Memorandum

To: Office of Zoning
District of Columbia

From: Mr. Patrick J. Browne, Jr.

Date: Dec. 20, 2004

Subject: BZA Application No._____
Addition/Renovation to 326 Second Street SE
Square 0763, Lot # 030

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Mr. Patrick J. Browne, Jr., owner of 326 Second Street SE wishes to be granted approval for a special exception for the construction of 17.5 feet wide by 18 feet deep first and second floor addition to the rear of the existing structure.

The proposed addition increases the lot occupancy from 837 s.f. to 954 s.f. The R-4 zoned maximum lot occupancy is 60 percent; which the proposed addition exceeds by 5 percent.

Summary:

- The application for a Special Exception qualifies per DCMR Title 11, Section 223 as the proposed lot occupancy does not exceed 70 percent (11 DCMR 223.3) and the proposed addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).

- The proposed addition extends the first and second floors 18 feet from the rear of the existing structure. An existing one-story potting shed, currently located on the rear lot line boundary will be removed from the property, re-establishing DC Zoning regulated setback.

- As a matter-of-right per DC Zoning Regulations, a three-story addition measuring 13.5 feet from the rear of the existing structure is permitted.

- The proposed addition does not exceed the length of an existing rear addition located on Lot #836 (two lots to the north).

- The intended use of the addition (and existing structure) is as a primary residence for the owner/applicant.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17294
EXHIBIT NO. 7

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Basis for Grant of Special Exception

- DCMR Title 11 Section 223 permits application for Special Exception, and relief from R-4 zoned lot occupancy percentage based on specific provisions and criteria as stated. :

> *223.1.1 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 applicable area 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 rear addition to the first and second floors does not comply with Lot Occupancy Percentage Zoning Regulation for R-4 Residential district.

> *223.3 The lot occupancy of the dwelling or flat, together with the addition, shall not exceed fifty percent (50%) in R-1 and R-2 or seventy percent (70%) in R-3, R-4, R-5 districts.*

The proposed rear addition will increase the lot occupancy percentage from 57 percent to 65 percent which exceeds the matter-of-right lot occupancy percentage by 5 percent. An approved application for Special Exception, however, permits up to a 70-percent lot occupancy percentage in R-4 residential districts.

> *223.2 The addition shall not have a substantially adverse affect [sic] 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 light and air available to neighboring properties shall not be unduly affected by this project. As a matter-of-right, a three-story addition, measuring 13.5 feet from the rear of the existing structure, is permitted. The proposed addition measures 18 feet from the rear of the first and second floors of the existing structure.

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

The proposed addition does not contain windows or views toward adjacent properties to the north.

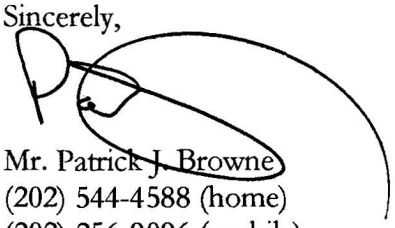
c) The addition, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and

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 drawing sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

The proposed addition is located on a corner property lot, therefore the addition and its architectural character and scale will conform to the pattern of houses along the subject street frontage. Attached with this application are photographs, elevation drawings, elevation renderings, and a site plan illustrating the relationship of the proposed addition and its relationship to adjacent buildings and existing neighborhood character.

If you require any further clarification, or have any questions regarding the attached application, please feel free to contact me at any time. Thank you for considering the approval of this application.

Sincerely,



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