GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director OP

DATE: January 04, 2005

SUBJECT: BZA Case #17263, Special Exception Request

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I. OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

The Office of Planning recommends this application be approved.

II. APPLICATION-IN-BRIEF

Location	3027 Rodman Street NW, Washington DC Square 2060, Lot 33, Ward 3; ANC 3C
Applicant:	Stephen Gell, Esq. for Cynthia Ferranto, owner
Zoning:	R-2
Proposal:	Construction of a rear addition to the existing dwelling.
Relief Sought:	Special exception to §405 Side Yards, pursuant to §223.

III. AREA AND SITE DESCRIPTION – Refer to Location and Site Plans, Attachments I & II



The subject property lies within Square 2060 and faces Rodman Street NW. Privately owned lands fronting onto Rodman Street NW are mainly developed with semi-detached dwellings, with some detached dwellings and one small apartment building. There is a large apartment building with surface parking to the north of the subject lot. A large portion of the square is National Park Service (NPS) land, Melvin C Hazen Park.

The subject lot is developed with a small one story detached dwelling constructed prior to 1922. On either side are larger two to three story duplex dwellings. The NPS is the holder of easements over the rear portion of the lot, which limit development to some extent and require NPS review of any proposed development.

BZA
Case No. 17263
Exhibit No. 23

Board of Zoning Adjustment
District of Columbia
CASE NO. 17263
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IV. PROJECT DESCRIPTION

The owners wish to construct a two level plus basement addition to the rear of the existing house.

V. AREA ZONING

The front portion of the property is zoned R-2, one family detached residential. The rear portion of the property is zoned R-1-B. For the purposes of this application, there is no significant difference in zoning regulation requirements. There is a 15' building restriction line along Rodman Street – no new construction is proposed within this area.

VI. HISTORIC PRESERVATION

The subject property is in the Cleveland Park Historic District. The proposed addition was reviewed by the Historic Preservation Review Board (HPRB) on May 14, 2004 and received conceptual approval with direction to investigate lowering the addition roof and to make cleaner the juncture between the existing and proposed construction. A final approval has not been issued at this time.

VII. NATIONAL PARK SERVICE

The lot is directly adjacent to a large NPS park - Melvin C Hazen Park. The NPS is the holder of easements over the rear portion of the lot. The easements limit development to some extent, and the proposal appears to be within these limits. The easements also state that NPS has 60 days to comment on proposed development. The applicant advised that the owner submitted plans to the NPS, which as part of its first review, requested changes to the design. Revised drawings were subsequently submitted to NPS, and the owner received no further comment. OP requested additional information from the applicant, and advised the applicant that this additional information should be available for the public hearing.

VIII. REQUESTED ZONING RELIEF - refer to Project Profile, Attachment III

The proposal would require the following special exception relief pursuant to §223:

Zoning Regulation:	Proposed:
Side Yard: (§405) - 8 ft. min.	5 ft. on west side, but 3.6 ft on east side

The existing house is non-conforming, in that it provides side yards of 5 feet on the west and 3.6 feet on the east. Although §405.9 of the Zoning Regulations state that a side yard of 8 feet minimum is normally required on each side of a detached dwelling, §405.8 states that for a house which has a side yard of less than 8 feet and was constructed prior to 1958, an addition is permitted provided the side yard is not further reduced in width and that the side yard width be at least 5 feet. As the existing house was constructed prior to 1958, the addition is proposing to extend the sidewalls of the house, the addition would provide a side yard of 5 feet on the west (for which relief is not required, pursuant to §405.8), and 3.6 feet on the east, for which relief is required. §223 permits BZA review and approval of this non-conformity, provided it meets the following tests:

§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) The light and air availability to neighboring properties shall not be unduly affected;

Complies: The addition provides the required setback on the west side. Adjacent dwellings provide side yards, and are considerably larger and taller than the proposed addition. The proposal maintains the front yard and a larger than required rear yard, further minimizing potential impacts. The neighbors on both sides have submitted letters of support (Attachment IV). As such, the proposed addition should not unduly impact light, air, or privacy for adjacent properties.

