Memorandum

To: **Office of Zoning**
District of Columbia

From: **James & Leisa Standish**
Owner/ Applicant

Date:

Subject : **BZA Application No._____- Standish Addition**
321 7th Street, N.E. (Square 894, Lot 0801)

James and Leisa Standish, owners and residents of 321 7th Street NE, apply for a special exception to build a two-story carriage house in the rear of their row house to replace the existing garage made of corrugated iron. The aspects of the proposed project that falls outside the current zoning regulation are as follows:

First, the proposed construction raises the lot occupancy from 948 SF to 1125 SF, which is 9% over the allowed lot occupancy for a row-house in the CAP R-4 Zoning District (II DCMR 403.2) and 11% over the existing lot occupancy.

Second, the proposed is an accessory building over 15' in the CAP R-4 Zoning District (11 DCMR 2500.4).

I. Summary

A. Special exception qualifies under 11 DCMR Section 223 because the lot occupancy for the R-4 does not exceed 70% (11 DCMR 223.3) and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2 and 11 DCMR 2500.9).

B. The proposed replacement of the existing garage with a carriage house will improve both the aesthetics and the functionality of space currently occupied by a garage made of corrugated iron that is both too narrow and too short to fit an average sized automobile.

C. The proposed replacement structure will be similar in size and style to the carriage house of the immediate neighbor to the north, and to other carriage houses on the block and in the vicinity.

D. The proposed replacement structure approximates the current lot coverage of three neighbors to the south of 321 7th St., NE.

BZA
Case No. 17339
Exhibit No. 3

Board of Zoning Adjustment
District of Columbia
CASE NO. 17339
EXHIBIT NO. 3

11. Bases for Grant of Special Exception

Section 223 provides relief based on satisfying specific criteria under which additions to single-family dwellings may be permitted with a residential district. Those criteria are addressed separately below:

223. I 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 applicable area 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 two-story carriage house replacement to the existing garage is to a permitted single-family residence that is currently in conformance with Section 403.2 (lot occupancy). The proposed replacement structure will be on the rear (eastern) portion of the lot. The existing house and garage have a combined lot occupancy of 58% which will be increased to 69% with the proposed replacement carriage house. This is an 9% increase over the matter-of-right lot occupancy allowed in the R-4 district, 11% over the current footprint of the residence, but is below the 70% allowed by Section 223.3 as a special exception.

223.2 & 2500.9 *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;

Impact on 323 7th St., NE

The project will have virtually no impact on light and air availability of the neighboring property directly to the north (323 7th St., NE), because:

a) The proposed carriage house is directly east of 321 7th St., NE. As such, the shadow of the proposed carriage house will fall directly into the back garden of 321 7th St., NE, not on neighboring properties.

b) The carriage house existing at the rear of 323 7th St., NE, already casts a shadow over that property's backyard. This shadow largely eclipses any shadow the proposed new carriage house may cast. Thus, even if the carriage house is not precisely east of the backyard of 321 7th St., NE, the shadow from any deviation will be largely eclipsed by the shadow already cast by the carriage house already in existence at the rear of 323 7th St., NE.

c) The new carriage house will abut an existing carriage house for most of its wall at the rear of 323 7th St., NE, which currently has no windows on the side that will abut the carriage house. *See* Exhibit 1, Images B & C.

d) As the proposed carriage house is approximately 35 feet from the rear of 323 7th St., it will not impact air availability.

The owner/occupants of 323 7th St., NE, have been presented with the proposed plans for the carriage house and have indicated in Exhibit 3 that they support the building of the carriage house.

Impact on 319 7th St., NE

The project will have virtually no impact on light and air availability of the neighboring property directly to the south (319 7th St., NE), because:

a) The proposed carriage house is directly east of 321 7th St., NE. As such, the shadow of the proposed carriage house will fall directly into the back garden of 321 7th St., NE, not on neighboring properties.

b) Further, 319 7th St., NE is separated from the site of the proposed carriage house by an alley which is approximately 15 feet wide and 319 7th St., NE, has a fence facing the alley that is approximately 10' tall. Thus, even if the carriage house is not precisely east of the backyard of 321 7th St., NE, the shadow from any deviation will not cross all the way across the alley and over the fence into the backyard of 319 7th St., NE.

c) Due to the 15 feet separation across the alley between the proposed carriage house and 319 7th St., NE, the proposed carriage house will have no impact on availability of air.

The owner/occupants of 319 7th St., NE, have been presented with the proposed plans for the carriage house and have indicated in Exhibit 3 that they support the building of the carriage house.

Impact on Neighbors Directly East

Directly east of the proposed carriage house is a multi-story apartment building. It sits directly across the broad rear alley and apartment parking lot. South-east is medical building, and to the north-east are homes. *See* Exhibit 1, Images D, E & F. The distance from the proposed carriage house to the apartment block is roughly 60 feet; it is roughly 75 feet to the rear of the nearest house to the north-east. As a result of the distance, the proposed carriage house will not have an impact on the light or the availability of air on neighbors across the rear alley.

