GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for Ellen McCarthy, Interim Director

DATE: June 7, 2005

SUBJECT: **BZA Case No. 17330**
7435 8th Street, N.W.

APPLICATION

The application by Alexander and Trenita Davis, pursuant to 11 DCMR 3104, for a special exception to allow a one story addition to an existing single-family detached dwelling under Section 223 not meeting the rear yard requirements (Section 404) in the R-2 zone 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 Shepard Park Neighborhood of Ward 4, located at 7435 8th Street, N.W., Square 3178, and Lot 106. Hemlock Street bounds the site to the north, Geranium Street to the south, 7th Street to the east and 9th Street is to the west. The property is on the east side of the block near the intersection of 8th and Hemlock Streets. The lot is improved with a two-story single-family detached dwelling with basement constructed in 1960. There is a 16-foot public alley serving the subject block. Across the alley are backyards of residential structures that front on 7th Street. Single-family dwellings are the predominant land use in the subject neighborhood.

PROPOSAL

The applicant proposes to construct a one-story addition to the rear of the subject dwelling. The addition will allow the applicant to convert the existing living room into a bedroom for the co-applicant Mrs. Davis, who is wheel chair bound. The new addition would function as the family/living room for the residence..

BZA
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Exhibit No. 24

Board of Zoning Adjustment
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CASE NO. 17330
EXHIBIT NO. 24

Currently, Mr. Davis has to navigate ten steps at the front of the house and thirteen additional steps from the first to second floor, to get to her second floor bedroom. Because the rear of the property is at grade, wheel chair access to the first floor will be easier and there will be a clear path to move between the living/family room and the bedroom. The new addition will measure 13.9 feet in width by 24.0 feet in length, or 333.6 square feet in area.



East view of Steps at front of subject dwelling

ZONING ANALYSIS

Section 404 REAR YARDS

The subject dwelling is in the R-2 District, a district that *"consists of those areas that have been developed with one-family, semi-detached dwellings, and is designed to protect them from invasion by denser types of residential development. It shall be expected that these areas will continue to contain some small one-family detached dwellings." (300.1)*

Currently, the depth of the rear yard on the subject property is 30.3 feet. The proposed new one-story addition will extend 13.9 feet from the dwelling into the rear yard, thereby reducing the rear yard to 16.4 feet. Therefore, the application requires relief from §404 of the Zoning Regulations in order to build the proposed one-story addition.



Illustrations – 20 ft required rear yard & 16.3 ft remaining rear after adding addition

The proposed addition will increase the lot occupancy from 23.5% to 31.1%. Section 223.3 requires that *"lot occupancy of the dwelling or flat, together with the addition, shall not exceed fifty percent (50%) in the R-2 District."* (§ 223.3) Therefore, no relief from the lot occupancy is required in this case.

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 neighboring properties?

Structures on the subject block are oriented east to west, directions that are favorable for the provisions of air and light. The new one-story addition will be located on the north end of the subject structure and will not affect air and light to neighboring properties. Additionally, there are no large trees on the rear of the block that would reduce light from neighboring properties. Further, the existing side yards (8 & 10 ft.) are sufficient to limit adverse affect on neighboring properties, as a result of the new addition..

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

The addition proposed for the subject dwelling will be built approximately at the same depth as the patios on both neighboring dwellings . While windows are proposed for both sides of the new addition, they would project beyond neighboring residences. The rear windows will face the alley, and the addition will be at least 40 feet from the rear of structures on 7th Street.



South view of windows on the proposed rear addition

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?

The addition will maintain the same building line as the existing structure. The applicant has stated that the exterior will match the siding pattern on the front of the existing structure, and will be in character with the materials used on other dwellings on the block. The addition will be visible from the alley and from the rear of houses on 7th Street, but its design will be consistent with the character, scale and pattern of other rear additions on the subject block.

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-2 District for all structures other than a church or public schools is 40%. The subject dwelling is a detached structure that only occupies 23.5% of the lot. The new addition will increase the lot occupancy to 31.1%. Section 223 of the Zoning Regulations permits a maximum lot occupancy of 50% in the R-2 District. Therefore, the subject property is eligible for relief under this section for the dwelling and the addition combined.

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.

OP does not believe there is a need for the Board to impose other special treatment on this application. The rear addition was designed to accommodate the physical needs of the residents. The addition will not adversely affect the use of neighboring properties. The grade at the rear of the property would allow wheel chair access to the first floor more easily than from the front of the residence. The addition of the proposed new addition will not introduce or expand a nonconforming use. (Section 223.5)

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST

The subject structure was built as part of a housing subdivision in 1960. The proposed new addition will not change the residential use of the subject structure. The structure was designed as a single-family dwelling and will continue to serve that function if the special exception is approved. In order to build the new addition, the dwelling will encroach into the required rear yard by 3.6 feet. There will be a 16.4 foot rear yard remaining after the addition is constructed. Section 223 of the Zoning Regulations was designed to provide relief to permit modifications to residential structures.

The proposed new addition will not tend to adversely affect the use of neighboring property. The materials to be used on the addition will be in keeping with the materials used on the original structure and on most of the dwellings in the subdivision. 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 build a one-story rear addition was presented to Advisory Neighborhood Commission 4B, at its April 2005 meeting. The ANC voted to support the application.

The immediate neighbors on both sides of the subject property (7437 & 7433 8th Street), as well as many other neighbors on the block signed a petition in support of the application.

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.



OPID0006296

Aerial Oblique Photos
BZA Application #17330

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

Office of Planning ~ May 12, 2005

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