GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy
Director

DATE: June 28, 2005

SUBJECT: BZA Application 17345

APPLICATION

Dominic Puchalla, the applicant, requests a special exception to convert a vacant row building into a two-family flat on property located at 1620 New Jersey Avenue, N.W. (Square 509 Lot 102) pursuant to §§ 223.1 and 3104 under Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning.

RECOMMENDATION

The Office of Planning (OP) recommends approval of this request.

EXISTING CONDITIONS

Subject property is approximately 1,447 square feet in area and located in an R-4 zone district (refer to Exhibits 1 & 2). The lot and vacant one-family row dwelling predate current Zoning Regulations. The dwelling conforms to current regulations but the lot dimensions do not.

Standard	Existing Conditions			Proposed Development	
	R-4 Requirement[1]	Lot/ Dwelling	Non-conforming	Proposed	Relief Required
Minimum Lot Area	1,800 s.f.	1,447 s.f.	Yes	Same	--
Minimum Lot Width	18 feet	15 ft.	Yes	Same	--
Square Footage	--	1,730 s.f.	--	2,375 s.f.[2]	No
Height	40 feet/ 3 stories	29 feet/ 2 stories	No	29 feet/ 2.5 stories	No
Lot Occupancy	60%	39%	No	55%	No
Side Yards	0 feet[3]	0 feet	No	0 feet	No
Rear Yard	20 feet	60 feet	No	40 feet	No
Open Court	10 ft. (min.)[4]	None	--	4 feet	Yes
Parking	1 space	UNK	--	0	Yes

[1] Row dwellings and flats
[2] Based on two upper floors and basement level
[3] No side yard required for a row building
[4] Structures other than one-family dwellings

BZA
Case No. 17345
Exhibit No. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 17345
EXHIBIT NO. 24

The proposed addition would add space for a basement apartment, first floor dining and kitchen areas, and two bedrooms and a bath on the second floor.

EXISTING ZONING AND RELIEF REQUESTED

The site is zoned R-4 and § 330.5 (b) allows two-family flats as a matter of right. The current lot width and area do not conform to zoning requirements, and the proposed open court width would be less than the minimum 10 feet required under § 406.1. The applicant now proposes to locate a parking pad in the rear yard for the single required parking space per a revised site plan dated June 16, 2005 (refer to Exhibit 3). Zoning regulations include the following provisions regarding expansion of such buildings:

"2001.3 Enlargements or additions may be made to the structure; provided, that the following requirements shall be met:

(a) The structure shall conform to percentage of lot occupancy requirements; and
(b) The addition or enlargement itself shall:
(1) Conform to use and structure requirements; and
(2) Neither increase or extend any existing, conforming aspect of the structure; nor
(3) Create any new nonconformity of structure and addition combined."

This special exception is needed to allow the proposed addition with the nonconforming open court.

ANALYSIS

Requirements for the special exception under § 223.1 include the following:

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; This proposal would not impact the air and light available to properties to the south, east (across New Jersey Avenue) or west (across the alley); however the expanded dwelling would cast shadows upon the adjacent property to the north.

The subject row dwelling and the abutting property to the south both extend approximately 36 feet east of the front property line and the adjacent to the New Jersey Avenue right-of-way. Both dwellings were constructed in 1882. The abutting apartment building at the corner of Warner Street (1618 New Jersey Avenue) was constructed in 1903 to extend much further away from the right-of-way with first and second floor windows in the southern building facade.

Buildings along this New Jersey Avenue frontage generally have an east-west orientation. As a result, the proposed addition would cast shadows upon the facing apartment building windows. Although the applicant was unable to provide shadows

studies, it appears winter shadows would have the greatest impact on the ground floor windows. It does not appear the narrow rear yard of the apartments would be impacted significantly.

The open court width that would result from the proposed addition would be a minimum six (6) feet. The Department of Consumer and Regulatory Affairs (DCRA) confirmed the applicant can construct an addition from side property line to side property line with no accommodation for the facing windows in the apartment building. The applicant, however, indicates that the open court and "dogleg" building configuration are necessary to provide air, light and a means of egress for the proposed interior bedroom on the second floor. Otherwise, the bedrooms would only be allowed along the front (eastern) and rear (western) façades.

That application notes "The purpose of open courts in an R-4 District of attached row dwellings is to bring light and air into the middle sections of these attached buildings." In fact, an open court 2-feet wide along the southern boundary of the apartment property serves this purpose.

Combined with the 4-foot court proposed as part of the addition, the distance between the northern addition wall and windows in the southern wall of the apartment building would be just over 6 feet. While this distance appears insufficient to reduce the impact of winter shadows on ground floor apartment windows, it would be sufficient for air and not uncommon in the neighborhood.

(b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;* The northern and southern addition walls would not include windows so the privacy of the facing apartments and rear yards to the south would not be affected. Visibility from addition second floors windows into the rear yard of the apartment building appears limited by the angle of view.

It also appears the view from addition second floor rear windows toward the rear deck behind the residence east of the apartments at 414 Warner Street, N.W. would essentially be the same as the second floor view from the existing dwelling. A 7-foot retaining wall and privacy fence would also extend along both side property boundaries.

On that basis, OP thinks this proposal would not compromise the privacy and enjoyment of the neighboring rear yards.

(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 street frontage;* ... The addition would not be visible from the street; however, it would be visible from the abutting alley. The proposed stucco exterior and "dogleg" configuration would not be out of character with other

dwellings in the vicinity. On this basis, OP thinks the addition would not intrude upon neighborhood character, scale and residential pattern.

