GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: November 3, 2004

SUBJECT: Board of Zoning Adjustment Case No. 17227
810 Sheridan Street, N.W.

The attached report, concerning the above referenced case, is being submitted less than 7 days prior to the Board of Zoning Adjustment's Public Hearing. The Office of Planning respectfully requests that the Board waive its rule and accept the report into the record.

BZA
Case No. 17227
Exhibit No. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 17227
EXHIBIT NO. 24

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: November 2, 2004

SUBJECT: BZA Application No. 17227, 810 Sheridan Street, N.W.
Square 2980, Lot 46
Special Exception for Addition to a Single Family Dwelling in an R-2 Zone,
Pursuant to 11 DCMR Section 223

APPLICATION

The applicant requests special exception relief pursuant to 11 DCMR Section 223, to permit the construction of an addition to a single family dwelling at 810 Sheridan Street, N.W. The addition would be a two-story, plus unfinished basement, addition to the rear of the existing house. The requested relief would:

1) Allow an addition to an existing non-conforming row dwelling;
2) Permit the enlarged structure to exceed the permitted lot occupancy by 8% and;
3) Permit the addition to have side yards that are less than those required.

Although not noted, the applicant also appears to be need permission for an open court narrower than would normally be permitted.

SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends approval of the special exception relief, with conditions.

AREA DESCRIPTION (Attachment 1)

The property is located in the Brightwood neighborhood of Northwest Washington, just east of Georgia Avenue. The Square is bounded by 8th, 9th, Rittenhouse and Sheridan Streets. It is bisected by an east-west public alley at mid-block, as well as a shorter north-south alley towards the eastern end of the block. It is in Ward 4. The area is characterized by a mix of single family and semi-detached dwellings that were constructed in the fist third of the 20th century.

EXISTING CONDITIONS

The applicant's house is the eastern half of a semi-detached dwelling. The lot measures 21.25 by 157.5 feet. It is relatively flat, other than approximately the last 20 feet of the 54.3 foot-deep rear yard, which slopes slightly upward towards the alley at the back. There are no trees on the lot. There is no off-street parking; however, there was formerly a garage at the southwest corner of the lot.

The lot and house are oriented north-south. The eastern and southern sides of the lot are adjacent to public alleys. The existing house is 19.5 feet wide and 43.25 feet deep, including the existing two-story-plus-basement addition to the rear of the principal structure. The eastern side of the house is generally 1.75 feet from the property line, which is adjacent to a 10-foot public alley. On the western side of the house, for approximately 35 feet, all floors share a party-wall with the house to the west. For approximately the last 8 feet, the 2nd floor of the house shares a 9-foot wide U-shaped open light court with the house to the west. The 843 square foot house currently occupies 25% of its lot.

The deck that is shown as being attached to the rear of the existing addition in Attachments 1, 3 and 4 has been demolished.

PROJECT DESCRIPTION

The applicant wishes to build a two-story-plus-basement addition that is 17.5 feet wide and 30 75 feet deep. It would be set-back 2.75 feet from the eastern property line, and 1 foot from the western property line.[1] The addition's 535 footprint would increase the lot occupancy to 44.5%. The addition would be approximately 1600 square feet. The basement would be unfinished and could be entered from the back yard, the existing basement.and the first floor of the proposed addition. The first floor would contain two living areas, a full bath and a walk-in closet. It could be entered from both the back yard and from the existing house. The second floor would contain a master bedroom, a seating area, full bath, closet, and laundry area. It could not be entered from the main house, only from the first floor of the proposed addition.

The addition has three-south facing windows on the first floor, and four south facing windows on the second floor. The roof is a gable roof, with the ridge running north south.

EXISTING ZONING AND RELIEF REQUEST

The property is zoned R-2. This zone extends for several blocks in all directions. It is designed for single-family semi-detached dwellings, and occasional single-family detached houses (11DCMR §300.1).

