GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy, Interim Director

DATE: April 12, 2005

SUBJECT: BZA Case No. 17301
George Giagtzogluo/ Sarah Simmons

2005 APR -5 PM 5:02

APPLICATION

The application by George Giagtzogluo and Sarah Simmons pursuant to 11 DCMR 3104.1, for a special exception pursuant to Section 223 to allow a rear addition to a one-family dwelling in the R-1-B District.

RECOMMENDATION IN BREIF

The Office of Planning recommends **approval** of the requested special exception.

SITE AND AREA DESCRIPTION

The subject property is in the Chevy Chase Neighborhood of Ward 3, located at 5717 Chevy Chase Parkway, N.W., Square 1999, and Lot 78. Oliver Street bounds the site to the north, Northampton Street to the south, Nevada Avenue to the east and Chevy Chase Parkway is to the west. The subject structure is on the east side of the block, almost at mid-point. There is a 15-foot public alley serving the subject block. Across the alley are backyards of residential structures that front on Nevada Avenue.

The subject lot is improved with a two-story single-family brick detached dwelling with basement. The structure was built in 1926. The property slopes sharply from front to back. There is a patio at the rear of the dwelling that is accessible from the basement. There is also a wooden deck on the first level of the dwelling above the patio. Because the property slopes sharply from front to back, the proposed addition and the existing deck are more than 4 feet above the grade of the property. Both areas count towards the lot occupancy. (See site map)

BZA
Case No. 17301
Exhibit No. 23

Board of Zoning Adjustment
District of Columbia
CASE NO. 17301
EXHIBIT NO. 23

PROPOSAL

The applicant proposes to construct a one-story addition to the south side of the subject dwelling. The proposed addition will replace an existing greenhouse that is structurally unstable and not in character with the architectural style of the house. The new addition will measure 5 feet in width by 13.6 feet in length and will only increase the building occupancy by approximately 68 square feet. It will allow the applicant to correct a structural problem and slightly expand the size of the kitchen.



Existing west elevation



Illustration of west elevation



Existing east elevation



Illustration of east elevation

ZONING ANALYSIS

The subject dwelling is in the R-1-B District, a district that is designed to protect quiet residential areas now development with one- family detached dwellings and adjoining vacant areas likely to be developed with similar uses. The R-1-B Zone is a high-density district.

405 SIDE YARDS

The subject structure is nonconforming, not meeting the minimum side yard zoning requirements of 8 feet. The existing side yard on the south side of the structure (where the addition is proposed) is 4.3 feet. The new addition will reduce the existing side yard to 3.2 feet. Therefore, since the existing side yard does not comply with the requirements of §405, a special exception from the side yard requirement is required under Section 223 of the Zoning Regulations.

ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1)

223.1An 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 sections 401, 403, 404,405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Section 3104, subject to the provisions of this section.

223.2 The addition shall not have a substantial adverse affect on the use or enjoyment of any abutting dwelling or property, in particular:

Will the proposed addition unduly affected light and air available to neighbor ion properties?

No. The new one-story addition will be located on the south side of the subject structure and will have no affect on air and light to neighboring properties. Structures on the subject block are oriented east west, directions that are favorable for air and light provisions.

Will the proposed addition be unduly compromise the privacy of use and enjoyment of neighboring properties?

No. The area where the new addition is proposed already is improved with a greenhouse, so neighbors are familiar with development on that portion of the structure. Once the greenhouse is demolished, the proposed kitchen enlargement will only project 1.1 foot further into the side yard and 5.6 feet towards the front of the property, than the existing greenhouse.

The area where the new addition is proposed is partially shielded from view at the front of the property on Chevy Chase Parkway, behind a 6-foot wooden fence with gate. The fence also extends between the subject structure and the adjoining dwelling to the south, which reduces view of the addition in that area of the property. There are large hedges in the front yard of the subject property along the south property line that reduces view where the addition is proposed. There are also mature evergreen trees inside the adjoining southern property line, beyond the hedges that further blocks view of the new addition. The trees will also contribute to increasing the privacy of use and enjoyment of neighboring properties.



