GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: District of Columbia
Board of Zoning Adjustment

FROM: Ellen McCarthy, Director

DATE: September 13, 2005

SUBJECT: **BZA Case No. 17355**
3051 Avon Lane, N.W.

APPLICATION
The application by Joseph Stettinius, pursuant to 11 DCMR 3104 for a special exception to allow one and two story additions to an existing single-family detached dwelling under Section 223, not meeting the side yard requirements in the R-1-B zone district.

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

SITE AND AREA DESCRIPTION
The subject site is, located at 3051 Avon Lane, N.W., Square 1282, and Lot 258 in the Georgetown neighborhood of Ward 2. R Street bounds the site to the north, Q Street to the south, Avon Place to the east and 31st Street is to the west. The site is on the north side of the block near the intersection of Avon Lane and Avon Place. The site was improved in 1948 with a two-story single-family detached dwelling with basement and a nonconforming accessory garage structure. Avon Lane was a public alley until approximately five years ago, when it was converted to a public street. There is no public alley serving the rear of the block. Single-family detached dwellings are the predominant land use on the square. Tudor Place Historic House and Gardens are on 31st Street, one block west of the site.

PROPOSAL
The applicant proposes to construct three additions to the existing dwelling. Two of the additions will be one story and the third will be two stories. The first one story addition will be on the east side of the structure and will extend west 15'- 8 ½" along the front to about mid-point of the dwelling. The second addition area will be two stories and will connect to the first addition, and extend 22'–2" to the west property line and then continue north along the property line for

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another 29' ½"in what is presently the side yard. The first two additions will be linked to an existing garage which will result in removal of a nonconforming aspect of the property.

The third addition will be a 20'- 6" single story that will connect to the two-story section and extend further north along the property line. The new additions are designated to create more interior living space for the applicant's family. (See Site Map)

ZONING ANALYSIS

Section 405 SIDE YARDS
The subject dwelling is in the R-1-B District, a district "*designed to protect residential areas now developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes." (200.1)*

Currently, there is a conforming 10' – 7" side yard on the west side of the subject structure where most of the addition is proposed. The additions proposed along the property line will eliminate one hundred percent of the existing side yard. The first one-story addition and two-story section will connect a nonconforming accessory garage to the main structure Therefore, the application requires relief from §405 of the Zoning Regulations in order to build the proposed additions.



North view of side yard area where additions are proposed.

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

223.1 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 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:

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

The proposed additions will not affect light and air to

neighboring properties because the adjacent lot (west side) is improved with an uncovered size tennis court. The nearest house on the west side of the addition, front on 31st Street, and is more than 100 feet away.

Further, portions of the addition proposed for the east side of the structure will only be one story and will not rise to a height that would affect light and air to the neighboring dwelling at 1644 Avon Place.

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

There is only one other neighboring dwelling on the subject block, a detached dwelling on the east side of the subject site. The addition proposed for the east side will only be one story, which is not high enough to compromise the privacy of use and enjoyment of the adjacent dwelling.

The western wall will actually reduce the number of existing second floor windows and therefore increase privacy of the tennis court.



New addition will be behind garage and shrubbery.

(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.

Most of the proposed addition, as viewed from Avon Lane will be behind the one-story garage and mature trees. There is no alley at the rear of the property. However, there is a pool house and more mature trees along the rear property line that will limit view of the addition.

The addition will be within view from the rear of the structure on the west, at 1645 31st Street. However, there is at least 100 feet between that structure and the proposed addition.



Pool house and tree buffer at rear of property.

(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 a surveyor's plat, floor plans, elevations and photographs to represent the relationship of the proposed addition to the existing dwelling and to 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.

The subject dwelling is a detached structure that only occupies 24% of the lot. The new addition will increase the lot occupancy to 36 %, which is within the 40% allowable lot occupancy for the dwelling and the addition combined as a matter-of-right.

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 Commission on Fine Arts, reviewed the proposed design and has no objections.

