GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

D.C. OFFICE OF ZONING
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MEMORANDUM

TO: Board of Zoning Adjustment of the District of Columbia

FROM: Ellen McCarthy
Director

DATE June 21, 2005

SUBJECT: BZA Application **17340**
1515 A St., S.E.

APPLICATION
Application of Jason and Sandra Nelson, pursuant to 11 DCMR § 3104.1, for a special exception to allow a two-story rear addition to an existing single-family row dwelling under section 223, not meeting the lot occupancy (Section 403) and open court (Section 406), requirements of the R-4 zone district at premises 1515 A Street, S.E. (Square 1072, Lot 45).

SUMMARY RECOMMENDATION
The Office of Planning **recommends approval** of the special exception from the lot occupancy and open court requirements in accordance with the provisions of Section 223.

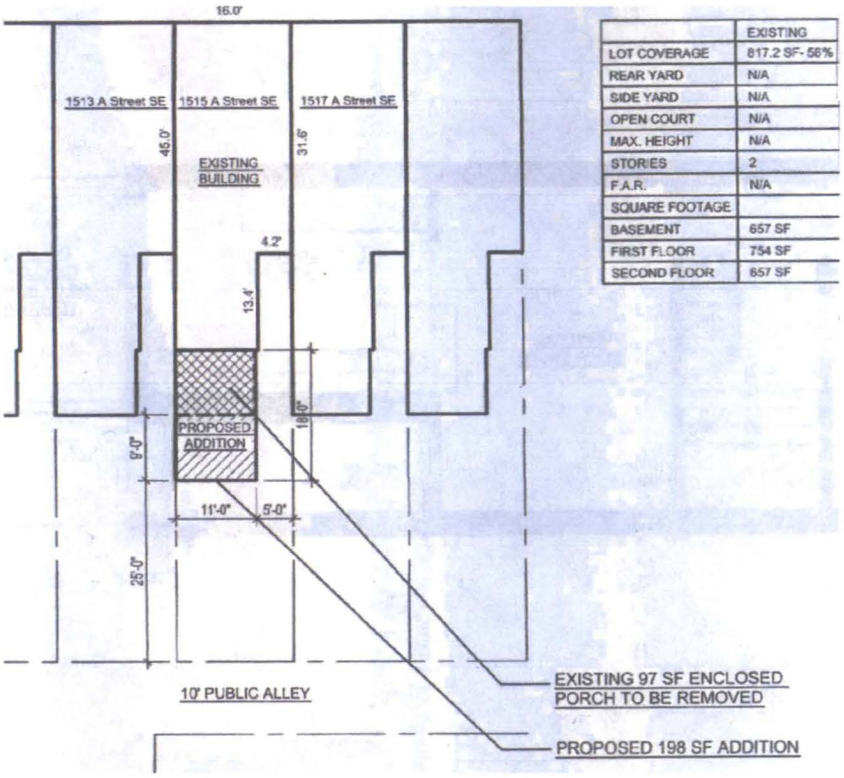
SITE DESCRIPTION
The subject property is located in the mid-section of Square 1072 in the southeast quadrant of the District. The square is bounded by 16th Street to the east, Independence Avenue to the south, 15th Street to the west, and A Street to the north. The subject site is currently developed with a two-story, row dwelling. The property is zoned R-4 and the square is split zoned R-4 and C-2-A. The surrounding area is zoned primarily R-4, and is developed primarily as row and semi-detached dwellings with some apartment dwellings. The property is not within the Capitol Hill Historic District.

PROJECT DESCRIPTION
The applicant is proposing a two-story rear addition to the existing residence. The proposed area of the new addition is 198 square feet (11' x 9'), which would increase the lot occupancy of the residence from 58% to 65%. The current width of the court varies between 4.2 feet and 5 feet extending the length from the original building to the existing enclosed porch. The proposed addition extends the length of the court by 9 feet, as it would align with the enclosed porch.

BZA
Case No. 17340
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO. 17340
EXHIBIT NO. 26

BZA # 17340
1515 A Street. S.E. - Lot Occupancy, Court Width (223)



	EXISTING
LOT COVERAGE	817.2 SF- 56%
REAR YARD	N/A
SIDE YARD	N/A
OPEN COURT	N/A
MAX. HEIGHT	N/A
STORIES	2
F.A.R.	N/A
SQUARE FOOTAGE	
BASEMENT	657 SF
FIRST FLOOR	754 SF
SECOND FLOOR	657 SF

ZONING REQUIREMENTS

The applicant requires special exception relief from the lot area, lot occupancy and open court width requirements to allow an addition to a nonconforming structure (§§401, 403 and 406) devoted to a conforming use. The addition would extend the lot occupancy by 5% beyond the 60% required for the R-4 zone district.