The property is presently non-compliant with respect to lot width (less than 30 feet) and with respect side yards (less than 8 feet). OP believes that the property may also be non-compliant with respect to open court (less than 6 feet for second-floor open court), although this was not noted in the application.

[1] According to the applicant, DCRA required the addition to be set-back one foot from the line of each of the existing house's side walls.

Special Exception Relief Under 11 DCMR Section 223

Section 223 was initiated at the request of the BZA and adopted by Zoning Commission Order No. 840 in 1997. Order No. 840 states that "[T]he purpose of the amendment is to provide a legal basis for *making reasonable additions to single-family dwellings* where the strict tests associated with an area variance are unattainable". The order further states that "[T]he overall goal of the proposal is to provide a degree of flexibility regarding additions, while retaining essential controls related to effects on neighboring properties and neighborhood character".

The applicant's property is developed and used as a single-family semi-detached residence. The applicant has noted that with the proposed addition the structure would exceed lot occupancy, and side yard requirements, and would not conform to the restrictions on constructing an addition to an existing non-conforming structure. The property is eligible to apply for zoning relief under Section 223.

> *223.1: An addition to a one-family dwelling or flat, in those districts where a flat is permitted, that does not comply with all of the requirements of Sections 401,404, 405 or 406 of this title shall be permitted if approved by the Board of Zoning Adjustment in accordance with the conditions specified in Section 3104 of Chapter 31 of this title, subject to the provisions of this section.*

The following table summarizes the need for zoning relief, based on the information supplied by the applicant and public records researched by OP. Severa;l of OP's calculations are different than those in the application.

Section	Item	Restriction	Existing	Proposed	Deviation
401.3	Lot Size	3000 sf min.	Approx. 3330 sf	Same	None
402.3	Lot Width	30' minimum	21.25'	Same (8.78' non-conformity	No increase in non-conformity
400.1	Height	40'	Approx. 26'	Approx. 26'	None
403.2	**Lot Occupancy**	40% M-O-R; (50% with S.E. under §223.3)	25%	44.5%	**4.5 %**
404.1	Rear Yard	20'	85.05'	54.3'	None
405.9	**Side Yard**	0' on west; 8'on east	0' on west; 1.75' on east	1.0' on west 2.75'on east;	**7' on west[2] 5.25' on east**

OP believes the applicant's current plans may require additional zoning relief. The applicant has not noted any deviation on the open court requirements. However, the addition would be set back one foot from the western property line. This creates a 1' setback from the existing house's western wall, which in turn creates an open court measuring 1 foot by 30.75. Because the existing house is not built to the property line, the addition's 1' setback from the existing house's eastern wall would create a side yard

[2] *See following open court discussion*

non-conformity, rather than an open court non-conformity. The open court analysis is summarized below.

Section	Item	Restriction	Existing	Proposed	Deviation
406.1	Court (Open)	6' minimum	Possible non-conforming open court on SW side of 2nd floor	An additional 1' by 30.75' open court on west	5'.

Relief Test

Section 223.2 Sets out the standards for relief:

> *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;*

Properties to the east, which front on 8th street, are separated from the applicant by a 10-foot alley. There would be little to no shadow cast on the rear of those properties. It is OP's opinion that the proposed addition would not impose a substantially adverse affect on the use, enjoyment, light or air of properties to the east.

However, OP is concerned about the proposed addition's impact on the property immediately west of the applicant's (i.e., 812 Sheridan). OP notes that the owner of 812 Sheridan signed a letter in support of the proposed addition to 810 Sheridan, but – according to the applicant -- has not be shown any plans, drawings or other representations of the proposal. The proposed addition would come to within one-foot of the property line. It would cast a shadow into 812 Sheridan's back yard until late morning. The proposed addition also appears to reduce the light that can reach the existing open court on the 2nd floor of the applicant's house, as well as the light that can reach the comparable open court on the second floor of 812 Sheridan. This reduction in light is of concern to OP.

