GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy, Interim Director

DATE: July 5, 2005

SUBJECT: **BZA Case No. 17346**
228 Ascot Place, N.E.

APPLICATION

The application by Gayle Berkley, pursuant to 11 DCMR 3104, for a special exception under § §223 to allow a rear deck addition to an existing single-family row dwelling that does not meet the lot occupancy percentage and rear yard requirements in the R-3 District.

RECOMMENDATION IN BRIEF

The Office of Planning recommends **approval** of the requested special exception.

SITE AND AREA DESCRIPTION

The subject property located at 228 Ascot Place, N.E., (Square 3557, and Lot 65) is in the Edgewood Neighborhood of Ward 5. Bryant Street bounds the site to the north, Ascot Place to the south, 3rd Street to the east and 2nd Street is to the west. The property is on the north side of the block near the intersection of 3rd Street with Ascot Place.

The lot is improved with a two-story single-family row dwelling with a basement. The subject dwelling and nearly every other dwelling on the 200 block of Ascot Place were constructed in 1922, which was prior to the adoption of the Zoning Regulations. As a result, most of the dwellings are nonconforming because they do not meet some of the R-3 zoning requirements.

There is a 15-foot public alley abutting the rear of the subject property. Across the alley are backyards of residential structures that front on Bryant Street. Single-family row dwellings are the predominant land use in the subject neighborhood although there are some multi-family structures. Glenwood Cemetery, which is on the western boundary of the neighborhood,

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consumes most of the land west of 2nd Street, and between Franklin Street and Rhode Island Avenue.

PROPOSAL

The applicant proposes to construct a deck addition onto the rear of the subject dwelling in order to provide more livable space for a growing family. The subject dwelling is a modest row structure with limited family/recreation space. The deck will be 18 feet wide by 8 feet in length, and will replace an existing small-uncovered back porch.



South View Of Area Of Proposed Deck

ZONING ANALYSIS

- ***§ 403 Percentage of Lot Occupancy***

  The maximum percentage of lot occupancy allowed in the R-3 district for a row dwelling, church, and public school as a matter of right is sixty percent (60%) (§ 403). Presently the subject dwelling occupies 540 square feet or 57.3% of the subject lot. The new deck addition will increase the total lot coverage to 685 square feet and will consume 61.4% of the lot. This is slightly more than the percentage of lot occupancy permitted in the R-3 District.

- ***§ 404 Rear Yards***

  The Zoning Regulations state "any structure permitted in R-2 Districts under §§ 302.1, 303 through 306 shall be permitted as a special exception in an R-3 District if approved by the Board of Zoning Adjustment under § 3104" (§322.1). The proposed deck will encroach 12 feet into the rear yard, thereby reducing the rear yard from 20.2 to 8.2 feet. Therefore, the application requires relief from §§ 403 and 404 of the Zoning Regulations.

ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1)

The proposed addition is subject to the following standards:

223.2 The addition shall not have a substantial adverse affect on the use or enjoyment of any abutting dwelling or property, in particular:

(a) Will the proposed addition unduly affected light and air available to neighboring properties?

Structures on the subject block are oriented east to west, directions favorable for the provision 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.

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

The proposed deck will be larger than the porch but the view will be the same. The deck will be compatible with other decks on the block. The immediate neighbors also support the applicant's proposal.



West View of Other Decks on Subject Block

(c) Will the addition, together with the original building, as viewed from the street, alley, and other public way, substantially visually intrudes upon the character, scale and pattern of houses along the subject street frontage?

The proposed addition behind the row dwelling cannot be viewed from Ascot Place. The addition will be visible from the alley and from the rear of properties on Bryant Street, but the deck design is consistent with the character, scale and pattern of other rear decks on the subject block.

(d) 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 sufficient information.

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 61.4% lot occupancy is less than the maximum 70% allowed in the R-3 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.

No special treatment is recommended.

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.

COMMUNITY COMMENTS

The applicant's proposal will be presented to Advisory Neighborhood Commission (ANC) 5C, at its June 21, 2005 meeting. Immediate neighbors on both sides of the subject property, as well as many other neighbors on the block support the application.

OP RECOMMENDATION

OP recommends approval of the special exception request for the deck addition to the subject property.



Aerial Oblique Photos
BZA Application #17346

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

Office of Planning ~ March 24, 2005

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