GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORADUM

TO: Board of Zoning Adjustment

FROM: JLS for
Ellen McCarthy, Interim Director
Office of Planning

DATE: May 11, 2005

SUBJECT: Waiver of Rules for Late Submittal of Report on Case No. 17318

The attached Final Report concerning the application for Case Number 17318 is being submitted less than 7 days prior to the Board of Zoning Adjustment's consideration of the item. The Office of Planning respectfully requests that the Board waive its rule and accept the report into the record.

BZA
Case No. 17318
Exhibit No. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 17318
EXHIBIT NO. 27

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment of the District of Columbia

FROM: Ellen M. McCarthy
Interim Director

DATE: May 3, 2005

SUBJECT: BZA Application 17318 - Request filed by Stephen N. Gell, Esquire, for a **special exception** to permit building additions to a single-family detached dwelling, for 3130 Worthington Street, N.W., proposed by Katherine and Ronald Stewart

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APPLICATION
Application of Katherine and Ronald Stewart for:

> **Special exception relief pursuant to § 223 of Title 11 DCMR** to permit the construction of building additions to a single-family detached dwelling not in conformance with §§ 403, Maximum Percentage of Lot Occupancy, 405, Side Yards and 406, Minimum Width of Open Court

for property located on the south side of Worthington Street, N.W., between 31st Place and 32nd Street, Square 2349, Lot 815.

SUMMARY RECOMMENDATION
The Office of Planning recommends **APPROVAL** of the application to permit the building additions, as submitted by the applicant.

REQUEST
The subject application proposes to construct three building additions onto the existing dwelling. Those additions are:

- A bay window on the west side of the dwelling,
- A one-story powder room addition on the west side of the dwelling, and
- A two-story building addition with a two-story bay on the east side of the building.

As a result of these building additions, the percentage of lot occupancy increases from 40.67 percent to 47.5 percent. The one-story powder room addition provides for a 3-foot side yard, similar to the existing side yard provided on that side of the building by the main part of the

structure. Its construction also results in two open courts, one 5.4 feet in width and the other 3.1 feet in width, less than the minimum 6 feet required for this property. Therefore, the applicant is requesting special exception relief pursuant to § 223 to permit the reduced side yard and open court widths for the proposed powder room.

SITE AND AREA DESCRIPTION
The property consists of Lot 815 of Square 2349, in the North West quadrant of the District. It is 1,731 square feet in area, has a minimum lot width of 81.5 feet and is triangular in shape. No alley access is provided. The lot is improved with a three-story single-family detached dwelling constructed in 1955. Parking for one vehicle is provided within a one-car garage, accessible from Worthington Street. An existing 5-foot wide open court is located in the southwest corner of the house.

The surrounding area, including the subject property, is developed with single-family detached dwellings within the R-1-B Zone District.

The area has been identified on the Generalized Land Use Map as located within the low density residential land use category- "*Single-family detached and semi-detached housing are the predominant uses.*"

EXISTING ZONING
The subject property is located within the R-1-B "*high density one-family detached dwellings residence district.*" (§ 105.1(a)(1)(B))

R-1 Districts
"*The R-1 District is designed to protect quiet residential areas now developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes.*" (§ 200.1)

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 dwelling in a residence district that the use is permitted, the R-1-B Zone District. The proposed addition is

structure. Its construction also results in two open courts, one 5.4 feet in width and the other 3.1 feet in width, less than the minimum 6 feet required for this property. Therefore, the applicant is requesting special exception relief pursuant to § 223 to permit the reduced side yard and open court widths for the proposed powder room.