As noted, the addition is currently proposed to be one (1) foot off the western property line. To reduce its impact on 812 Sheridan Street, OP recommends this setback be increased to three (3) feet. This would reduce the width of the proposed addition by two (2) feet, to 15.5 feet.

The proposed addition's eastern wall is setback 2.75 feet from the eastern property line along the alley. The applicant has the impression that DCRA requires the addition to be set back one (1) foot from the alignment of the existing house's eastern wall, which is 1.75 feet off the eastern property line. Based on an OP conversation with the Zoning Administrator, OP believes the applicant may have misunderstood DCRA requirements. It may be possible to align the eastern wall of the addition with the eastern wall of the existing house. Combined with the recommended two (2) foot increase in setback on the western side, the contiguous alignment of the eastern walls would result in a net reduction of only one (1) foot to the proposed addition. This would enable the addition to be 16.5 feet wide, rather than the 17.5 feet

currently proposed by the applicant, or the 15.5 feet that would otherwise be necessitated by the recommended three (3) foot setback from the western property line. .

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

The addition will not have any windows facing the properties to the east or west, which ensures privacy.

(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 increase the size of the existing structure by 64%. The addition would be somewhat visible from a few feet of Sheridan Street, because it is along an alley directly perpendicular to the street. It would also be visible from one place on 8th Street – between two houses just south of the southwest corner of 8th and Sheridan Streets.

The size of the house would be significantly larger and deeper than the other semi-detached houses in the 800 block of Sheridan Street. It would be closer in size to the single-family houses that are adjacent to the east, along 8th Street, and to the south, along the north side of Rittenhouse Street and the design is relatively consistent with the pattern of rear additions, garages and storage buildings along Sheridan Street and 8th Street. The vinyl siding would generally match the aluminum siding of the existing rear of 810 Sheridan. The use of a gable roof with the peak ridge perpendicular to the principal structure is unusual for this neighborhood, but is necessitated by the slope of the roof on the existing structure.

OP does not feel that the addition would substantially intrude upon the character or pattern of houses as viewed from the street or other public ways.

(d)In demonstrating compliance with (a), (b) and (c) of this subsection, the applicant shall use graphical representation 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 a site plan, elevation and section drawings, and photographs showing the general relationship of the existing house to the proposed addition, and of the proposed structure to the existing structure and adjoining properties. In addition, OP has met with the applicant twice, and visited and photographed the site.

OTHER DISTRICT AGENCY REPORTS

As of October 18, 2004, there were no other District agency reports on file.

ANC POSITION

ANC 4B was scheduled to discuss the application on October 28, 2004.

OTHER NEIGHBORHOOD REACTION

The file contains five (5) letters of support for the proposed addition. They are from 812 Sheridan – the house contiguous on the west with the applicant's, and from the four houses to the east, across the alley from the applicant. The applicant has stated that when soliciting support for the addition, plans and drawings of the proposed addition were not part of the discussion with the neighbors.

CONCLUSION

OP believes the proposed structure is the type of addition intended to be addressed by Section 223. Based on the information provided by the applicant, and by a visit to the site, OP concludes that the following modifications to the proposed addition are advisable:

1. Increasing the setback of the western wall of the proposed addition from one (1) foot off the property line to at least three (3) feet off the property line.
2. If permitted by DCRA, re-aligning the eastern wall of the proposed addition to make it contiguous with the existing structure's eastern wall.

With the above changes, OP believes the proposal will have no substantially adverse impact on the adjoining properties, no undue effect on their light or air, will not substantially intrude on the character or scale of the neighborhood, and will not unduly compromise the use and enjoyment of the neighboring properties.