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

Complies: The proposed addition is generally in line with adjacent development. Although there are new windows on the sides of the addition, and there are also windows on the sides of the adjacent semi-detached dwellings, the provision of a 5' rather than the proposed 3.5' setback would have no significant impact on the privacy or use of neighboring lots. As noted above, both adjacent neighbors have submitted letters of support.

(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;

Complies: Although the addition is taller than the existing house, it is well below permitted height in this zone, and is well set back from the street and partially screened by the existing structure, which minimizes potential visual impacts. Adjacent semi-detached dwellings are taller and larger than the house with the proposed addition would be, so it would be more, not less, in keeping with the prevailing streetscape scale and character.

(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.

Complies: The applicant has provided plans, elevations, site sections, and photographs.

§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 ...

Complies – the lot occupancy with the addition was calculated by the applicant to be 35%.

§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.

As noted above, the HPRB requested that the applicant investigate stepping the roof down where the addition meets the existing house, to further reduce potential visual impacts. While this would not impact the requested variance, the Board may wish to make its approval subject to the applicant obtaining final HPRB approval as this could further minimize potential impacts on the streetscape in accordance with §223.2 (c). The Board may also wish to make approval subject to NPS review as required by the easement. OP also suggests that the applicant examine the exact placement of windows along the side walls, to minimize windows which face directly into those of adjacent houses, to lessen potential privacy issues.

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

The proposed addition would not alter the permitted use of the site as a single-family dwelling.

IX. COMMUNITY COMMENTS

Advisory Neighborhood Commission (ANC) 3C considered this item at its May 17, 2004 meeting, and unanimously voted to support the application.

The Cleveland Park Historical Society's Architectural Review Committee indicated no objection to the proposal at its meeting of May 10, 2004.

The applicant has submitted a petition indicating support for the proposal by a number of neighbors, including the owners of the adjacent lots.

X. OTHER AGENCY COMMENTS – refer to Attachment V

OP has received no other Staff comments at this time.

