GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy, Interim Director

DATE: April 26, 2005

SUBJECT: BZA Case 17314 Special Exception

APPLICATION

The application filed by Stephen W. Warren requests a special exception pursuant to 11 DCMR 3104.1, and Section 223 for a three story addition to a one-family dwelling in the R-4 District.

RECOMMENDATION IN BRIEF

The Office of Planning recommends **approval** of the application.

SITE AND AREA DESCRIPTION

The subject property is in the Mount Vernon Square neighborhood of Ward 2 located at 1002 N Street, N.W., Square 340, and Lot 71. N Street bounds the site to the north, M Street to the south, 10th Street to the east and 11th Street to the west. There is a 15.75-foot public alley on the west side of the subject property.

Moderate-density single-family row houses are the predominant uses in the northern section of the Mount Vernon Square neighborhood, where the subject property is located. The southern section of the neighborhood, (one block from the subject site) is predominantly high density residential, and mostly contains high-rise apartments.

Commercial services are northeast of the subject site between 7th and 9th Streets. There are also commercial uses southwest of the site along 14th Street. The edge of the Central Business District is conveniently located south of Massachusetts Avenue, which is two blocks from the subject site.

BZA
Case No. 17314
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO. 17314
EXHIBIT NO. 25

The subject property was improved with a semi-detached dwelling unit in 1905, prior to the adoption of the Zoning Act of 1958, therefore, the property do not comply with some aspects of the current Zoning Regulations. Most of the residential dwellings on the subject square were constructed prior to the current regulations.

PROPOSAL

The applicant proposes to build a three-story addition to the rear of an existing residential structure. The addition will add approximately 449 square feet to the subject structure. The request is being made because the applicant is increasing family size and needs more livable space.

ZONING REQUIREMENTS

The subject dwelling is in the R-4 District, a district now development primarily with row dwellings, but within which there have been a substantial number of conversions of dwellings into dwellings for two or more families.

ANALYSIS

The subject property is non-conforming because the structure was built in 1905 and does not meet the requirements in the current Zoning Regulations for lot area, lot occupancy, and rear yard as demonstrated in the table below.

ITEM	Existing	Required	Proposed	Variance
Lot Area	1,641 sq. ft	18,00 sq. ft.	1,641 sq. ft.	159 sq. ft.
Lot Width	46 ft.	18 ft.	46 ft.	N/A
Lot Occupancy	985 sq. ft. or 59.1%	60 %	1,146 sq. ft. or 68.8%	161 sq. ft. or 9.8%
Rear Yard	0	20 ft.	0	100%
Side yard	12 ft.	N/A	12 ft.	N/A

SPECIAL EXCEPTION

Pursuant to 11 DCMR 3104, the applicant is requesting a special exception under section 223 (addition to one-family dwellings), in the R-4 District, due to the non-conforming aspects of the property.

Section 223 provides relief for owners of dwellings that pre-date the Zoning Regulations. The granting of the requested special exception to allow an addition to the subject dwelling is an appropriate application of these special exception provisions.

§223.1 - An addition to a one-family dwelling or flat, where a flat is permitted, that does not comply with all the requirements of §§401, 403, 405 or 406 of this title shall be permitted if approved by the Board of Zoning Adjustment in accordance with

the conditions specified in §3104 of chapter 31 of this title, subject to the provisions of this section.
§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) Will the proposed addition affect unduly the availability of light and air to neighboring properties?

No. The proposed addition will not affect unduly the availability of light and air to neighboring properties. There is adequate space between the subject structure and neighboring properties for the sufficient passage of air. The subject dwelling and the dwelling immediately to the east are unique on the subject block because they are similar in age and style, nonconforming detached single-family structures on an otherwise row house block. The two structures are orientated north/south, with an open area between the structures of approximately 15 feet, and light entering the block from the east or the west.

(b) Will the addition unduly compromise the privacy of use and enjoyment of neighboring properties?

No. The proposed addition will be separated from the neighboring properties to the east by an open yard of at least 15-feet. The addition will also be stepped back slightly from the existing structure to reflect the period the structure was built. There is a privacy fence on the south of the subject property, (in the area where the addition is proposed) and the dwellings to the south. There are no windows proposed for the south side of the addition, facing the neighboring dwelling. There will be windows on the east side and facing the alley to the west. The applicant believes these measures will insure that the privacy of use and enjoyment of neighboring properties will not be compromised.

(c) 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 street frontage?

No. The addition will not be visible from N Street, because it will be stepped back on the east side. There is a yard of approximately 15-feet between the site of the proposed addition to the subject structure and the neighboring structure to the east. There is a privacy fence and side yards that will separate the new addition from the neighboring dwelling to the south, and there is a 15.75-foot alley between the addition and structures on the west side of the alley

(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.

The applicant presented building plans, photographs and elevations sufficient to depict the relationship of the proposed addition to adjacent buildings and views from public ways.

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 percentage of lot occupancy in the R-4 District is 60 per cent as a matter-of-right. The subject structure currently occupies 59.1% of the subject lot. The proposed addition will consume an additional 9.8% of the lot, making the combined lot occupancy 68.9%. Section 223 permits lot occupancy up to 70 per cent as a special exception.