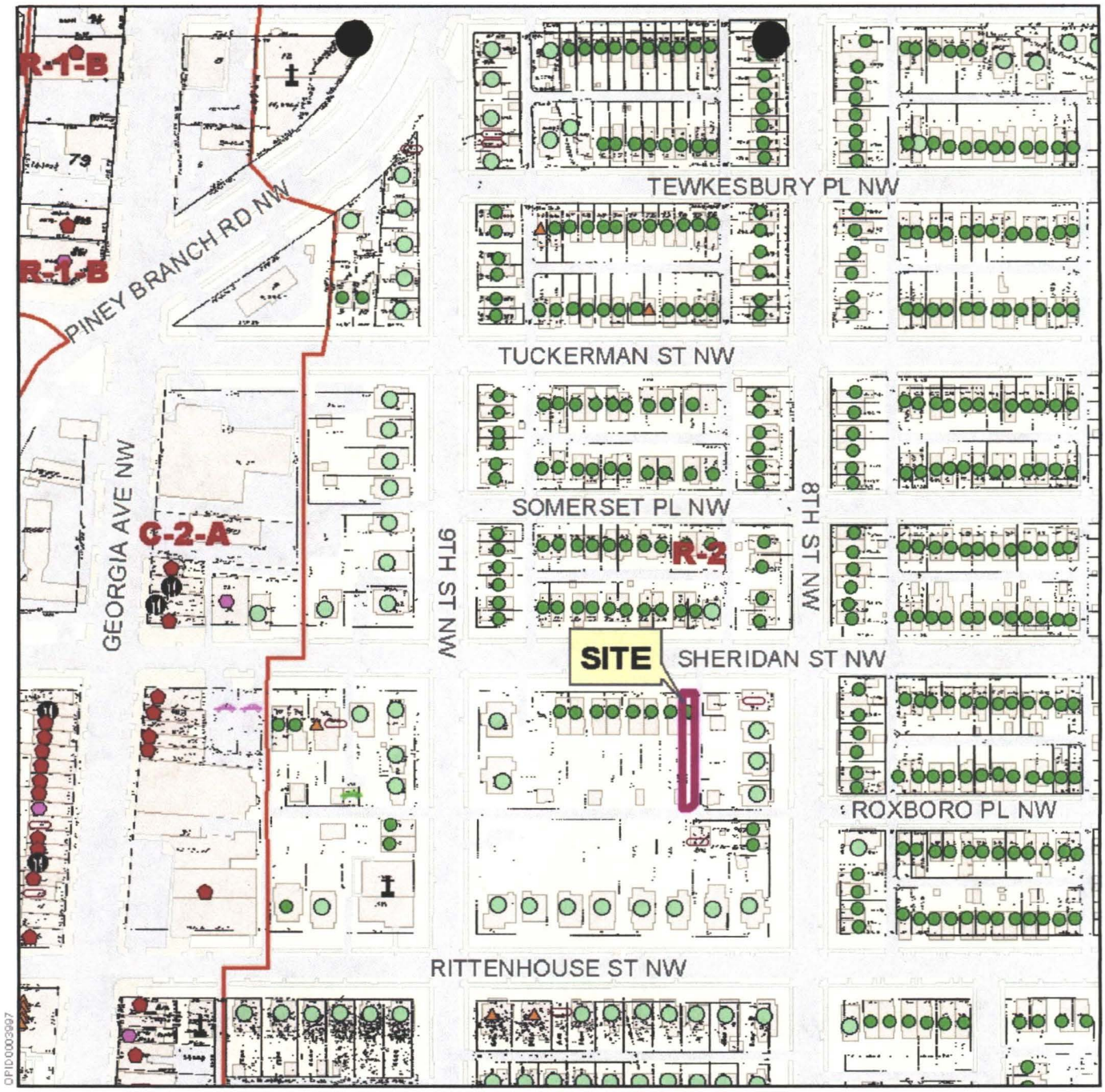
RECOMMENDATION

The Office of Planning concludes that the application meets the tests set out by 11 DCMR Section 223 and recommends approval of the application with the following conditions:

1. Increase the setback of the western wall of the proposed addition from one (1) foot off the property line to three (3) feet off the property line.
2. If permitted by DCRA, re-site the proposed addition's eastern wall one foot to the east, to make it contiguous with the existing structure's eastern wall.