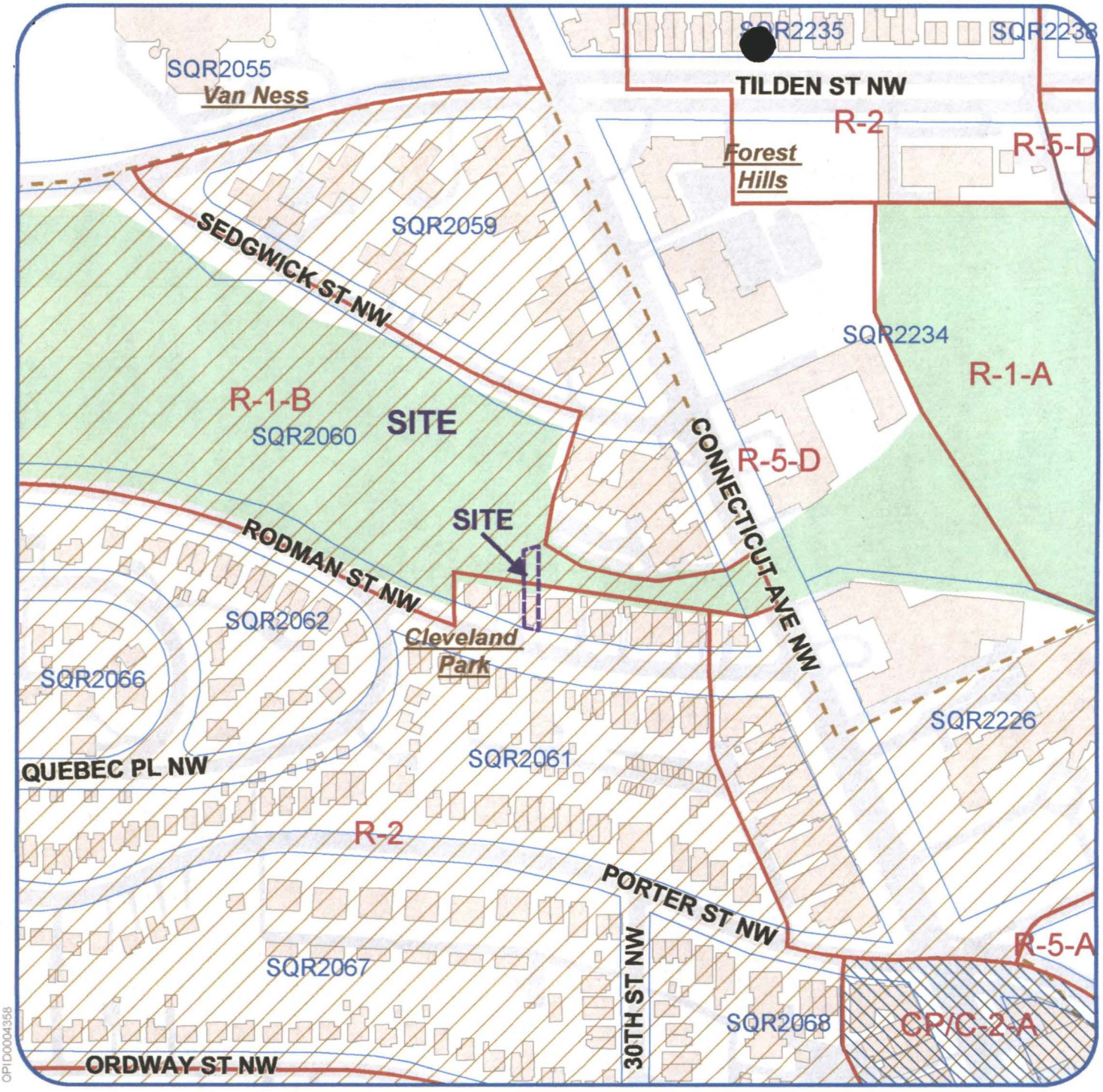
XI. OP SUMMARY RECOMMENDATION

The Office of Planning recommends that the BZA approve the special exemption request. This recommendation is consistent with the Comprehensive Plan and Generalized Land Use Map, and would not undermine the integrity of the Zoning Regulations.

AA/jl

ATTACHMENTS:

I. Context Plan
II. Site Plan
III. Project Profile



Legend

- Property Squares
- Zoning Districts
- Parks
- Cleveland Park Overlay District
- Cleveland Park Historic District

Location Plan - BZA Case # 17263
3027 Rodman St. NW - LOCATION PLAN

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District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ December, 2004

