GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

Memorandum

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman, Director
Office of Planning

DATE: November 16, 2004

SUBJECT: BZA Application 17242 – Murphy Addition
3320 Dent Place, N.W. (Square 1278, Lot 233)

APPLICATION

An application by Patricia Murphy requesting a special exception under Section 223 pursuant to 11 DCMR §3104, to allow an addition to a residence at 3320 Dent Place, N.W., which does not meet the side yard requirement in an R-3 Zone District.

SUMMARY RECOMMENDATION

The Office of Planning recommends **approval** of the special exception to the reduction in the required side yard setback.

SITE AND AREA DESCRIPTION

The subject property is located at 3320 Dent Place, N.W, Square 1278, Lot 233, (Attachment 1). The property is developed with a two-story, semi-detached house. The surrounding area is a residential neighborhood consisting of single-family, semi-detached, and attached houses. The area is zoned R-3.

PROJECT DESCRIPTION

The applicant is proposing to demolish the existing 2-story wood addition and deck at the rear of the house and replace it with a new fire resistant, 2-story addition to accommodate a living room on the first floor and bedroom on the upper floor. The addition will retain the existing nonconforming side yard.

BZA
Case No. 17242
Exhibit No. 21

Board of Zoning Adjustment
District of Columbia
CASE NO. 17242
EXHIBIT NO. 21

HISTORIC PRESAERVATION

The subject property is within the Georgetown Historic District. To date, the proposal has not been submitted to the Historic Preservation Review Board. The proposal has been submitted to the Old Georgetown Board.

ANALYSIS

Special Exception

Section 223 provides relief based on specific criteria under which additions to one-family dwellings may be permitted within a residential district.

The proposed addition must satisfy the criteria 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 by the Board of Zoning Adjustment under §3104, subject tot the provisions of this section.

The two-story addition is to a single-family residence that is not in conformance with Section 405.8 (side yard) since the original structure predates the 1958 Zoning Regulations.

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 original semi-detached structure was built prior to 1958 and has a side yard of 1.7 feet. A later 2-story, wooden addition to the rear of the building was constructed with a 2.5 feet side yard. The applicant proposes to demolish the latest addition and replace it with a 2-story structure.

The adjacent house to the west of the site is taller, extends further into its rear yard, and does not have any windows or other openings along its eastern wall. Therefore, its light and air will not be affected. The house to the east has a one-story rear addition and the proposed addition will be in line with that extension and therefore their light and air will not be diminished.

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

The proposed addition will be an extension of the existing building that will not extend past the length of the neighboring building. The windows/doors on the second floor will overlook the rear yard of the residence to the west as they do currently. However, there are trees on both properties that will help preserve the privacy of that residence. Therefore, the use and privacy of the neighboring properties will not be compromised by the addition.

> ***(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 subject street frontage.***

The addition will not be visible from Dent Place on which the house fronts and therefore will not intrude upon the character, scale and pattern of houses along the street frontage.

> ***(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.***

The applicant has provided photos, elevation drawings, and a site plan showing the relationship of the proposed addition to adjacent buildings and views from public ways.

The structure is non-conforming due to its side yard since it predates the 1958 Zoning Regulations. The new addition has a larger side yard than the existing building. The applicant wants to keep some side yard for emergency situations and to give access to the rear yard from the street. If the addition were built to the property line, a court would be created and security and maintenance could be a problem. OP is satisfied that the applicant has met the criteria for special exception relief of Section 223 and granting the relief would not adversely affect the use of the neighboring properties.

COMMUNITY COMMENTS

The application was reviewed by ANC-3C on October 26, 2004 and they recommended approval of the special exception request.

CONCLUSION

The Office of Planning concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3104.1 and Section 223 of the Zoning Regulations, for the granting of a special exception to permit the expansion of a nonconforming structure. The request can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the Zoning Regulations. The Office of Planning recommends **approval** of the special exception by the Board of Zoning Adjustment to allow the proposed addition.