AA/slc

attachments



Location, Zoning and Land Use Map
BZA 17227 -- 810 Sheridan Street, NW

N

Feet

0 100 200 300

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

Office of Planning ~ September 2, 2004

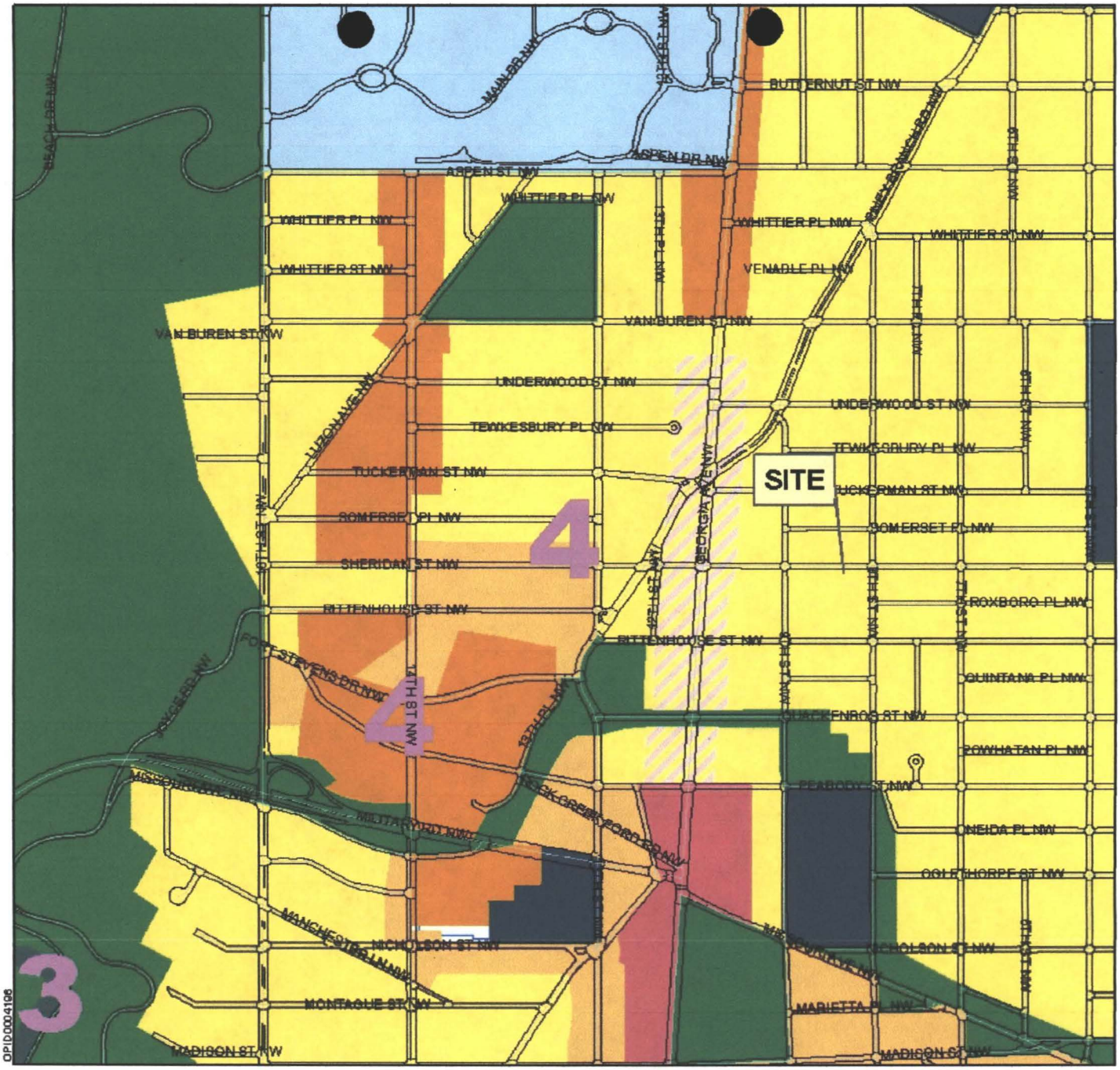
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Land Use Legend

