

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

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MEMORANDUM

TO: Board of Zoning Adjustment of the District of Columbia

FROM: *ELS* Ellen M. McCarthy
Interim Director

DATE: April 21, 2005

SUBJECT: BZA Application 17319 - Request filed by William G. Middleton for a **special exception** to permit a building addition to the rear of an existing row house, for 1723 Riggs Place, N.W., proposed by William J. McKeever

APPLICATION

Application of William J. McKeever for:

Special exception relief pursuant to § 223 of Title 11 DCMR to permit the construction of a building addition to the rear of an existing row house not in conformance with §§ 403.2, Maximum Percentage of Lot Occupancy and 406.1, Minimum Width of Open Court

for property located on the north side of Riggs Place, N.W., between R Street and S Street, Square 153, Lot 104.

SUMMARY RECOMMENDATION

The Office of Planning recommends **APPROVAL** of the application to permit the one-story building addition, as submitted by the applicant.

REQUEST

The subject application proposes to construct a 13-foot 8-inch by 18-foot 2-inch one-story dining room addition onto the rear of the dwelling. The applicant has informed the Office of Planning that a third floor building addition onto the rear wing of the subject property is no longer proposed. An existing 5.7-foot wide portion of the existing open court will be eliminated, and only the 4.2-foot wide portion of the open court will be retained, less than the minimum 8-foot width required. The lot occupancy will also increase from 61.9 percent to 63.3 percent, in excess of the maximum 60 percent permitted. Therefore, special exception relief pursuant to § 223 is necessary to construct the proposed building addition.

BZA

Case No. 17319
Exhibit No. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 17319
EXHIBIT NO. 24

SITE AND AREA DESCRIPTION

The property consists of Lot 104 of Square 153, in the North West quadrant of the District. It is 1,674 square feet in area, has a minimum lot width of 18 feet, and is improved with a three and a half story row house constructed in 1890. A 12-foot wide public alley provides access to the rear. Parking for one vehicle is provided in the rear yard. An existing open court at the rear of the property varies in width between 5.7 feet and 4.2 feet.

The surrounding area is primarily developed residentially, including flats and row houses. The properties to the north, east and west are located within the R-5-B Zone District. To the south are residential uses within the R-5-B Zone District and a chancery and dwelling within the SP-1 Zone District. All surrounding properties are located within the Dupont Circle Overlay District.

The area has been identified on the Generalized Land Use Map as located within the moderate density residential land use category- *“Row houses and garden apartments are the predominant uses; may also include low density housing.”*

EXISTING ZONING

The subject property is located within the R-5-B *“moderate density residence district”* (§ 105.1(a)(5)(B)) and the DC *“Dupont Circle Overlay District.”* (§ 105.1(m)(1))

R-5 Districts

“The R-5 Districts are General Residence Districts designed to permit flexibility of design by permitting in a single district, except as provided in §§ 350 through 361, all types of urban residential development if they conform to the height, density, and area requirements established for these districts under chapter 4 of this title. The R-5 Districts shall also permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive Residence Districts. (§ 350.1)

Dupont Circle Overlay District

“The Dupont Circle area is a unique resource to the District of Columbia that must be preserved and enhanced. Strong protections are needed to retain its low scale, predominately residential character, independent small retail businesses, human scale streetscapes, and historic character, given the high-density development pressures caused by the proximity of the Central Employment Area and Dupont Circle Metrorail Station.” (§ 1501.1)

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 row house in a zone district in which the use is permitted, the R-5-B Zone District. The proposed addition is not in compliance with § 403, Lot Occupancy 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 building addition will enclose a 4.2-foot deep portion of the existing 5.7-foot wide open court, the part closest to the main portion of the dwelling with a one-story structure. The rest of the open court, which is 14 feet in depth and 4.2 feet in width, will remain. The existing rear yard, which is 23.8 feet and in excess of the minimum 15 feet required, will also remain. The 4.2-foot deep structure will not be visible from the dwelling to the west and due to its small size will only minimally impact the adjoining row house to the east. Therefore, light and air available to neighboring properties will not be unduly affected.

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

The rear yard provided will be in excess of the minimum required within the R-5-B Zone District. The building addition will not be visible from the west, its view from the north will be partially obscured by the garage in the rear yard of the lot across the alley, and there will be no windows facing the lot to the east. 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 proposed building addition will be visible from the public alley at the rear of the subject property. It is designed to be residential in appearance. Therefore, it 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. However, since the filing of the application the applicant has informed the Office of Planning that the third floor addition is no longer proposed.

- “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 63.3 percent is less than the maximum 70 percent permitted by § 223.3 for the R-5-B Zone 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 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 row house is permitted as a matter of right within the R-5-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)

DUPONT CIRCLE OVERLAY DISTRICT

The subject application is in conformance with the purposes of the Dupont Circle Overlay District because the proposed one-story building addition will:

1. Be of a scale consistent with the nature of the Overlay District for height and bulk;
2. Enhance the residential character of the area by maintaining an existing residential use;
3. Be compatible with Comprehensive Plan as it will preserve and enhance an existing residential neighborhood; and
4. Preserve a 23-foot deep rear yard that is in excess of the minimum 15 feet required and protect light, air and privacy.