West view of subject structure from Chevy Chase Parkway

Will the addition, together with the original building, as viewed from the street, alley, and other public way, substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage?

No. The new addition is being designed to be compatible with the character of the subject structure. The addition will be partially visible from the front of the property. However, there is a 6-foot high wooden fence with gate that substantially reduces all but the upper portion of the addition from view. The addition will be visible from the alley and from the second floor backs of houses on Nevada Avenue. There are mature trees and a garage at the rear of the subject property that helps to minimize the view from the alley. Further, Nevada Avenue is on a lower elevation than Chevy Chase Parkway thus, the sharp grade change, along with vegetation at the rear of the subject property, and a one-story garage will also block view of the proposed addition from the alley.

The neighbors on both sides of the proposed addition, as well as neighbors on Nevada Avenue, directly behind the subject dwelling support the proposed new addition.

In demonstrating compliance with paragraphs (a) (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevations and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

The applicant provided a surveyor's plat, floor plans, elevations and photographs to represent the relationship of the proposed addition to the existing dwelling and to other neighboring properties.

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.

Maximum lot occupancy in the R-1-B District for all structures other than a church or public schools is 40%. The subject dwelling is a detached structure, which only consumes 13% of the lot. The new addition will only marginally increase lot occupancy since it will only add approximately 68 square feet to the dwelling. The subject property is eligible for use Section 223 of the Zoning Regulations, which allows maximum lot occupancy of 50% in the R-1-B 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 purposed kitchen addition is being designed to be architecturally compatible with the existing structure and the applicant will use materials that will be in character with other dwellings on the subject block. OP does not believe there is a need for the Board to impose other special treatment on this application.

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

The addition of the proposed new addition will not introduce or expand a nonconforming use.

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST

Will the special exception be in harmony with the general purpose and intent of the Zoning Regulations and Maps?

Yes. The subject structure was built in 1926, well before the enactment of the current Zoning Regulations, and therefore some aspects of the structure are nonconforming, in this case the side yard. Section 223 of the Zoning Regulations was designed to provide the opportunity for making additions to structures that qualify.

The applicant's detached dwelling is appropriately located in the R-1-B District, and the applicant plans to continue using the property for its intended single-family residential use. The proposed kitchen expansion is being built to replace an area of the dwelling that will be demolished because it is structurally unstable. The proposed new addition will enhance the quality of life for the applicant.

Will the special exception tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps?

No. The proposed new addition will not tend to adversely affect the use of neighboring property. The subject structure already have an existing greenhouse where the proposed new addition will be built, so neighbors are familiar with viewing development on that portion of the structure. The materials selected for the new addition will be in keeping with the materials used on the original structure. The new addition will be designed and constructed in a manner that will minimize any adverse affect on neighboring properties, and will be in accordance with the Zoning Regulations and Maps.

COMMUNITY COMMENTS

The applicant's proposal to enlarge the kitchen was presented to Advisory Neighborhood Commission 3G, at its March 2005 meeting. The ANC voted to support the application.

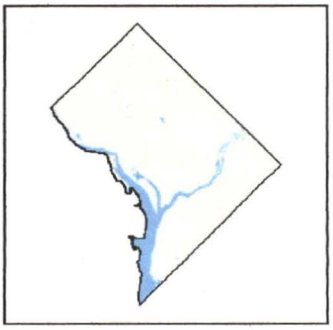
The immediate neighbors on both sides of the subject property (5713 & 5719 Chevy Chase Parkway) support the applicant's proposal to enlarge the kitchen. Further, the neighbors on Nevada Avenue (5810, 5808 and 5806) directly across the alley from the subject structure support the proposed addition.

OP RECOMMENDATIONS

The Office of Planning finds that the application satisfactorily meets all the requirements specified in Section 3104.1, and 223, and that the proposed addition will be in harmony with the general purpose and intent of the Zoning Regulations and Maps, and will not tend to adversely affect the use of neighboring property. Therefore, OP recommends approval of the special exception request for the addition to the subject property.