ATT:

1. Aerial Photograph
2. Zoning and Land Use Map

AA/mbr

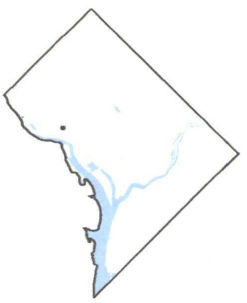


BZA 17242
Murphy Addition
3320 Dent Place, NW

N

Feet

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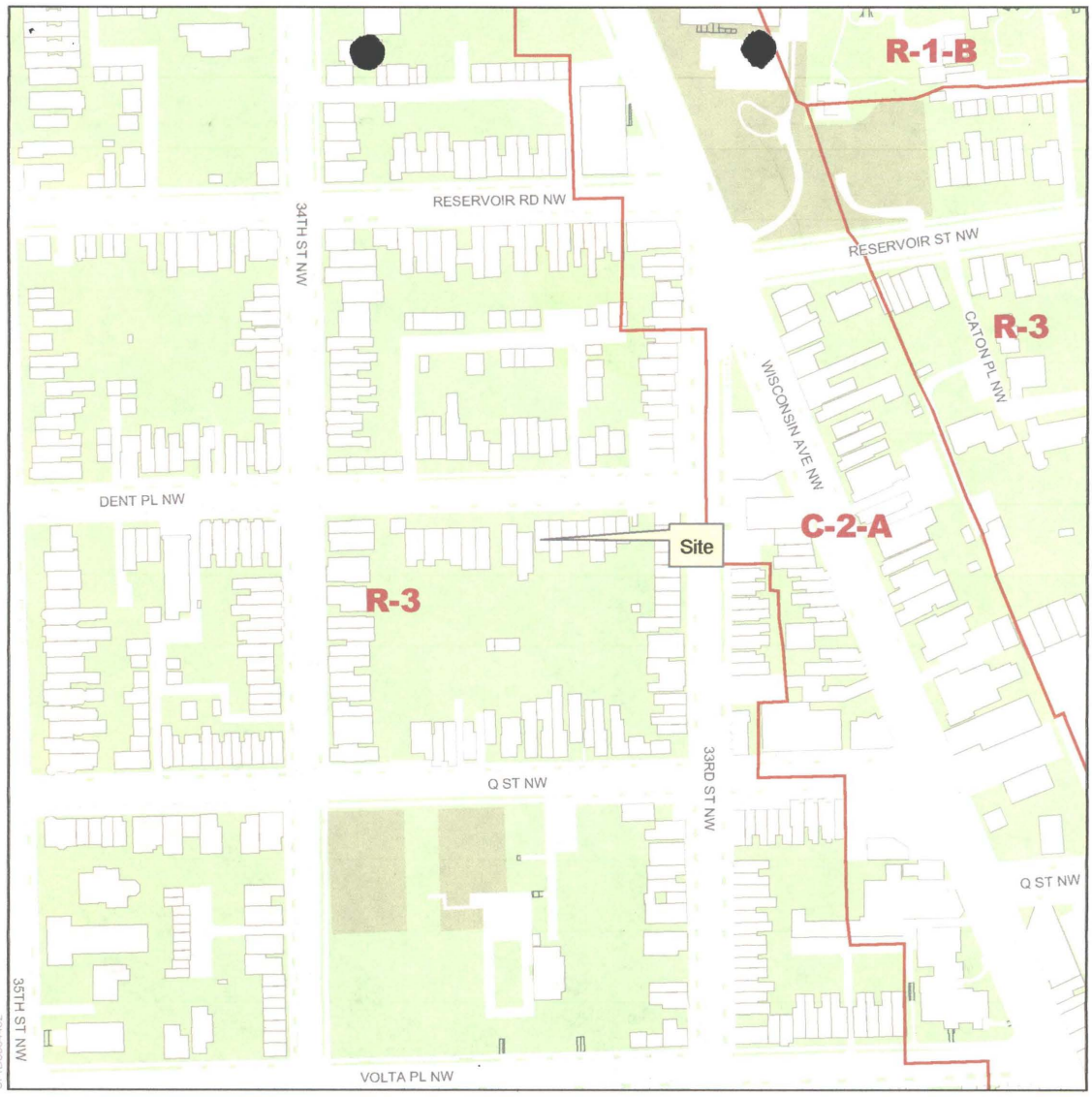


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District of Columbia
Anthony A. Williams, Mayor

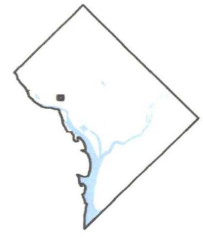
Office of Planning ~ October 27, 2004

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.

Attachement 1



Zoning and Land Use Map
BZA Application #17242
3320 Dent Place, NW



N

Feet

0 100 200

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

Office of Planning ~ October 27, 2004

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Attachment 2