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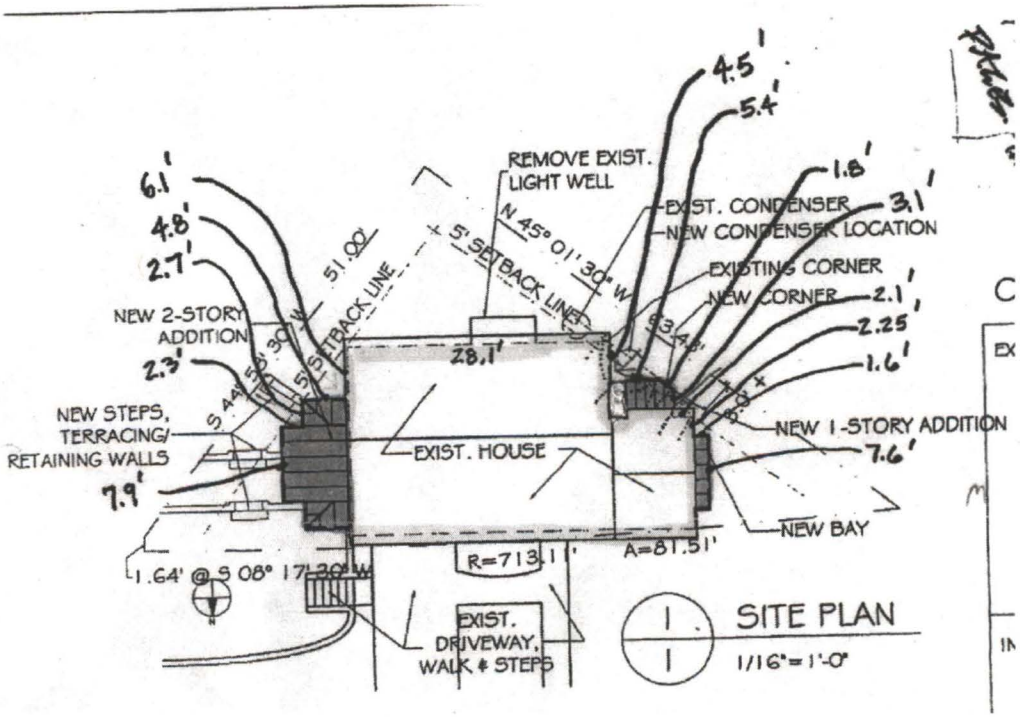
The proposed addition is to a one-family dwelling in a residence district that the use is permitted, the R-1-B Zone District. The proposed addition is

not in compliance with § 403, Lot Occupancy, § 405, Side Yards and § 406, Courts.

"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 additions are modest in size and will not result in the provision of side yards of a lesser width than those which currently exists. The addition on the east side of the dwelling will be in conformance with the 5-foot minimum side yard requirement for this pre-1958 dwelling. The additions to the west side of the dwelling include a bay window, extending out no more than 1.6 feet from the dwelling, and a powder room. The powder room measures approximately 15 square feet in area, will be only one-story in height and will be tucked into a corner of the existing structure, minimizing its impact on surrounding properties. As a result, light and air available to neighboring properties will not be unduly affected.



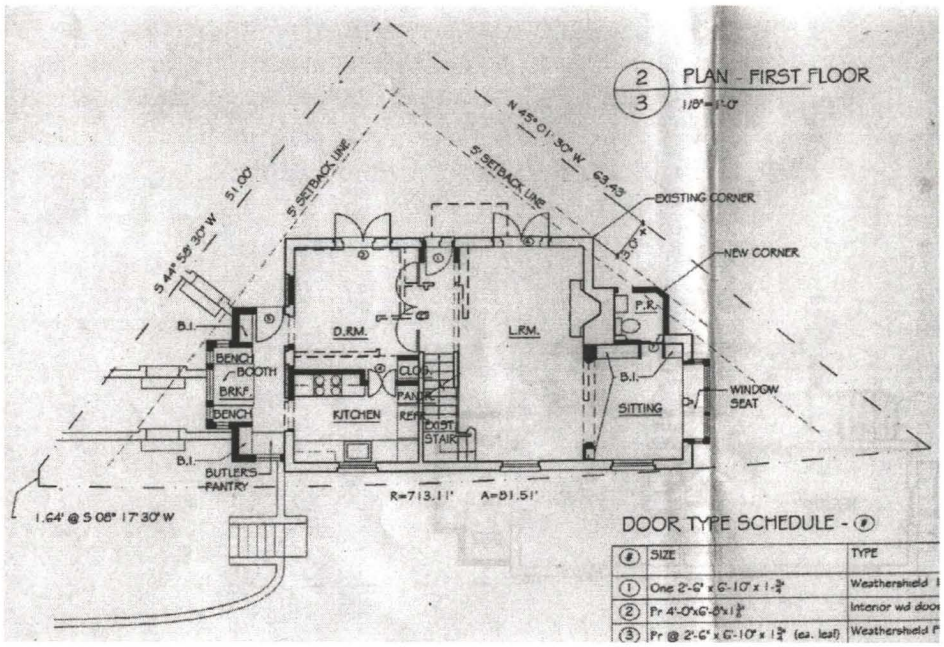
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Proposed Court Width and Length Measurements

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

The bay window and the powder room addition are proposed to face the southwestern property line. Directly over this property line is a private driveway that runs the entire length of that property line to serve a dwelling located south of the subject property. As it is this driveway, and not an open yard that these two building additions will impact the most, privacy of use and enjoyment will not be unduly compromised.

The two-story building addition on the east side of the dwelling will conform to the minimum 5-foot side yard required prior to 1958.



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Proposed Site Plan

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 bay window on the west side of the dwelling and the two-story addition on the east side will be visible from Worthington Street. The bay window will also be visible from 32nd Street, as will the powder room addition. However, the additions are designed to complement the existing structure and will be in scale with surrounding dwellings. Therefore, they will "*not substantially visually intrude upon the character, scale and pattern of houses along the frontage.*"

(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 47.5 percent is less than the maximum 50 percent permitted by § 223.3 for the R-1 Zone Districts.

