GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for
Ellen McCarthy
Director

DATE March 14, 2005

SUBJECT: BZA Application **17294**
326 Second St., S.E.

APPLICATION
Application of Patrick J. Brown, Jr., pursuant to 11 DCMR § 3104.1, for a special exception to allow a two-story rear addition to an existing single-family row dwelling under section 223, not meeting the lot occupancy requirements (section 403), in the CAP/R-4 District at premises 326 2nd Street, S.E. (Square 763, Lot 30).

SUMMARY RECOMMENDATION
The Office of Planning **recommends approval** of the special exception from the lot occupancy requirements in accordance with the provisions of Section 223.

SITE DESCRIPTION
The subject property is located on the southwest corner of Square 763. The square is bounded by 3rd Street to the east, C Street and Folger Park to the south, 2nd Street to the west, and D Street to the north. The site is currently developed with a two-story, semi-detached dwelling. The site and surrounding area's underlying zone is R-4, overlaid by the Capitol Interest Overlay District (CAP).

PROJECT DESCRIPTION
The applicant is proposing a two-story addition to the rear of the existing property. The residence is a non-conforming structure, not meeting the lot area requirement of 3,000 square feet and the lot occupancy of 40% for a semi-detached row dwelling in the R-4 District. The proposed area of the new addition is 315 square feet (17.5' x 18'), which would increase the lot occupancy of the residence from 43% to 65%. An existing shed at the rear of the property (which increases the lot occupancy to 57%) would be removed to comply with the required rear yard measurement of 20 feet and subsequently reduce the lot occupancy.

BZA
Case No. 17294
Exhibit No. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 17294
EXHIBIT NO. 27

BZA # 17294
326 Second Street. S.E. - Lot Occupancy (223)

Lots 29 and 30 are developed with two brick residences, which were combined in the early 1980's to create a single residence. Due to a recent 2004 subdivision, the properties were reverted to its pre-1980's configuration and the subject property was left without a kitchen. The new addition is designed to accommodate a kitchen on the first floor and a master bedroom on the second floor for the property at #326.

ZONING REQUIREMENTS
The applicant is requesting a special exception from the lot area, and lot occupancy requirements, to allow an addition to a nonconforming structure (§§401, 403 and 404) devoted to a conforming use. The structure is a semi-detached dwelling as defined by **Section 199** of the Zone Regulations. Therefore, the requirements are as follows:

Section	Item	Required	Existing	Proposed	Deviation
401	Lot Area	3,000 square feet (minimum) semi-detached dwelling	1458 square feet	1,458 square feet	-1542 sq. feet
403	Lot Occupancy	40% (583 sq. ft.)	43% (630 sq. ft.)	65 % (945 sq. ft.)	62% over the required or 50% over the existing
404	Rear Yard	20 feet	0 feet	20.9 feet	N/A

Table 1

The above calculations are determined based on the residence only, since the shed would be removed to meet the rear yard requirement.

Since the structure is also in the CAP Overlay District, an application for a special exception in this District must comply with the requirements of Section 1202.

Special Exception Relief

Relief may be granted from the requirements of §§401, 403 and 404, under Section 223, if the lot occupancy of the dwelling does not exceed 70% in the R-4 districts. The proposal does not expand the overall lot occupancy beyond the 70% maximum.

The proposed addition must satisfy the standards as identified in §223.2 as follows:

(a) *The light and air available to neighboring properties shall not be unduly affected.*

The proposal includes a two-story rear addition, which would extend approximately 18 feet from the rear of the existing residence. Currently, a single story addition at the rear of the abutting property extends approximately 9 feet beyond the subject property, and the proposed addition would extend 8'10" beyond the abutting property's addition.

The subject addition would remove a south-facing window of the residence at #324. According to the applicant, the property owner at #324 has agreed in writing to support the proposed addition.[1] The properties in this square are aligned east to west and there are

[1] The subject property was purchased from the previous owner of both lots.

