structure shall conform to percentage of lot occupancy requirements; and
(b) The addition or enlargement itself shall:
(1) Conform to use and structure requirements; and
(2) Neither increase or extend any existing, conforming aspect of the structure; nor
(3) Create any new nonconformity of structure and addition combined."

Since proposed construction would create a nonconforming rear yard setback, the instant application was submitted requesting special exception relief under Section 223 from the requirements of Section 404.1 and 2001.3.

ANALYSIS
Section 3104.1 grants the Board of Zoning Appeals (BZA) the authority "to grant special exceptions where in the judgment of the Board, those special exceptions 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." The referenced special exception would allow the proposed addition to reduce the required rear yard setback subject to the provisions of Section 223.

Compliance with Section 223
Requirements under this section include the following:

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 rear dwelling façade currently extends beyond the rear facades of adjacent properties, and the proposed addition would generally be in the same location, and at the same elevation, as the existing deck. Thus the proposed addition would not

impact air and light to the adjacent dwellings, and should not impact the current enjoyment of adjacent rear yards.

(b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;* Based on the above information, the privacy of neighboring rear yards would not be substantially change.

(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 street frontage; ...* The proposed addition would not be readily visible from Carolina Place because it would be located at the rear of the existing dwelling. Although the addition would be visible from the alley, the frame construction and cedar shingles would be similar to what exists. As a result, the new addition would not intrude on the character, scale or pattern of area residential development.

(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.* Sufficient graphical documentation was submitted for staff review and analysis.

223.3 *The lot occupancy of the dwelling or flat, together with the addition, shall not exceed fifty percent (50%) in the R-l and R-2 districts or seventy percent (70%) in the R-3, R-4 and R-5 Districts.* This application does not require this relief.

223.3 *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.* Additional treatment is not recommended.

OP concludes that the application meets the requirements of Section 233.

Compliance with Section 3104.1:
Based on the findings of Section 223, granting the requested relief would be in harmony with the general purpose and intent of the Zoning Regulations, and Zoning Map, and proposed changes will not tend to affect adversely the use of the neighboring properties.

COMPREHENSIVE PLAN
The Comprehensive Plan Generalized Land Use Map designates the square for Low Density residential development characterized by single-family detached and attached dwellings as predominant uses.

COMMUNITY COMMENTS
During its regular meeting on March 3, 2004, Advisory Neighborhood Commission (ANC) 3D unanimously recommended approval of this request.

RECOMMENDATION

The Office of Planning recommends approval of a special exception to reduce the required rear yard setback from to 16 feet.

AA/afj

Attachment: Exhibit 1 Aerial Including Zoning

Exhibit 1



BZA Application No. 17144
5519 Carolina Place N.W.

N

Feet
0 20 40 60

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

Office of Planning ~ February 25, 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. Oblique imagery ©2003 Pictometry International

Water
Street Centerlines
Zoning Districts
Property Squares