COMPREHENSIVE PLAN

This proposal will contribute toward achieving the following objectives of the Ward 2 Element:

“To preserve and reuse historic landmarks and buildings in historic areas in Ward 2;” (§ 1319.1(b))

“To preserve the design quality of historic and special streets and places in Ward 2; and” (§ 1319.1(c))

“To preserve and protect existing buildings and small scale and open spaces in historic areas in Ward 2.” (§ 1319.1(d))

“To conserve and enhance existing residential neighborhoods in Ward 2;” (§ 1326.1)

COMMUNITY COMMENTS

ANC 2B, at their regularly scheduled meeting of April 13, 2005 voted to support the one-story building addition and the roof deck, but not the third floor building addition.

AGENCY COMMENTS

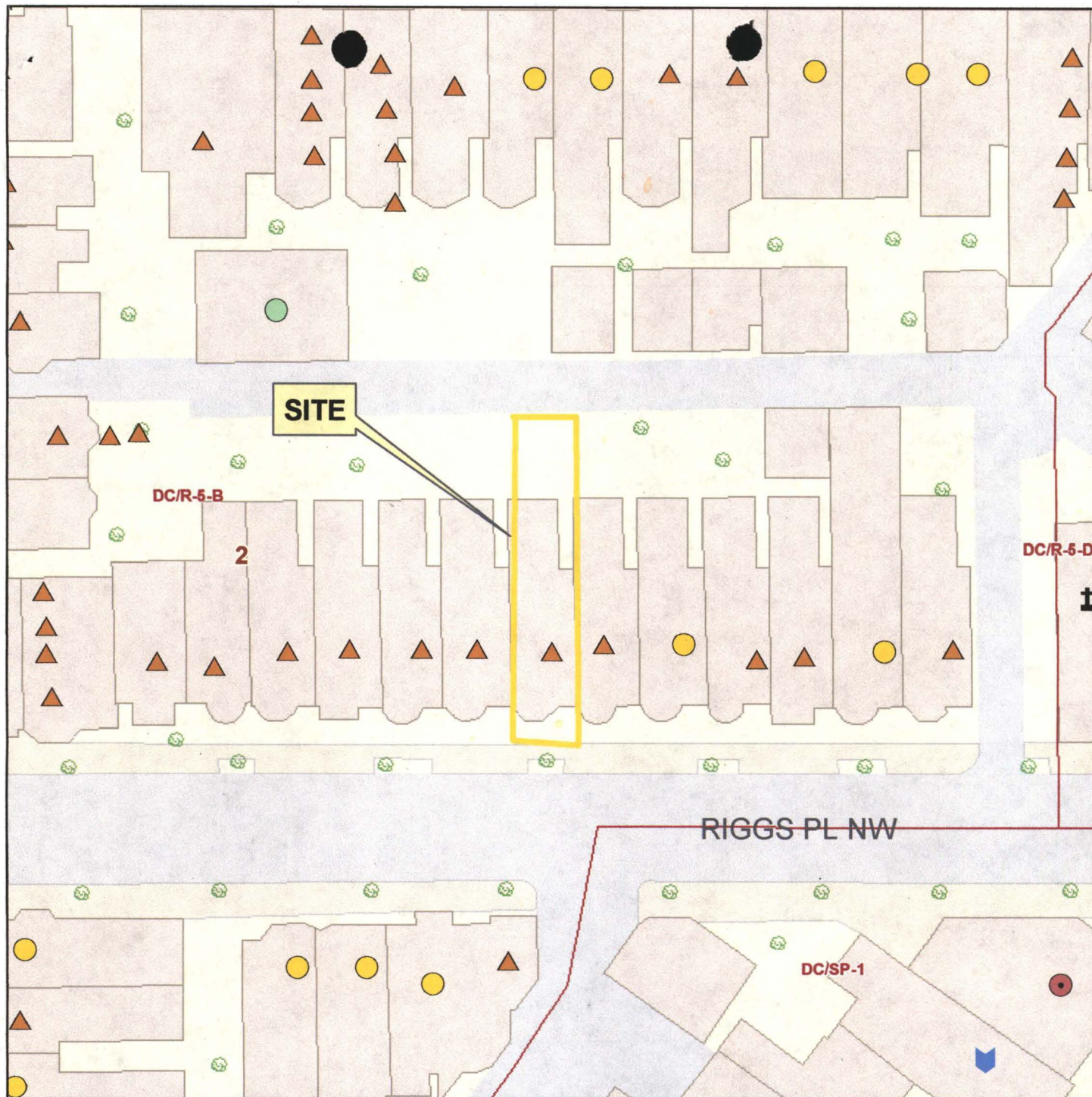
The **Historic Preservation Office** has no concerns regarding the one-story building addition.

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 one-story building addition, as submitted by the applicant.

OPID0005889



BZA APPLICATION NO. 17319 **1723 Riggs Place, N.W.**



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

Office of Planning ~ April 22, 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.

- Non-conforming SF Use
- Rowhouse
- Single-Family Detached
- ▲ Multi-family
- ➡ Embassy or Chancery
- ⛔ Religious