(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. Sufficient plans and elevations were provided, however a shadow study is needed to gage the true impact of addition shadows on the neighboring apartment building windows.

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. This relief is not necessary in this case.

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. No special treatment is recommended.

OP concludes that the application generally meets the requirements of § 233.

Compliance with § 3104.1:
Based on the findings of § 223, granting the requested relief would be in harmony with the general purpose and intent of the Zoning Regulations, and Zoning Map, and proposed changes will generally not tend to affect adversely the use of the neighboring properties.

COMMUNITY COMMENT
Advisory Neighborhood Commission (ANC) 2C unanimously voted to recommend approval on June 1, 2005 with a quorum present.

RECOMMENDATION
The Office of Planning (OP) recommends approval of this request.

Attachment: Exhibit 1 Planimetric with Property Lines and Zoning
Exhibit 2 Aerial View to the West
Exhibit 3 Revised Site Plan dated June 16, 2005

Exhibit 1



BZA Application No. 17345
1620 New Jersey Avenue, N.W.

N

Feet
0 25 50

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

Office of Planning ~ June 22, 2004

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Legend
- Street Centerlines
- Trees
- Buildings w/out Firewalls
- Roads
- Property Squares

Exhibit 2



BZA Application No. 17345
1620 New Jersey Avenue, N.W.
(View to the West)

N

Feet
0 20 40

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

Office of Planning ~ June 13, 2005

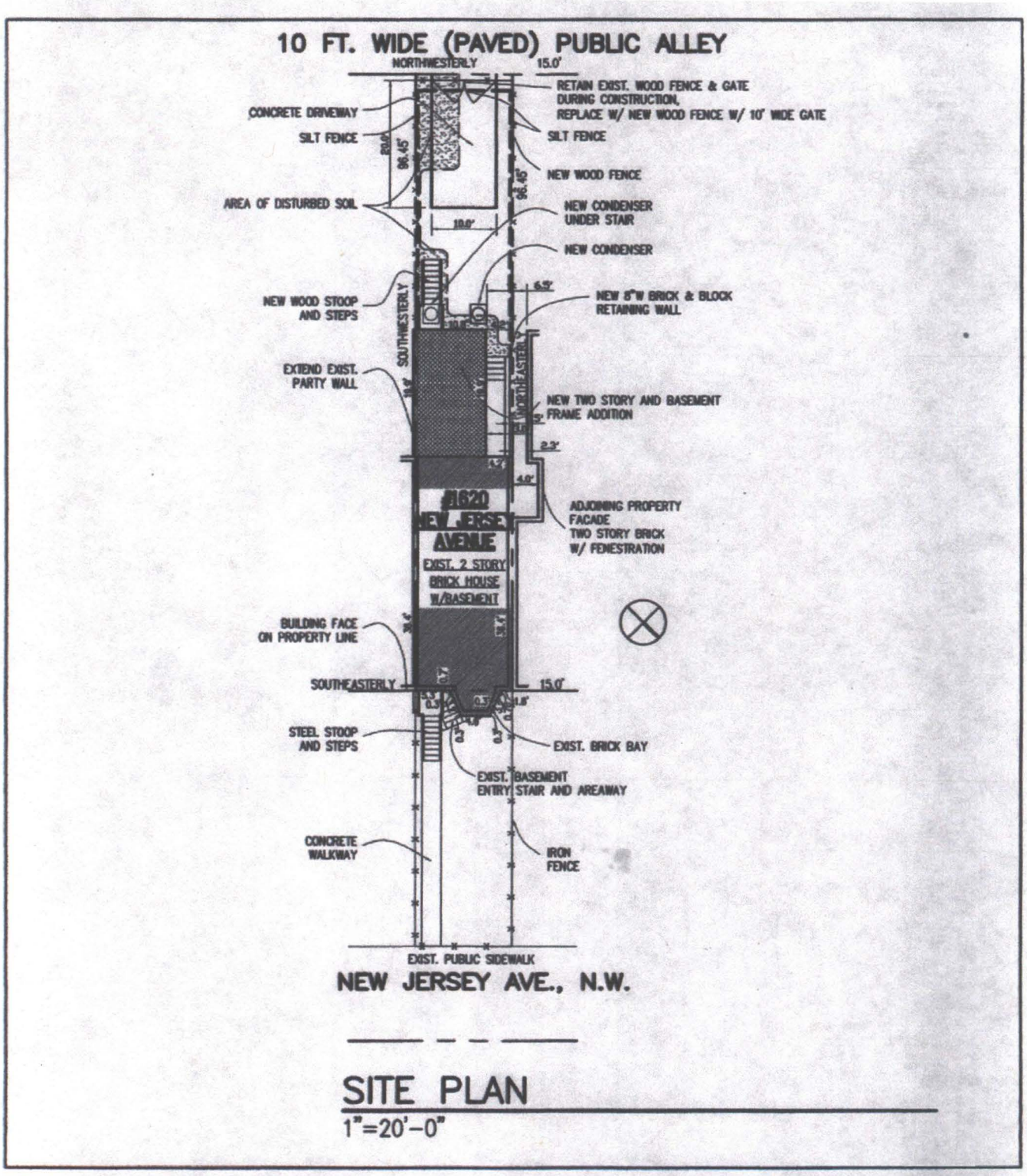
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Legend

Street Centerlines

Property Squares

Exhibit 3



SITE PLAN

1"=20'-0"

Peter Jurmala Design
1701 North Kent Street
Apartment 203
Arlington VA 22209

PUCHALLA PROJECT
1620 NEW JERSEY AVE., NW
WASHINGTON, DC

1

16 JUNE 2005