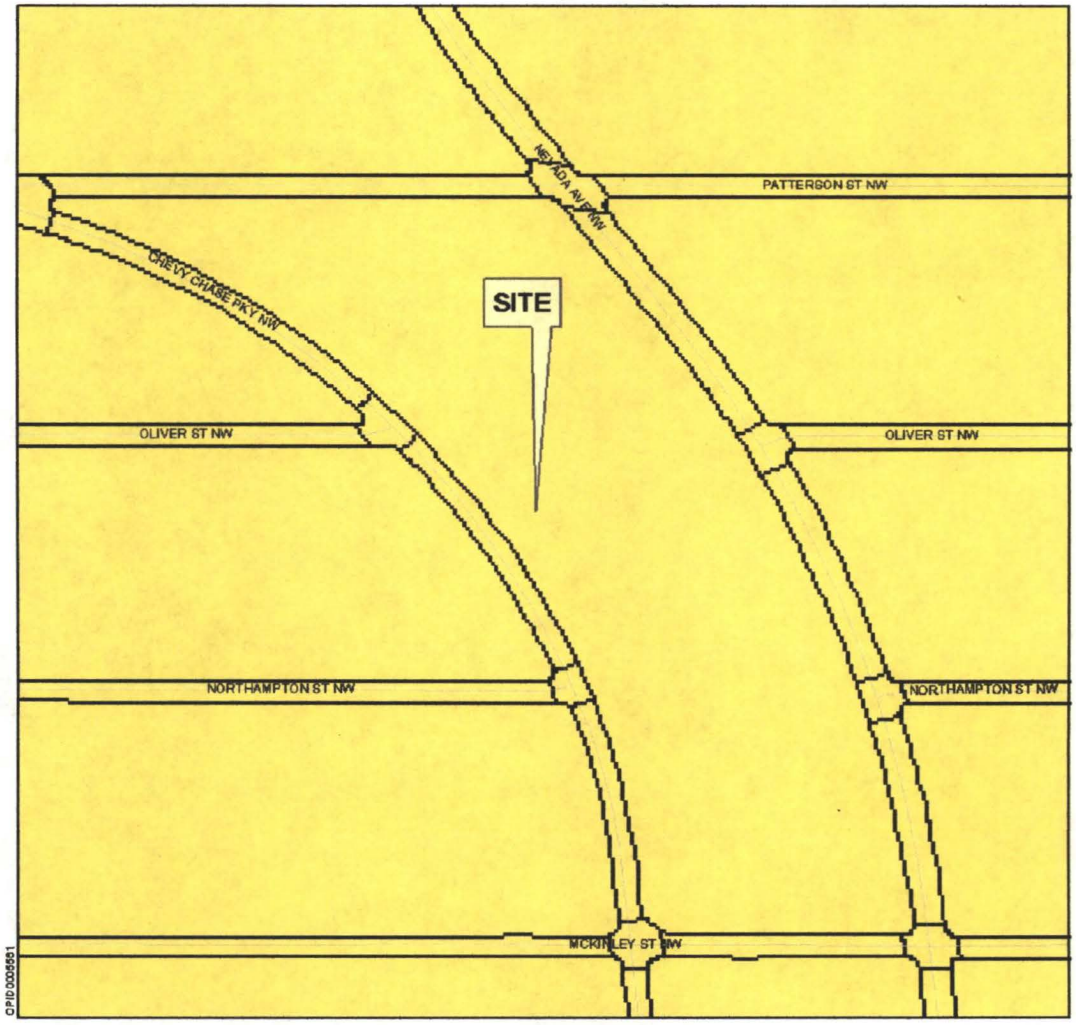
BZA Application No. 17301
West view of
5717 Chevy Chase Pkwy



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

Office of Planning ~ March 18, 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.
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Comprehensive Plan Map
BZA Application #17301
5717 Chevy Chase Pwky, NW