Section	Item	Required	Existing	Proposed	Deviation
401	Lot Area	1,800 square feet	1408 square feet	1,408 square feet	N/A
403	Lot Occupancy	60%	58% (817 sq. ft.)	65 % (918 sq. ft.)	5% over the required or 7% over the existing.
406	Court Width	6 feet minimum	4.2 feet	5 feet	1 foot

Table 1

Special Exception Relief

In the R-4 Zone district, relief may be granted from the requirements of §§401, 403 and 406, pursuant to Section 223, if the lot occupancy does not exceed 70% for the dwelling and addition combined. The proposal does not expand the overall lot occupancy beyond the 70% maximum prescribed by Section 223.

The proposed addition must satisfy the standards of §223.2 as follows:

(a) *The light and air available to neighboring properties shall not be unduly affected.*

The proposed two-story rear addition would extend approximately 9 feet beyond the rear of the existing residence. As reflected in the site plan shown above, abutting properties and the subject property are currently aligned and the addition would project beyond both abutting residences.

The properties in this square are aligned east to west. All properties benefit from the southern exposure and the extended addition would only cast a brief shadow on the rear yard of the abutting property to the west (#1513). There would be no change to the amount or flow of air due to the addition for the property owner on the east (#1517), since the existing court width and distance between both properties would be maintained.

According to the applicant, the property owners at #1517 and #1513 have agreed in writing to support the proposed addition.

Therefore, OP believes the extension would have minimal effect on the neighbor's light and air.

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

Submitted plans and photographs show windows facing east and south on the addition with no windows facing the property to the west (#1513). As row dwellings, any addition to either abutting property, which does not maintain a side yard or court, would require a party wall, which typically does not have windows. Therefore, privacy of the property owner on the west will not be affected by the addition.

In addition, while the east-facing wall will support windows on both levels, the second story windows would only provide light to the rooms on the second level. The lower level would include windows no different to the current windows, which face the residence to the east. Therefore, no change in the privacy of use and enjoyment by residents of # 1517 A Street is expected.

OP supports the applicant's statement that the proposed addition would not have an impact to the neighbors to the south of the alley system, since the closest property is approximately 230 feet from the subject residence.

Therefore, the proposed addition would not cause visual encroachment to neighboring properties.

(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 subject street frontage.*

While the addition would be clearly visible from the open area and alley at the rear, the addition is an improvement to the rear of the dwelling, which would enhance the neighborhood's visual appeal as viewed from the alley system at the rear.

The proposed addition is compatible with the character of the neighborhood in terms of its height and general materials use. OP believes that the addition would not be out of character with other rear additions along A Street.

(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 drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and view from public ways.*

The applicant provided photos, elevation drawings, and a site plan showing the relationship of the proposed addition to adjacent buildings and views from public ways.

OP does not believe any further special design treatment is required for the protection of nearby properties (Section 223.3). Further, the addition does not introduce or expand a nonconforming use, since the residential use is appropriate for the zone district (Section 223.4).

COMMUNITY COMMENTS

ANC 6B voted unanimously to support approval of the rear addition at its regularly scheduled meeting held on May 10th, 2005. The Capitol Hill Restoration Society Zoning Committee also voted unanimously to support the application. (Attached)

Adjacent property owners also submitted written support of the application. (Attached)

CONCLUSION

The Office of Planning concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3104.1 and Section 223 of the Zoning Regulations, for a special exception to permit the expansion of the nonconforming structure at 1515 A Street, S.E.

OP believes that the difference between the required and proposed lot occupancy and court width measurements are minimal and the proposed improvement would enhance the neighborhood's character, particularly as viewed from the alley. Therefore, the request can be granted without detriment to the public good and without substantially impairing the intent, purpose, and integrity of the Zoning Regulations and **recommends approval** of the special exception request by the Board.