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 new three-story addition will be in harmony with the general purpose and intent of the Zoning regulations and Maps. Additions are permitted to structures in the R-4 District if approved by the Board. The proposed addition will be compatible with the historic pattern of the dwelling and the neighborhood. The applicant will also use matching brick, open the currently bricked in windows, and keep a continuous sloping roofline along the alley.

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

No. The proposed addition will not be intrusive on the neighboring properties to the east, because the addition will be stepped back on the eastern side. The addition will not impede sunlight from entering property to the south. The west side of the addition will face the alley, thus properties to the west will not be affected by the addition. The addition is designed with no windows on the southern elevation, in order to protect the privacy of the property to the south.

COMMUNITY COMMENTS

On March 22, 2005, the applicant presented the proposed addition the Community Development Committee of ANC 2C and received support. On February 16, 2005, the applicant presented the project to citizens and members of the Board of The Blagden Alley Association, which voted to support the addition. The applicant also presented the project to the Logan Circle Community Association, which found the design compatible wit houses in the neighborhood. On March 16th, 2005, the Historic Preservation Review

Board supported the project with provisos that the applicant make every effort to restore the existing windows, and try to find a more appropriate garage door design.

OP SUMMARY RECOMMENDATIONS

The Office of Planning recommends that the Board **approve the application**. The Office of Planning finds that the applicant has satisfactorily met all the tests specified in Section 3104.1, and 223, the application 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.



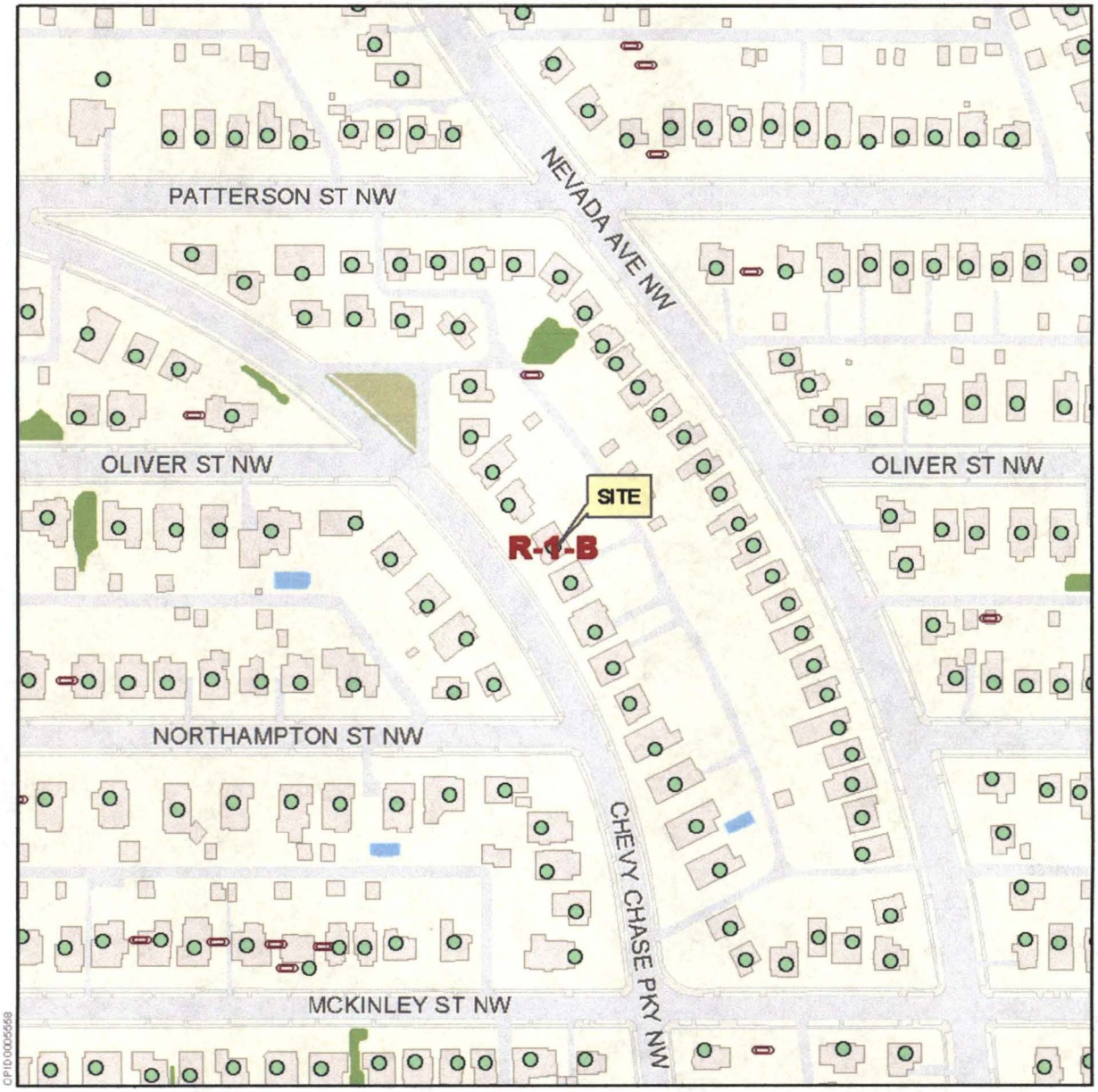
OPID0035766

BZA Application 17314
Site Map

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

Office of Planning ~ March 24, 2005

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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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Zoning and Land Use Map
BZA Application #17314
1002 N Street, NW