223.5 This section may not be used to permit the introduction or expansion of a nonconforming use.

The addition proposed for the subject structure will not introduce or expand a nonconforming use.

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST

Section 223 of the Zoning Regulations was designed to permit modifications to residential structures like the additions proposed for the subject structure. As is demonstrated above, this application meets the burden of proof under Section 223. The new one and two story additions will not change the residential nature of the structure.

COMMUNITY COMMENTS

Advisory Neighborhood Commission 2E at its regular scheduled monthly meeting, held on September 1, 2005, supported the application, provided there are no windows on the west side.

The Old Georgetown Board approved the proposed additions at 3051 Avon Lane, at its meeting held on July 25, 2005.

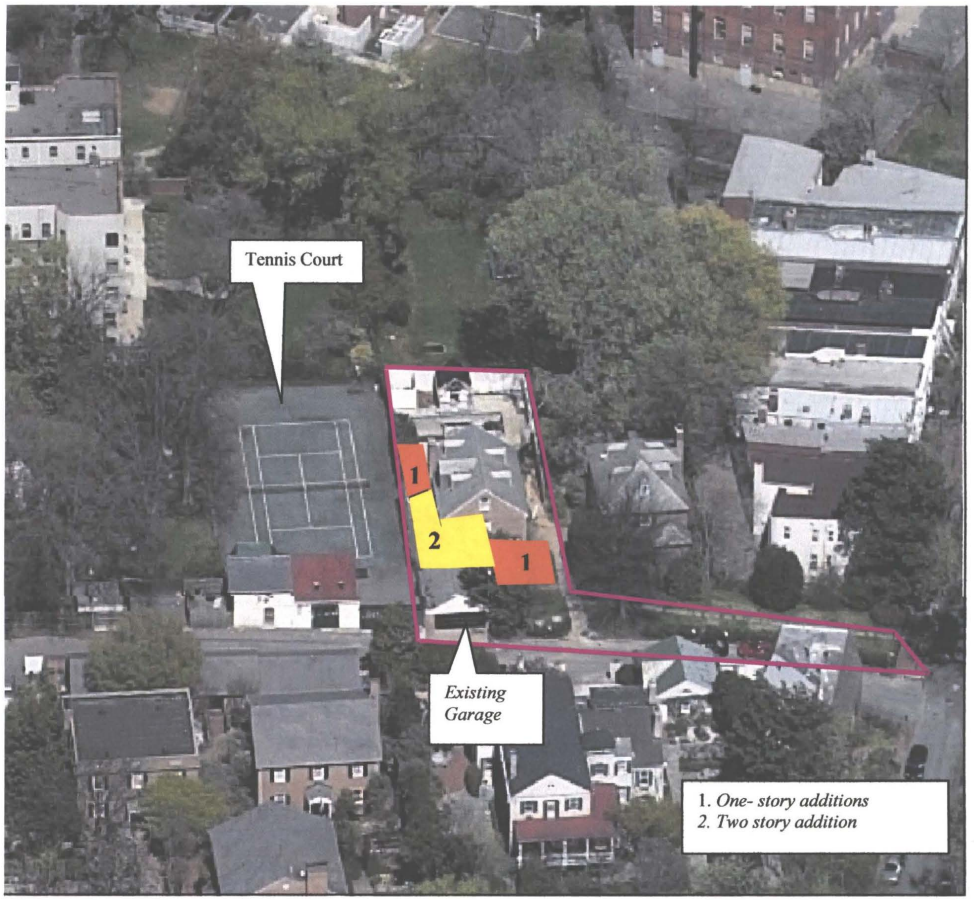
The site is within the Georgetown Historic District. As such, the Office of Historic Preservation reviewed the project and has given conceptual approval.

The U.S. Commission of Fine Arts had "no objections to general concept for the proposed one-story and two-story additions."

The applicant submitted several letters of support from surrounding neighbors, including the immediate neighbors on the east side, Megan and Bob Gabriel of 1644 Avon Place.

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 additions 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.



3051 Avon Lane, N.W., Site Map.