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Feet
0 100 200

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

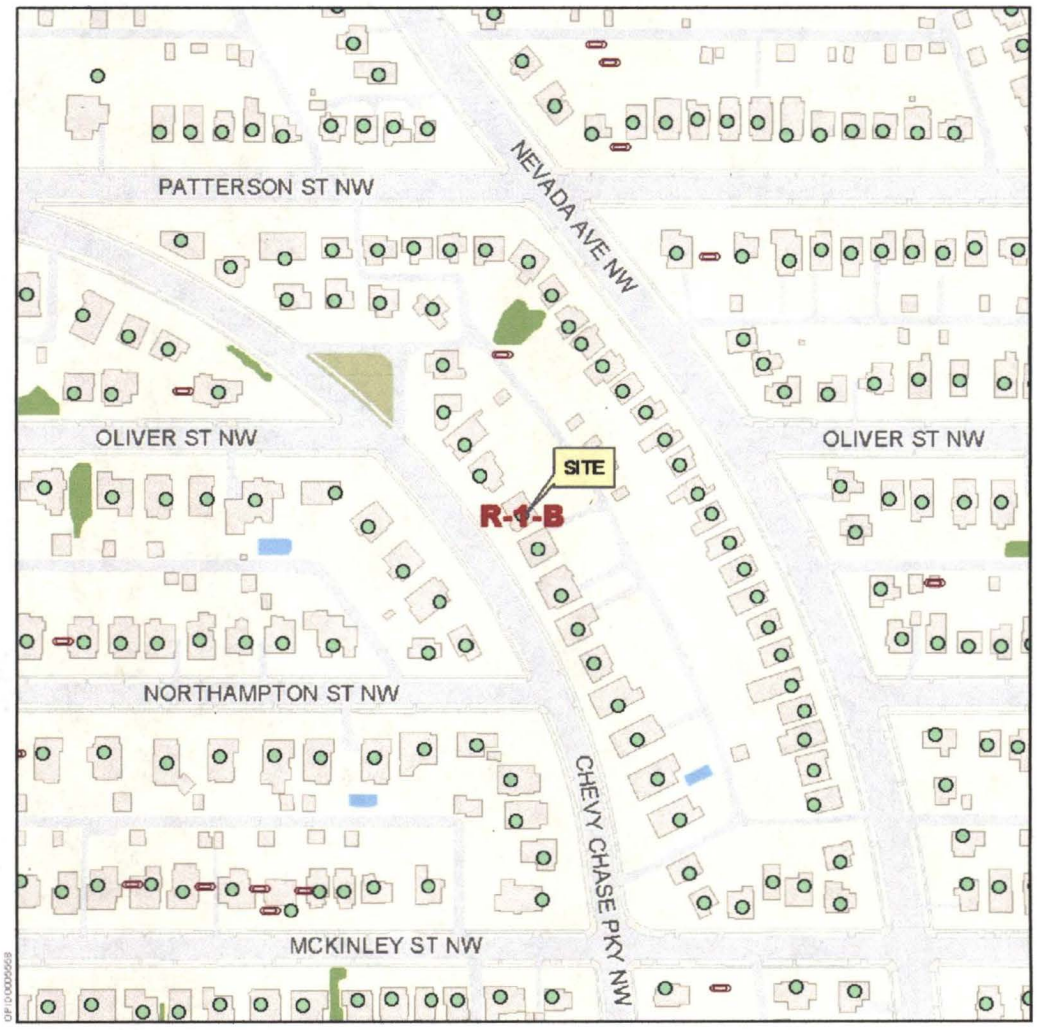
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Generalized Land Use Key

- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment

Attachment 2



Zoning and Land Use Map
BZA Application #17301
35717 Chevy Chase pkwy, NW

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Feet
0 100 200

Land Use Legend

- Non-conforming SF Use
- Rowhouse
- Single-Family Detached
- Single-Family Semi-Detached
- Resid. Garage
- Resid. Mixed Use
- Multi-family
- Multi-Resid. Garage
- Hotel - Small
- Hotel - Large
- Club
- Resid. Transient
- Store
- Restaurant
- Office
- Vehicle Service Station
- Parking - Special Purpose
- Warehouse
- Religious
- Educational
- Embassy or Chancery
- Museum, Library, Gallery
- Recreational
- Health Care Facility
- Memorial
- Special Purpose
- Vacant

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Attachment 1