N

Feet
0 100 200

Land Use Legend

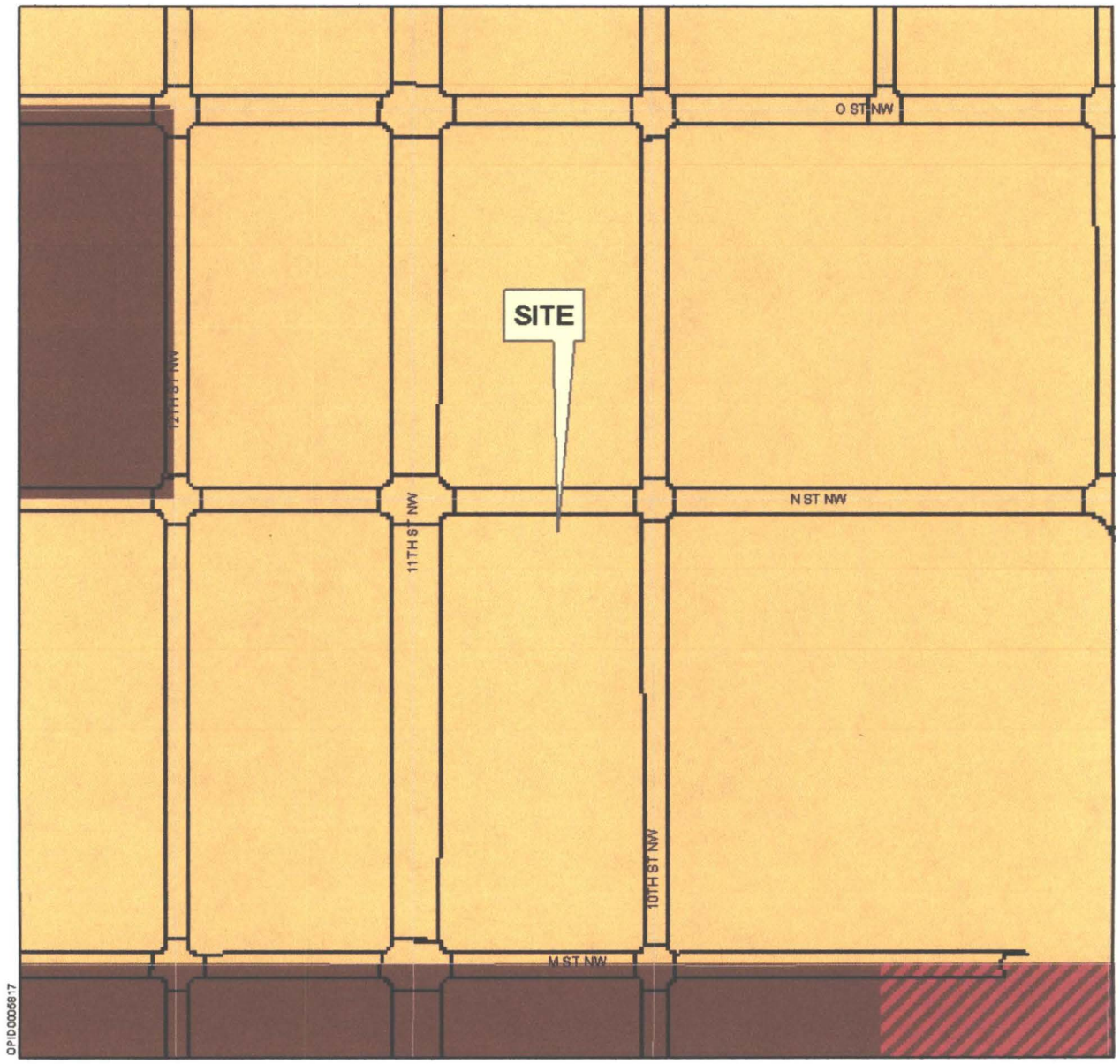
- Non-conforming SF Use
- Rowhouse
- Single-Family Detached
- Single-Family Semi-Detached
- Resid. Garage
- Resid. Mixed Use
- Multi-family
- Multi-Resid. Garage
- Hotel - Small
- Hotel - Large
- Club
- Resid. Transient
- Store
- Restaurant
- Office
- Vehicle Service Station
- Parking - Special Purpose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

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

Office of Planning ~ March 18, 2005

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Attachment 1



Comprehensive Plan Map
BZA Application #17314
1002 N Street, NW

N

Feet
0 100 200

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

Office of Planning ~ April 14, 2005

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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