GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Ellen M. McCarthy
Interim Director

DATE: February 8, 2005

SUBJECT: BZA Application 17287 - Request filed for **a special exception** to permit a building addition to an existing one-family row dwelling at 1542 First Street, N.W., proposed by Robin Epstein

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APPLICATION
Application of Robin Epstein for:

> **Special exception relief pursuant to § 223 of Title 11 DCMR** to permit a building addition to an existing one-family detached dwelling not in conformance with § 401.3, Minimum Lot Dimensions, §403.2, Lot Occupancy and § 404.1, Rear Yard

for property located on the west side of First Street, N.W., between P Street and Q Street, Square 552, Lot 199.

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

PROJECT DESCRIPTION
The applicant proposes to construct a two-story building addition. This building addition requires special exception relief to:

1. Increase the lot occupancy from 64.09 percent (existing) to 69.54 percent;
2. Reduce the minimum rear yard from 15 feet to 7.5 feet (12.5 feet existing); and
3. Reduce the minimum lot area from 1,800 square feet to 1,100 square feet (existing).

BZA
Case No. 17287
Exhibit No. 22

Board of Zoning Adjustment
District of Columbia
CASE NO. 17287
EXHIBIT NO. 22

The building addition replaces a one-story screened-in porch DCRA required the applicant to remove. The proposed building addition extends one foot further into the rear yard than did the porch.

SITE AND AREA DESCRIPTION

The subject property consists of Lot 199 of Square 552, in the North West quadrant of the District. It is 1,100 square feet in area, has a lot width of 20 feet and is rectangular in shape. It is improved with a 2-story one-family row dwelling constructed in 1909.

The surrounding area is developed with a mixture of residential uses, including row houses, multi-family buildings and single-family detached dwellings. To the north, south and west are row houses. To the east, across First Street, are multi-family buildings and a single-family detached dwelling. All surrounding properties are located within the R-4 Zone District. On the north side of Q Street is multi-family housing within the R-5-B Zone District.

The area has been identified on the Generalized Land Use Map as being 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 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 into dwellings for two (2) or more families*". (§ 330.1)

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 as a matter of right, the R-4 Zone District, as per § 330.5(a) of the Zoning Regulations. The subject property also does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and

2001.3, specifically § 401.3, Minimum Lot Dimensions, § 403.2, Percentage of Lot Occupancy and § 404.1, Rear Yard. Therefore, the proposed addition may be permitted as a special exception if approved by the Board of Zoning Adjustment.

"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 building addition will provide for a new kitchen and an expanded master bedroom and bath on the first and second floors of the dwelling. It will be located at the rear of the dwelling, in a location approximate to a former one-story screened-in porch. The proposed addition will have minimal impact on the properties to the north, south and west, the ones from which the proposed addition will be visible. The building addition will extend out from the existing structure approximately the same distance as the former porch and also a distance similar to other existing rear porches within the square. The only property that the subject property is located to the west of, the general direction from which afternoon sun is derived, is located across First Street. The proposed addition will not be visible from First Street.

A minimum rear yard of 7.5 feet will be provided. The combination of the proposed rear yard with the existing side and rear yards to the west will ensure that light and air are not unduly affected. Therefore, light and air to neighboring properties will not be unduly affected.

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

The proposed building addition will contain no windows on either side, preserving the privacy of the adjoining properties to the north and south. The property to the rear is improved with a semi-detached dwelling. However, this dwelling is set back from the common lot with the subject property by 10 feet, in excess of its minimum required side yard of 8 feet. The combination of the proposed 7.5-foot rear yard on the subject property and the minimum required 8-foot side yard on the adjoining property to the west results in a minimum separation of 15.5 feet, reducing the impact that the proposed application will have on the property to the west. In addition, the windows of the proposed addition will look out on the rear yard of the adjoining property to the west, and not

into the windows of that dwelling. Therefore, the 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 addition will be visible from Q Street only. It is proposed to be located in approximately the same location as the former one-story screened-in porch. Although larger, the proposed addition is to be located in approximately the same location as the porch, and is designed to appear residential in character. Therefore, it will not substantially visually intrude upon the character, scale and pattern of houses along the street or alleys.

(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 69.54 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.*

The Office of Planning does not make any special treatment recommendations.

