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: October 19, 2004

SUBJECT: BZA Application 17225 - Request filed by Leila Joyner Smith for a **special exception** to permit the installation of a box bay window, for 2214 Cathedral Avenue, N.W.

APPLICATION
Application of Leila Joyner Smith for:

> **Special exception relief pursuant to § 223 of Title 11 DCMR** to permit the installation of a box bay window to the rear of an existing single-family row dwelling not in conformance with § 403.2, Percentage of Lot Occupancy,

for property located on the west side of Cathedral Avenue, N.W., between Woodley Road and Woodley Terrace, Square 2206, Lot 81.

SUMMARY RECOMMENDATION
The Office of Planning recommends **APPROVAL** of the request for special exception relief as submitted by the applicant.

PROJECT DESCRIPTION
The applicant proposes to remove the existing deck at the rear of the house to:

1. Construct a new larger deck 3.5 feet off the ground, and
2. Replace existing French doors at the rear of the house with a box bay window 9 square feet in area.

The new deck will not contribute to the lot occupancy of the subject property because it will be less than four feet off of the ground. However, the area of the box bay window will increase the lot occupancy of the lot by 9 square feet because it will be more than 6 feet off of the ground.

The proposed box bay window will be 6 feet wide and will extend out from the existing house 1.5 feet. The lot occupancy of the row house and garage is 61.5 percent, or 1,230 square feet. The subject application proposes to increase the lot occupancy by 9 square feet, or 0.5 percent to 62

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percent, in excess of the maximum lot occupancy permitted within the R-4 Zone District. The maximum lot occupancy permitted within the R-4 Zone District is 60 percent.

SITE AND AREA DESCRIPTION

The property consists of Lot 81 of Square 2206, in the North West quadrant of the District. It is 2,000 square feet in area, has a minimum lot width of 20 feet, and is improved with a two-story row house constructed in 1923. A detached garage is located at the rear of the property, accessible via a 15-foot wide public alley that runs parallel to the rear lot line. The small deck that is to be removed extends out from the back of the house, with steps leading down to the rear yard.

The surrounding area is primarily developed residentially with row houses. To the north and south, adjacent to the subject property, are row houses. To the west, across the public alley, are row houses and multi-family structures within the R-4 Zone District. To the east, across Cathedral Avenue, is a wooded portion of the National Zoo.

The area has been identified on the Generalized Land Use Map as located within the moderate density residential land use category- "*Row houses and garden apartments are the predominant uses; may also include low density housing.*"

EXISTING ZONING

The subject property is located within the R-4 "*row dwellings, conversions, and apartments residence district*". (§ 105.1(a)(4))

R-4 Residential District

"*The R-4 District is 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 for two (2) or more families.*" (§ 330.1)

The subject property is also located within the Old Woodley Park Historic District.

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 row dwelling in a district in which the use is permitted, the R-4 Zone District. The subject property is not in compliance with § 403, Maximum Lot Occupancy.

"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 proposed box bay window extends out from the existing structure 1.5 feet. As the existing rear yard is 45.5 feet, more than twice the minimum required 20-foot rear yard, this window will not unduly affect light and air to surrounding properties.

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

The proposed box bay window contains windows only on the side facing into the rear yard, which will be approximately 44 feet deep as proposed by this application. There are no proposed windows on the sides of the bay window facing the adjoining row houses to the north and south. Therefore, privacy of use and enjoyment of neighboring properties will not be unduly compromised.

(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 box bay window will be visible from the alley only, although the existing garage will block visibility of the window along most of the rear lot line. Due to the large depth of the rear yard and the small depth of the box bay window, it will not substantially intrude upon the character, scale and pattern of houses along the alley.

(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 62 percent is less than the maximum 70 percent permitted by § 223.3 for the R-4 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.*

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

A row house is permitted as a matter of right within the R-4 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 granting the relief, "*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,...*" (§ 3104.1)

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)

AGENCY COMMENTS
The Commission of Fine Arts, in a letter dated March 22, 2004, had "*no objection to the issuance of a permit for proposed replacement of door with bay window...*"