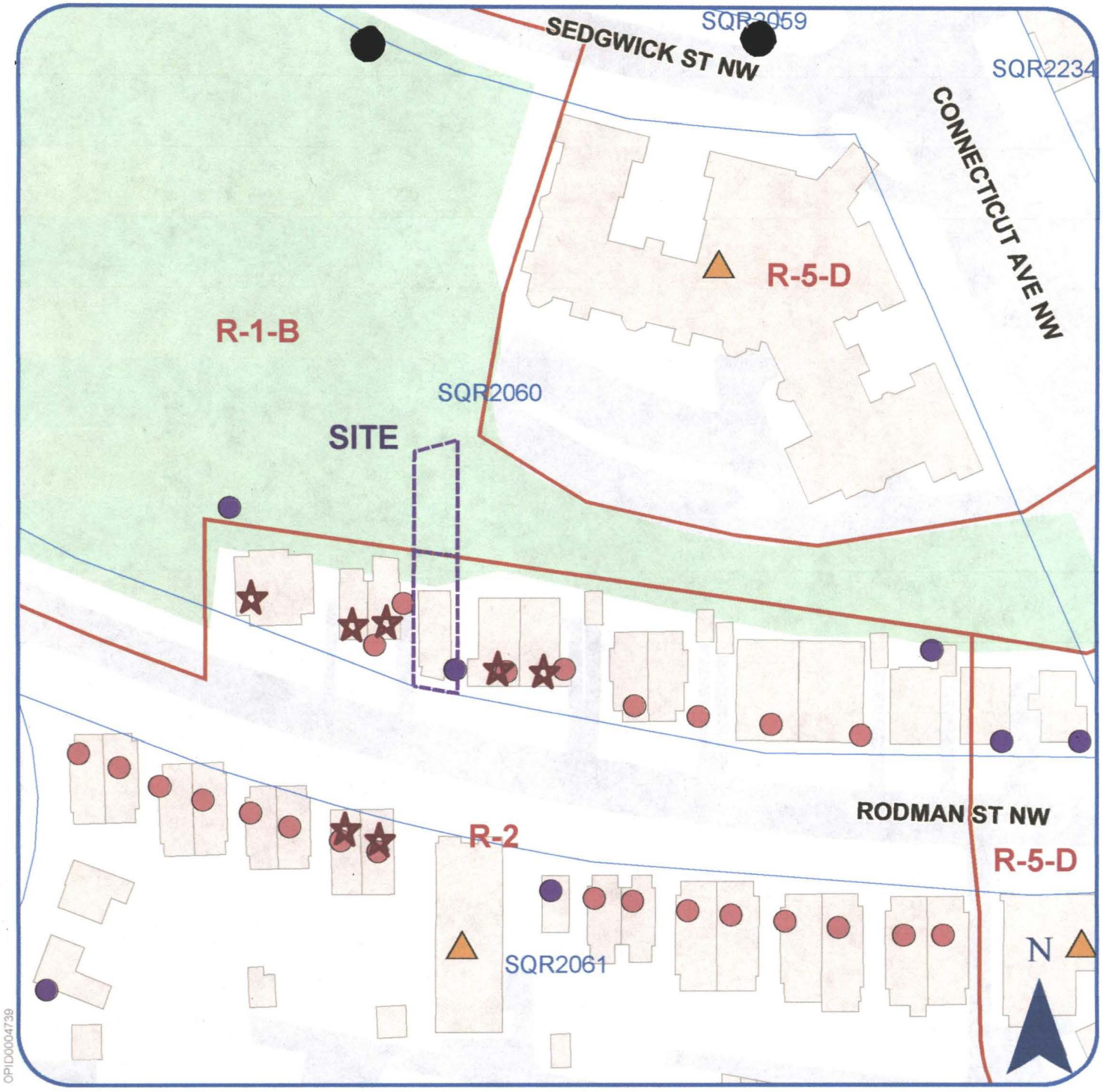
This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Feet
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Attachment I



Location Plan - BZA Case # 17263
3027 Rodman St. NW - SITE PLAN

Legend

- Property Squares
- Zoning Districts
- Buildings
- Parks

Land Use

- SF Detached
- SF Semi-Detached
- Multi-family

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Attachment II

Standard	R-2 Zone Regulations	R-1-B Regulations	Existing[1]	Proposed[1]	Variance
Dwelling Type:	Detached or row dwelling or flat	Detached dwelling	Detached dwelling	Detached dwelling	Conforming
Height	40 ft. max	40 ft. max	13 feet	23 feet	Conforming
(§400)	3 stories	3 stories	1 + basement	2 + basement	Conforming
Lot Area (§401)	4,000 sq.ft. min.	5,000 sq.ft. min.	3,213 sq.ft.	unchanged	Existing non-conforming
Lot Width (§401)	30 ft. min.	50 ft. min.	25.8 ft.	unchanged	Existing non-conforming
Floor Area Ratio: (§402)	n/a. [2]	n/a. [2]			
Lot Occupancy: (§403)	40% max (1,285 sq.ft.)	40% max (1,285 sq.ft.)	24% (771 sq.ft.)	35% (1,125 sq.ft.)	Conforming
Rear Yard: (§404)	20 ft min.	25 ft min.	68.3 ft.	47.5 ft.	Conforming
Front Yard:	not required[3]	not required	15' to house; approx. 10' to porch	unchanged	conforming
Side Yard: (§§405.8 / 405.9)	8 ft. min.[4]	8 ft. min.	west – 5 ft. east – 3.6 ft.	west – 5 ft. east – 3.6 ft.	**S.E. required – non-conforming east side yard being extended**
Parking: (§2101.1)	1 min. on-site	1 min. on-site	0	0	Existing non-conforming

1 Information provided by the applicant.

2 This zone does not establish a maximum FAR.

3 There is, however, a 15 foot building restriction line along Rodman Street NW.

4 This may be reduced to as little as 5 feet for an existing house with a side yard of less than 8 feet.