"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 recommend special treatment.

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

A one-family dwelling is permitted as a matter of right within the R-1-B 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 and major policies of the Ward 3 Element:

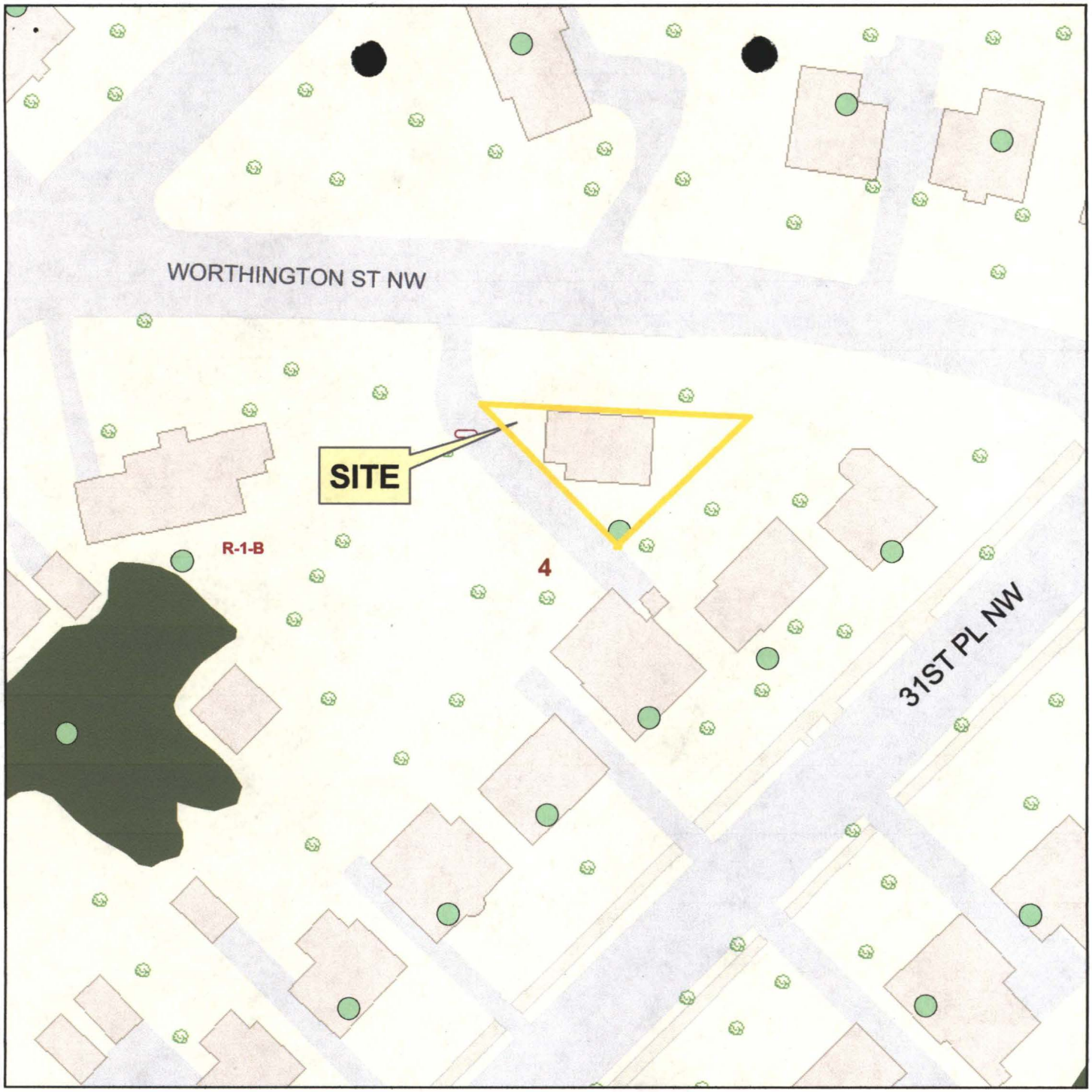
> *"Existing housing should be maintained and improved for current and future residents;..."* (§ 1402.3(a))
>
> "*Maintain the existing land use character of the ward;*" (§ 1409.2(a))
>
> "*Maintain and expand the existing housing stock, where feasible and consistent with the Comprehensive Plan to ensure a greater variety of housing types, opportunities and choices;*" (§ 1409.2 (k))

COMMUNITY COMMENTS
ANC 3/4G, at their regularly scheduled meeting of April 11, 2005 voted 7 to 0 to support the special exception application.

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 application 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 to permit the building additions, as submitted by the applicant.

EMM/sjm$_{AICP}$



OPID0005970

BZA APPLICATION NO. 17318
3130 Worthington Street, N.W.

Feet

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Single-Family Detached



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

Office of Planning ~ April 27, 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.