- Non-conforming SF Use
- Rowhouse
- Single-Family Detached
- Single-Family Semi-Detached
- Resid. Garage
- Multi-family
- Small Hotel
- Large Hotel
- Fraternity/Sorority House
- Store
- Restaurant
- Office
- Parking - Special Purpose
- Religious
- Educational
- Embassy/Chancery
- Special Purpose
- Vacant



Attachment 1



Comprehensive Plan Map
BZA Application #17227
810 Sheridan St., N.W.

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Feet

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Anthony A. Williams, Mayor

Office of Planning ~ September 22, 2004

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Generalized Land Use Key

- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment

Attachment 2



Aerial Photo
BZA Application #17227
810 Sheridan Street, N.W.

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Feet

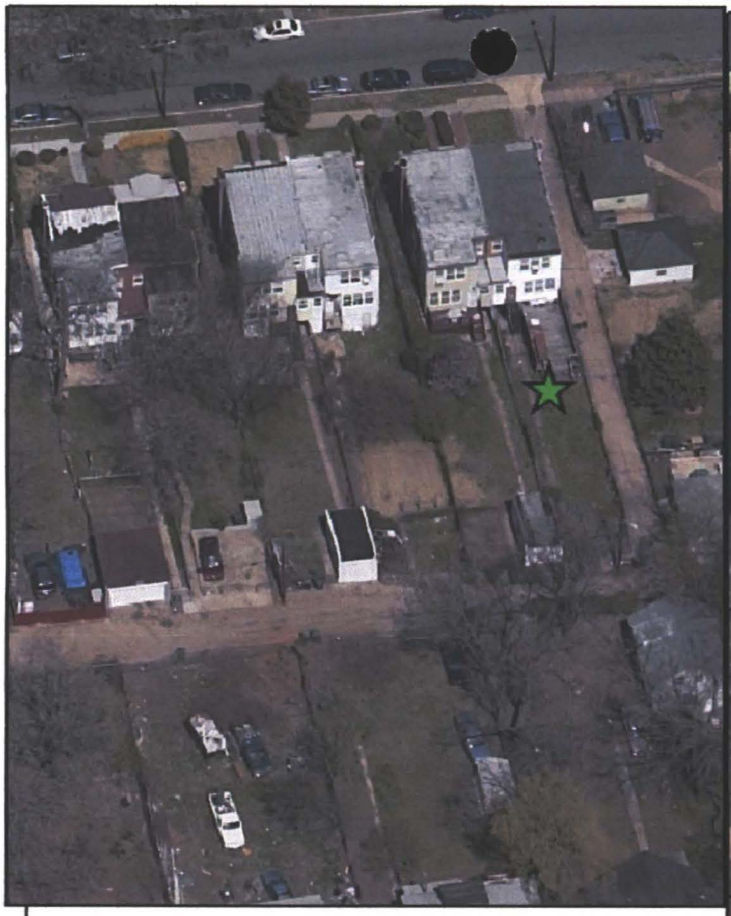
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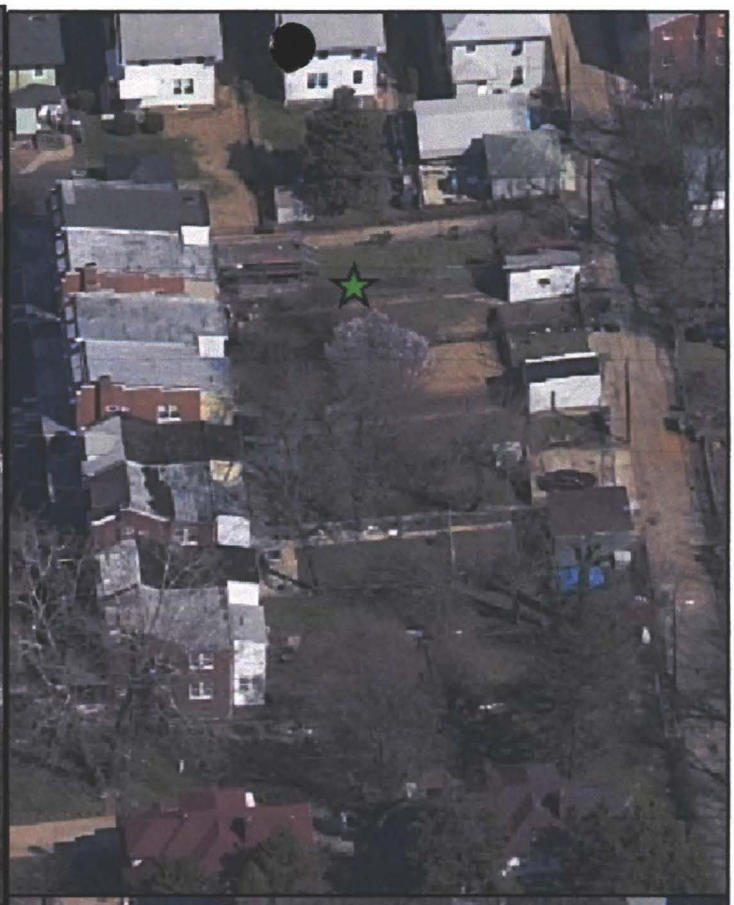
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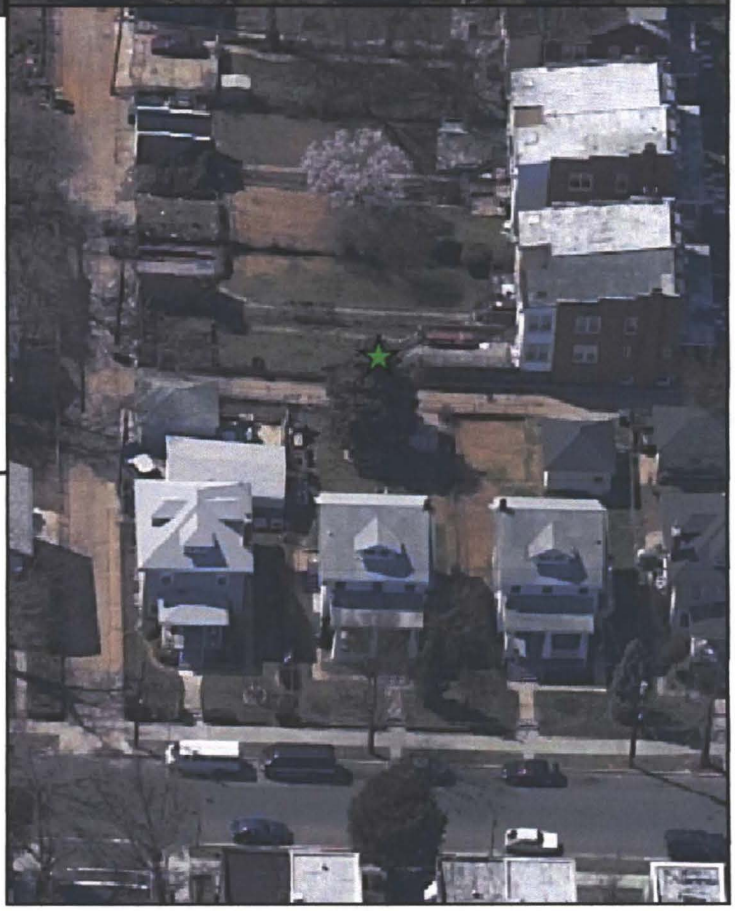
Office of Planning ~ September 22, 2004

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Attachment 3







Oblique Photos
BZA Application #17227
810 Sheridan Street, N.W.
(Looking clockwise North, East & West)

DFI0000044715

Feet

0 20 40

N

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

Office of Planning ~ October 29, 2004

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Attachment 4