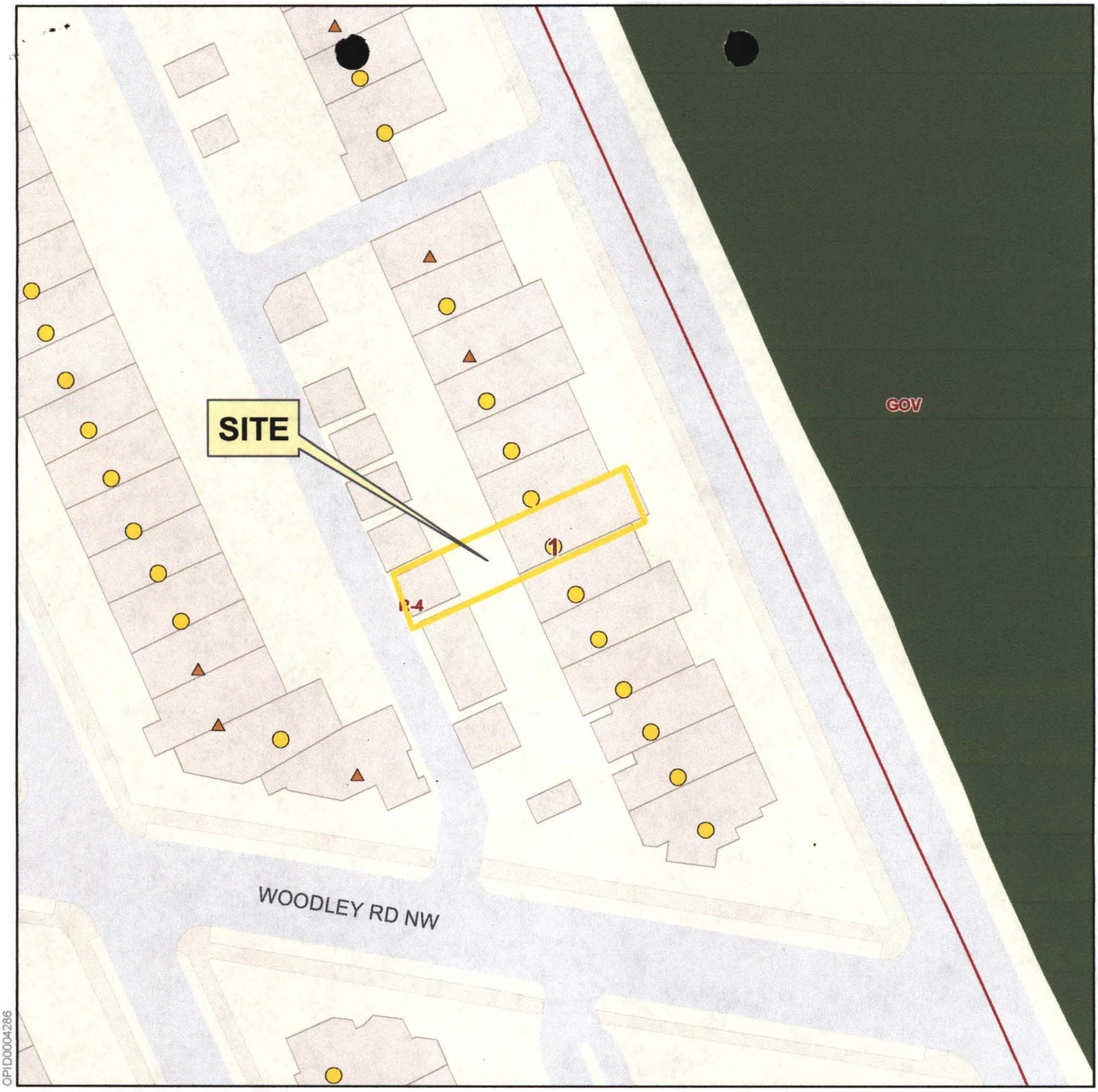
The Historic Preservation Review Board, in a letter dated March 3, 2004, recommended that a permit be issued for the subject application.

COMMUNITY COMMENTS
ANC 3C, at their September 20, 2004 meeting, *"voted unanimously (5-0) to have no objection"* to the application.

RECOMMENDATION
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 application as submitted by the applicant.

AA/sjm$_{AICP}$



BZA APPLICATION NO. 17225

2214 CATHEDRAL AVENUE, N.W.

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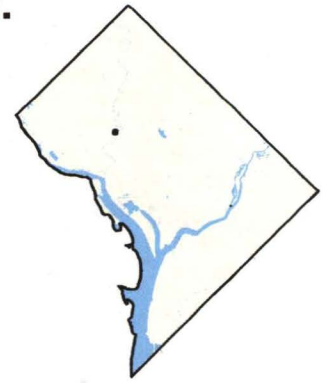
Feet

0 40 80

Rowhouse

Multi-family

Wooded Areas



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

Office of Planning ~ September 3, 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.