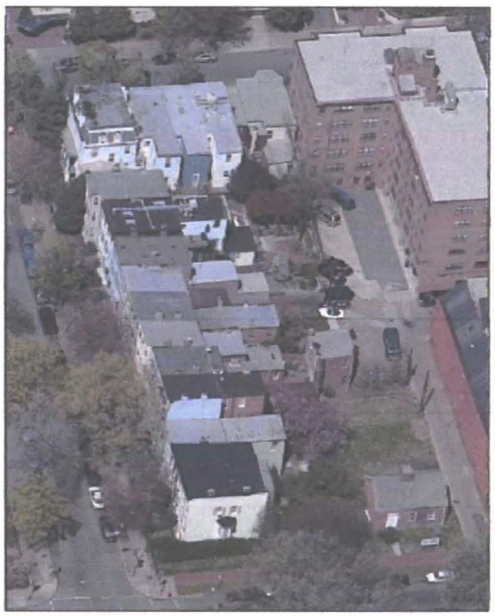
additional windows facing east and north on the single story addition at #324, which minimize the loss of light and air to that property. Further, as row dwellings, any addition to either abutting property, which does not maintain a side yard or court, would require a firewall without windows as a party wall.

Therefore, OP believes the extension would have minimal effect on the neighbor's light and air.

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

The proposed addition would not cause visual encroachment to neighboring properties. The wall, which would abut the most affected property owner, proposes no windows, so privacy will not be affected 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 subject property is located in the Capitol Hill Historic District, which is subject to review by the Historic Preservation Review Board (HPRB). Since the home is located on a corner lot, the rear addition would be visible along D Street and Folger Park.

The proposed addition was reviewed by the Historic Preservation Review Board and was determined to be "compatible with the character of the historic district in terms of its height, massing fenestration and general materials use." In addition, "the overall design is appropriate for a corner rear addition whose side and rear elevations are fully visible from the street."

OP relied on HPRB's review and supports their recommendation as stated in its January 27, 2005 staff report. (Attached)

OP believes that the addition would not be out of character with other rear yard additions along 2nd Street.

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

Section 1202 Special Exceptions (CAP Overlay District)

The BZA shall consider proposed development including special exceptions in any Cap Overlay District. The proposed development must be:

(a) Compatible with the present and proposed development of the neighborhood,
(b) Consistent with the goals and mandates of the Master Plan of the Capitol Grounds and Related Areas, and
(c) In accordance with the plan promulgated under the Legislative Branch Appropriation Act, 1976.

The application was forwarded to all relevant District departments, and agencies as required under Section 1202.2. The application met the requirements of the HPRB as previously stated and the Architect of the Capitol also believes that the request would create no adverse effect on the Capitol Complex or the Master Plan referred to in Sections 1202.1 (b) and (c). (Attached)

OP has not received comments from the District Department of Transportation or the Department of Housing and Community Development.

Therefore, due to the various levels of reviews required of the application, OP believes that no further special treatment or imposition of conditions are necessary by the Board as may be required by Section 1202.4

AGENCY and COMMUNITY COMMENTS

Since the property is within the Capitol Hill Historic District, conceptual drawings were reviewed by HPRB and the proposal was unanimously approved. The applicant also met with the Capitol Hill Restoration Society Historic District Committee "to refine the design to achieve a compatible project."

The Architect of the Capitol also submitted that the proposed addition would create no adverse effect on the Capitol Complex or the Master Plan referred to in 11 DCMR 1200.1.

The application would be presented to the ANC 6B at its regularly scheduled meeting on March 8, 2005.

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 a special exception to permit the expansion of the nonconforming structure at 326 2nd Street, S.E.

The property was previously subdivided in the 1980's to create a single residence with the abutting property at Lot 29. The properties have since been re-subdivided to its original state and the proposed addition would include a kitchen and bedroom for the re-created residence. The property would not exceed the maximum allowable lot occupancy of 70% prescribed by the provisions of §223.

Therefore, OP believes that 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 and **recommends approval** of the special exception by the Board.

