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
Office of Planning

DATE: September 21, 2004

SUBJECT: BZA Case No. 17203
Robin Snyder and Bruce Louie – Special Exception

APPLICATION
The application by Robin Snyder and Bruce Louie pursuant to 11 DCMR 3104.1, for a special exception to allow an increase in the lot occupancy and a reduction in the rear yard requirements, for a one-family dwelling in the R-4 District as outlined in Section 223.1 of the Zoning Regulations.

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

SITE AND AREA DESCRIPTION
The subject property is in the Capitol Hill Neighborhood of Ward 6, located at 925 North Carolina Avenue, SE, (Square 0943, Lot 13). The property is on the south side of the block at the intersection of 10th Street & North Carolina Avenue. North Carolina Avenue bounds the block to the north, Independence Avenue to the south, 10th Street to the east and 9th Street to the west. Linclon Park is two blocks east of the subject site.

The subject house is a two-story single-family detached dwelling. The front of the house is on North Carolina Avenue. There is a row house adjacent to the property on the west side. The east side of the property is on 10th Street, and the house is built up to the property line. The rear yard is the only area on the property where an addition can be accommodated.

The subject dwelling was built of stone in 1900, which predates the Zoning Regulations. Therefore, the structure does not comply with some of the zoning requirements, such as

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lot occupancy, etc. Most of the properties on Square 0943 were developed with residential dwellings around 1908 and also predate the 1958 Zoning Regulations.

The subject site is in the Capitol Hill Historic District. The Historic Preservation Office must approve the concept and signoff on the design of the project. (Project not reviewed by HP to date, 9/7/04)

PROPOSAL
The applicant proposes to build a two-story addition to the rear of an existing single-family dwelling. The footprint for the proposed addition will be 366 square feet. It will measure 17'-0" in width by 22" – 0" in depth. The first floor of the new addition will allow the applicant to have a larger kitchen, dining area and a family room. The second floor will accommodate a third bedroom and a bath. The proposed addition will create more functional living space for the applicant.

ZONING ANALYSIS
The subject property is in the R-4 District, a district designed to include those areas now developed primarily with row dwellings, but within which there have been a substantial number of conversions of the dwellings into dwellings for two are more families.

The maximum lot occupancy in the R-4 District is 60% for row dwellings, flats, churches, or public schools. All other structures (including the subject single-family dwelling) are limited to 40% lot occupancy. The subject dwelling is presently at 52% lot occupancy. The proposed new rear addition will increase the lot occupancy to 63%. However, Section 223 of the Zoning Regulations is designed to permit uncomplicated modifications to structures in Residence Districts, which do not comply with all of the regulations. Many structures that pre-date the Zoning Act of 1958 are candidates for this section. Qualifying residences are permitted lot occupancy up to 70% in the R-4 District. Once the new addition is built, the subject dwelling will be 23% above the 40% lot occupancy permitted in the R-4 District. Therefore, the dwelling qualifies for an increase in lot occupancy up to 70% under Section 223.

The minimum depth of a rear yard in the R-4 District is 20 feet. The subject property currently has a rear yard of 29.6 feet. There is presently a porch on the rear of the structure that consumes 8.90 feet of rear yard space. The porch will be eliminated when the new addition is built. When the new addition is constructed, it will extend 22 feet into the existing rear yard and reduce the remaining rear yard to 7.6 feet and require special exception relief from the Board.

223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS **(R-1)**
Limited additions to non-conforming, one-family dwellings are permitted if approved by the Board of Zoning Adjustment, subject to the following provisions:

§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 proposed addition will not affect unduly the availability of light and air to neighboring properties. The proposed two-story addition to the subject dwelling will be one story less than the three-story row dwellings or the two-story dwelling in the rear, on 10th Street. Both of the adjoining structures have windows on the second and third floors facing the area where the new addition will be built. In both cases, the windows are in the path of maximum morning and mid-afternoon sunlight.



(1) Southern view of dwelling to the rear (2) West view of dwelling to the west.

Additionally, there will be 7.6 feet of rear yard remaining between the rear addition and the affected 10th Street property, and 8.0 feet of side yard between the subject dwelling and the row house on the west side.

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

No. The subject dwelling is much smaller than the three-story row house to the west or even the two-story dwelling in the rear at 109 10th Street. The back of the new addition will contain two French doors on the first floor and two sets of windows on the second level. The neighboring dwelling to the rear has one window on the north sidewall of second floor that will face the new addition, but will not align with the windows on the proposed addition. The french doors will be opposite a solid wall and will not unduly compromise the privacy of use and enjoyment of neighboring properties.



Site of proposed addition.

(b) 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 two-story rear addition proposed for the subject dwelling will be visible from the east side (10th Street), and from the corner of 10th Street and North Carolina Avenue. There is no public alley serving the subject property. Although the addition will be noticeable, it is being designed to be consistent with the character, scale and pattern of houses along the street frontage on of Square 0943.

(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 drawing sufficient to represent the relation of the proposed addiction to adjacent buildings and views from public ways.

The applicant provided a surveyor's plat, architectural elevations, photographs and a landscaping plan to represent the relation of the proposed rear addition to existing dwelling and to other neighboring properties.

223.3 - The lot occupancy of the dwelling or flat, together with the addition, shall not exceed seventy percent (70%) in the R-5 districts.

The lot occupancy for structures other than row dwellings, flats, churches or public schools in the R-4 District is (40%). The subject dwelling is currently beyond the 40% limit. The addition will increase the percent of lot occupancy to 63%. Therefore, the application meets the provisions of §223, which permits lot occupancy to a maximum of 70%.

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST?
Will the special exception be in harmony with the general purpose and intent of the Zoning Regulations and Maps?

Yes. One-family detached dwellings are permitted in R-4 Districts as a by-right use. The referenced dwelling was constructed in 1900 prior to the adoption of the Zoning Act of 1958, and thus, some aspects of the property (lot occupancy) do not conform to the Zoning Regulations. The two-story rear addition proposed for the subject dwelling will be in harmony with the scale and character of other dwellings on Square 0943. The property will continue to be used for the intended single-family residential purpose, and will thus be in harmony with the general purpose and intent of the Zoning Regulations and Map.

Will the special exception tend to adversely affect the use of neighboring property accordance with the Zoning Regulations and Maps?
No. The proposed rear addition will not adversely affect the use of neighboring property accordance with the Zoning Regulations and Maps and based on an analysis of Section 223.

COMMUNITY COMMENTS

The applicants' proposal was presented to Advisory Neighborhood Commission (ANC) 6A at its regular monthly meeting, held on July 13, 2004. The ANC voted in support of the application. (See attached ANC Letter)

The applicant submitted a petition signed by 30 neighbors who supports the special exception application. (See attached petition)

OP RECOMMENDATION

The Office of Planning finds that the applicant has satisfactorily met all the requirements specified in Section 3104.1, and 223, and that the proposed addition will be in harmony with the general purpose and intent of the Zoning Regulations and Maps would not tend to adversely affect the use of neighboring property. Therefore, OP **recommends approval** of the special exception request for the addition to the subject property.



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Aerial Photo
BZA Application #17203

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

Office of Planning ~ August 4, 2004

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West view of 925 N. Carolina Ave., S.E.