ANC 6B

Capitol Hill / Southeast

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921 Pennsylvania Ave SE
Washington, DC 20003
202.543.3344
FAX 202.543.3507

OFFICERS

Chairperson
Scott Cernich

Vice Chairperson
Will Hill

Secretary
Julie Olson

Treasurer
Kenan Jarboe

Parliamentarian
Neil Glick

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SMD 1 *David Sheldon*
SMD 2 *Mary Wright*
SMD 3 *Julie Olson*
SMD 4 *Scott M. Cernich*
SMD 5 *Kenan Jarboe*
SMD 6 *Will Hill*
SMD 7 *Sandra Brown Thomas*
SMD 8 *Neil Glick*
SMD 9 *Antonette Russell*
SMD 10 *Francis Campbell*
SMD 11 *Vacant*

May 12, 2005

Board of Zoning Adjustments
441 4th Street, NW
Washington, DC 20004

Re: BZA Case # 17340
1515 A Street, SE

Dear Board Members,

At its regularly scheduled and properly noticed meeting on May 10, 2005 with a quorum present, ANC 6B voted unanimously (10-0-0) to support the application of Jason and Sandra Nelson for a Special Exception, as it was presented to us.

Please notify the Commission if you have any questions or comments.

Yours truly,

Scott Cernich for
Chairperson

BZA
Case No. 17340
Exhibit No. _____

CAPITOL HILL RESTORATION SOCIETY
PO BOX 15264 • WASHINGTON, DC 20003-0264 • 202-543-0425

May 24, 2005

RECEIVED
D.C. OFFICE OF ZONING
2005 MAY 26 AM 9:21

Jerrily R. Kress, FAIA
Director, Office of Zoning
Suite 210
441 4th Street, NW
Washington, DC 20001

RE: BZA# 17340

Dear Director Kress,

The Capitol Hill Restoration Society Zoning Committee at a meeting held on May 19, 2005, considered the above case. The case involves the application of Jason and Sandra Nelson for a special exception to allow a rear two-story addition at 1515 A Street, S.E. The applicants need a special exception to increase the lot occupancy from 58% to 65% and for an existing four foot court.

The applicant, through their architect, Jennifer Cox Fowler, made a presentation at the meeting and the committee voted unanimously to support the application. The committee found that the addition will not affect the light and air nor privacy of use and enjoyment of neighboring properties. Letters of support from adjacent property owners were given to the committee. The committee also found that this addition does not substantially visually intrude upon the character, scale and pattern of houses along the street frontage.

For these reason, we urge the Board to approve the application

Respectfully,

Gary M. Peterson, Chair
Capitol Hill Restoration Society
Zoning Committee

CC: Jennifer Cox Fowler, AIA

March 28, 2005

Board of Zoning Adjustment
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

Re: BZA Zoning Application No. _____
(Application of Jason and Sandra Nelson, 1515 A Street SE)

Dear Board of Zoning Adjustment:

I am the adjacent property owner at 1513 A Street, SE. My neighbors, Jason and Sandra Nelson, are seeking a special exception of the District of Columbia zoning laws to extend the rear portion of his house. They have shared the drawings of the proposed addition that were submitted with his application to the BZA.

I have reviewed the materials and approve the proposed addition. I recommend that BZA grant the request for a special exception.

Sincerely

___, owner John Masci
1513 A Street, SE
Washington, DC 20003

March 28, 2005

Board of Zoning Adjustment
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

Re: BZA Zoning Application No. _____
(Application of Jason and Sandra Nelson, 1515 A Street SE)

Dear Board of Zoning Adjustment:

I am the adjacent property owner at 1517 A Street, SE. My neighbors, Jason and Sandra Nelson, are seeking a special exception of the District of Columbia zoning laws to extend the rear portion of his house. They have shared the drawings of the proposed addition that were submitted with his application to the BZA.

I have reviewed the materials and approve the proposed addition. I recommend that BZA grant the request for a special exception.

Sincerely

Mary M. Richards

MARY M. Richards
___, owner
1517 A Street, SE
Washington, DC 20003

RE: Application Number 17340

Kevin R. West
1535 A St SE
Washington DC 20003

Jerrily R. Kress, Director
District of Columbia
Board of Zoning Adjustment
441 4th St N.W. Suite 210-S
Washington, DC 20001
April 25, 2005

Ms. Kress:

I am writing in support of **Application Number 17340** for Jason and Sandra Nelson at 1515 A St SE.

Our block has had its share of troubles, with abandoned houses, illegal activity, and abandoned vehicles and trash in the alley. The Nelsons' proposed addition will help improve the block for the following reasons:

- By increasing the value of their house, it will help increase the value of all the houses on the block, including the abandoned ones. This will increase the likelihood that these abandoned houses will be renovated, because there will now be a bigger economic incentive for doing so.

- The addition will add more activity in the alley and help the appearance of the alley, both of which will create a safer, more stable environment.

- The new addition will show that people care about this block and are willing to invest in it for the long term, creating a better quality of life.

The Nelsons are good neighbors, and I fully support their application for a special exception.

Sincerely,

Kevin R. West

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BZA
Case No. 17340
Exhibit No. 21