Attachments:

1. HPRB Staff Report and Recommendation – January 27, 2005.
2. Architect of the Capitol – January 27, 2005.

SQUARE: 0763
LOT: 030
Zoning: CAP(Capitol Interest District)/R-4

FAR: Not to exceed 1.8

Percentage of Lot
Occupancy: 60%**

Calculations:

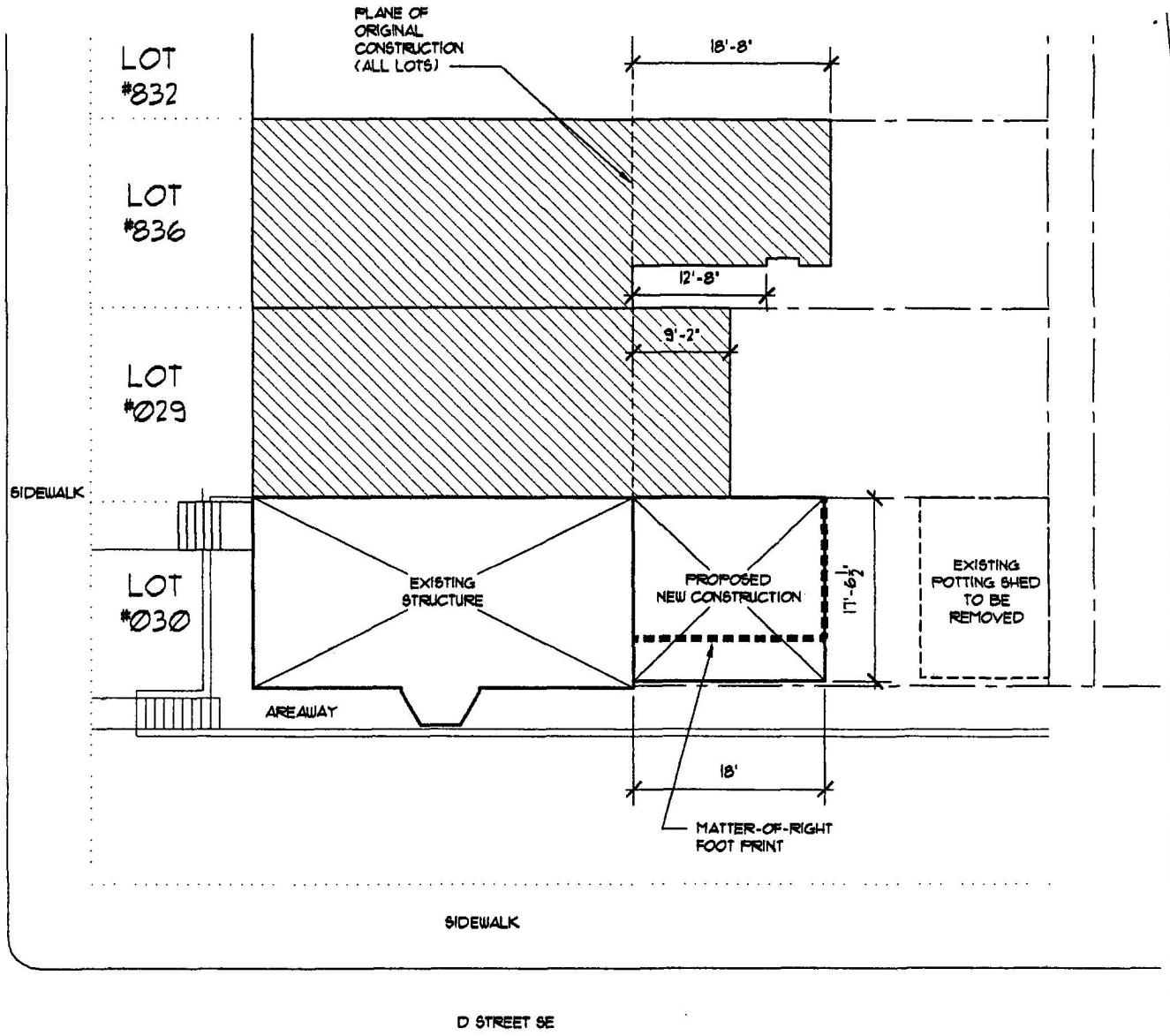
Lot Area: 1458 s.f.

Existing Lot Occupancy Percentage:
Residence: 18 ft. x 35 ft. = 630 s.f.
Potting Shed: 11.25 ft. x 12 ft. = 207 s.f.
Total: 630 s.f. + 207 s.f. = 837 s.f.
837/1458 x 10 = 51% Lot Occupancy

Proposed Lot Occupancy Percentage:
Residence: 18 x 53' = 954 s.f.
Potting Shed: Removed
954/1458 x 10 = 65% Lot Occupancy

FAR:
1458 s.f. (Lot Area) x 1.8 = 2624.4 s.f. Maximum Area
18' x 35' (Existing)= 630 s.f.
18' x 53' (Proposed) = 954 s.f.