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

A one-family row dwelling is a use 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 5 Element:

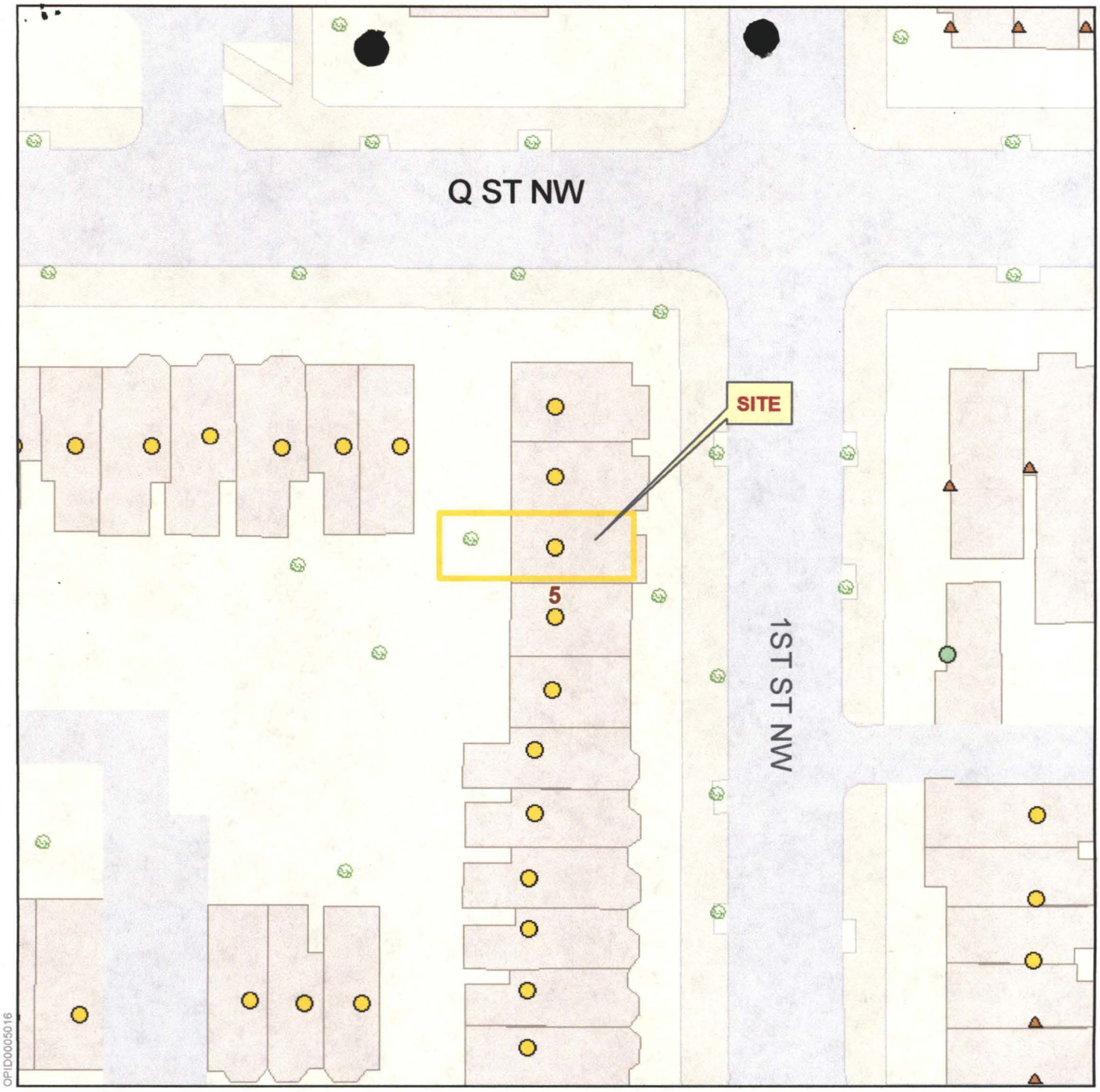
"*Promote and enhance the stability of residential neighborhoods;*" (§ 1629.1(a))

COMMUNITY COMMENTS
ANC 5C did not respond to requests from the Office of Planning for comments.

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.

EMM/sjm$_{AICP}$



BZA APPLICATION NO. 17287
1542 First Street, N.W.

Feet

N

0 20 40 60

- Rowhouse
- Multi-family
- Single-Family Detached



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

Office of Planning ~ January 24, 2005

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.