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

The proposed project will not significantly alter the privacy and enjoyment of neighbors to the north, south or east.

Neighbors to the North (323 7th St., NE)

The proposed carriage house will not unduly compromise the privacy or enjoyment of neighbors to the north, because:

a) The proposed carriage house will be approximately 40 feet from the house on 323 7th St., NE. In addition, as currently conceived, the upstairs window will be in the middle of the structure permitting only indirect views of the back of 323 7th St., NE. The views from the proposed carriage house of the back of the home on 323 7th St., are similar to the views currently available from the carriage house on 323 7th St., NE, of the back of the home on 321 7th St., NE. The view currently available of the back of 321 7th St., NE, causes no privacy concerns. *See* Exhibit 1, Image A.

b) Currently the multi-story apartment complex to the rear of both 321 7th St., NE and 323 7th St., NE (the house directly north of the property in question), enjoys full views of the rear of both properties. Adding the carriage house, therefore, will not materially impact the privacy of the rear of 323 7th St., NE. *See* Exhibit 1, Images D, E & F.

c) The view of the back garden of 323 7th St., NE, will be similar to those currently available from the rear of existing house on 321 7th St., NE.

The owner/occupants of 323 7th St., NE, have explicitly stated their approval for the building of the proposed carriage house. Their signatures appear on Exhibit 3 attached to this application.

Neighbors to the South (321 7th St., NE)

Similarly, the project will not impact the privacy or enjoyment of the southern neighbor's property, because:

a) The property lies across an alley that is approximately 15 feet wide, and has a 10' high fence facing the alley. *See* Exhibit 1, Images A & C.

b) The addition is a distance away from the rear of the property, will provide only indirect views, and will not materially alter privacy. *See* Exhibit 1, Images A & C.

c) Further, the multistory apartment east of 319 7th St., NE, currently enjoys views into the rear of 319 7th St., NE. The proposed carriage house will have significantly less direct views. *See* Exhibit 1, Images D, E & F.

The owner/occupants of 319 7th St., NE, have explicitly stated their approval for the building of the proposed carriage house. Their signatures appear on Exhibit 3 attached to this application.

Neighbors to the East

The project will not impact the privacy of the southern neighbor's property, because:

a) Behind the site of the proposed replacement carriage house is a multi-story apartment building completed approximately two years ago. It sits approximately 60 feet from the rear of the proposed carriage house. The space between the proposed carriage house and

the apartment building provide ample space to ensure privacy is maintained. *See* Exhibit 1, Images D, E & F.

b) Further, the view of the apartment complex from the proposed carriage house will not be materially better than the view from the houses on the 300 block of 7th St., NE, and will be significantly worse than the views available from the public alley in which there is quite a bit of traffic during the day and night. *See* Exhibit 1, Images D, E & F.

Conclusion

In conclusion, the proposed replacement will not impact on the privacy and enjoyment of neighbors' property.

(c) the replacement, together with the original building, as viewed from the street, alley, or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and

The replacement will be built in the same style as other carriage houses in the alley and in the neighborhood. *See* Exhibit 2 and Exhibit 4. It will be made of brick in a similar style to the home on the property and the other carriage houses in the alley, and it will have a roof that matches the style of the other carriage houses in the alley.

The replacement carriage house will not be easily visible from the front of the house. *See* Exhibit 1, Images G & H.

The replacement will be significantly more in keeping with the visual character of the carriage houses in the area than the current structure, which is unique in its building materials (corrugated iron), and in its rundown appearance (there is significant rust on the roof, and the structure is not aesthetically appealing). *See* Exhibit 1, Image B (compare the corrugated iron construction, including badly rusted roof, of the existing garage, with the brick construction of the carriage houses in the alley).

The desire to improve the aesthetics of the alley likely contributed to the unanimous support of immediate neighbors to the north and south of 321 7th St., NE, of the proposed replacement of the existing garage with the proposed carriage house. *See* Exhibit 3.

(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.

Along with this application, we have included the following exhibits:

a) Exhibit 1: Photos of the current garage and surroundings;

b) Exhibit 2: Photos of existing carriage houses in the immediate vicinity;

c) Exhibit 3: Signatures of support from neighbors for replacing the existing garage with a carriage house;

d) Exhibit 4: Plan and elevation drawings of proposed carriage house;

e) Exhibit 5: A site plan showing the relationship of the proposed addition to adjacent buildings and views from public ways.

f) Exhibit 6: Official Plat from the DC Office of the Surveyor

If you require any further clarification or have any questions regarding our application, James Standish is available any time to discuss them with you.