630 s.f. (Lower Level)
+ 954 (First Floor)
+ 954 (Second Floor) = 2538 s.f. Total Proposed



SITE PLAN - PROPOSED RENOVATION & ADDITION

SCALE: 1/16"=1'-0"

AMENDMENT TO
BZA CASE NO. 17294
FEB. 3, 2005

Mr. & Mrs. Patrick Browne - 326 SECOND STREET SE - Washington, DC

HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION

Property Address:	**326 Second Street, SE**		Agenda
Landmark/District:	**Capitol Hill Historic District**	X	Consent Calendar
		X	Concept Review
Meeting Date:	**January 27, 2005**	X	Alteration
H.P.A. Number:	**05-108**		New Construction
Staff Reviewer:	**Emily Paulus**		Demolition
			Subdivision

The applicant, architect Michael Ray for owner Patrick Browne, Jr., seeks conceptual design review for construction of a rear addition to a corner property in the Capitol Hill Historic District. The side and rear elevations would be visible from D Street, SE.

The property is located at the northeast corner of the intersection of Second and D Streets, SE, across from Folger Park. The HPRB recently approved three new townhouses directly to the east, which are nearly complete. The property includes a 2-story, brick, Italianate-style house constructed sometime in the 1870s and a later, non-contributing potting shed in the rear yard. The property was, at some point, internally connected to the adjacent sister property at #324 to create one large structure. A developer recently re-separated the two structures, leaving the property at #326 without a kitchen, which has been housed within #324 since the time the two properties were joined. The new addition would house a kitchen on the first floor and a master bedroom on the second floor.

The proposal calls for an addition that would extend from the east (rear) elevation of the house, along D Street. Measuring 18 feet in length and 17 feet in width, the addition would stand two stories in height. On the south (side) elevation, the brick ground floor would be largely obscured by the sunken grade, as well as the existing retaining wall and fence. The first floor would include a painted wood pilaster system topped by a broad entablature; three large multi-light windows with wood paneling beneath would be evenly-spaced on the façade. The second floor would be clad in stucco and include three multi-light windows topped by flat transoms. The first floor pilaster treatment would wrap around a portion of the east elevation, with the remaining first and second floors clad in stucco with punched windows. A stair would extend from the first floor to provide access to the rear yard.

Evaluation and Recommendation

Overall, the proposal is compatible with the character of the historic district in terms of its height, massing, fenestration, and general materials use. The slight recess from the main block on the south elevation and the stepping down of the height are effective in clearly differentiating the old construction from the new construction, while the overall design is appropriate for a corner rear addition whose side and rear elevations are fully visible from the street. The architect has worked closely with both the staff and Capitol

Hill Restoration Society's Historic District Committee over the past month, refining the design several times to achieve a compatible project.

Zoning Relief

The project will require zoning relief in the form of a special exception to increase the existing 57% lot occupancy to 65%. The proposed lot occupancy, however, is not inconsistent with that of other nearby properties.

The staff recommends that the Review Board approve the project in concept as consistent with the purposes of the preservation act, and delegate final approval to staff; however, any endorsements or approvals should not be construed to constitute an endorsement for the necessary zoning variances or zoning relief.

THE ARCHITECT OF THE CAPITOL
1793

Washington, DC 20515

January 27, 2005

RECEIVED
D.C. OFFICE OF ZONING
2005 FEB -2 PM 2:57

Ms. Jerrily Kress, FAIA
Director
District of Columbia Office of Zoning
441 4th Street NW
Suite 210 - South
Washington, D.C. 20001

Re: BZA Application 17294 - 326 D Street SE

Dear Ms. Kress:

This responds to your referenced Memorandum dated January 13, 2005, requesting review of this application in the light of its location in the Capitol Interest District, 11 DCMR, Section 1202 et seg.

The request of this applicant for a special exception to construct an addition to an existing structure on a non-conforming lot located in the CAP/R-4 residential zone (Section 3104.1) would create no adverse effect on the Capitol Complex or the Master Plan referred to in 11 DCMR 1200.1.

Sincerely,

Alan M. Hantman, FAIA
Architect of the Capitol

cc: Kevin Hildebrand

Doc. No. 05-01-27-13-01

BZA
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