GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Ellen McCarthy, Director

DATE: August 8, 2005

SUBJECT: BZA Application **No. 17363**
1120-1122 K St., S.E.

APPLICATION

Monogram Renovations LLC, pursuant to 11 DCMR § 3103.2, is requesting a variance from the minimum lot area and lot width requirements under subsection 401.3, for an addition to two residential row structures in the R-4 District at premises 1120 and 1122 K Street, S.E. (Square 996, Lots 29 and 29).

RECOMMENDATION

The applicant has amended its application to request special exception relief from the minimum lot width, area and lot occupancy requirements pursuant to Section 223 of the Zone Regulations. OP believes that this is the appropriate request and reviewed the application accordingly.

OP **recommends approval** of the requested special exception relief from the lot area, lot width and lot occupancy requirements pursuant to Section 223, to permit renovation of existing residential structures, including three story rear additions at 1120 and 1122 K Street, S.E.

SITE DESCRIPTION

The applicant's properties are composed of five lots with the two eastern-most lots (1120-1122 K Street) occupied by two-story, brick (circa 1880s) contributing row houses. The subjects of this application are the developed Lots 28 and 29.

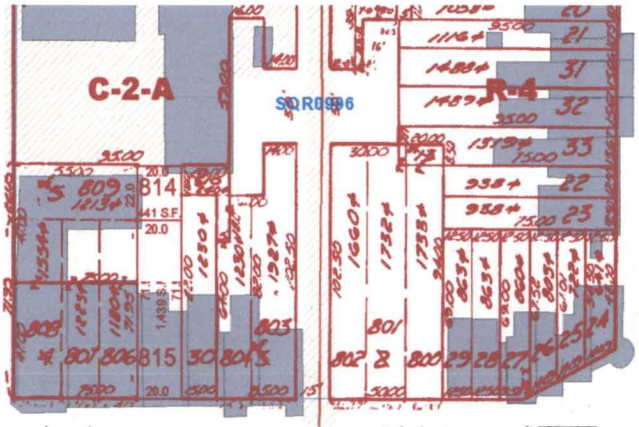
BZA
Case No. 17363
Exhibit No. 28

Board of Zoning Adjustment
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EXHIBIT NO. 28

The properties are located in the Capitol Hill Historic District, north of the Southeast/Southwest freeway in Square 996. The Square is bound by K Street to the South, I Street to the north, 12th Street on the east and 11th Street on the west. A 15-foot wide alley runs north/south and splits the square, exiting at I Street to the north and K Street to the south. The surrounding area is composed of two and three-story row houses to the north, west, east, and several mid-rise apartment buildings to the south.

PROJECT DESCRIPTION

The proposal involves three-story rear additions to the existing structures on Lots 28 and 29 in Square 996. This renovation is part of the applicant's larger development proposal incorporating the three abutting vacant parcels of Lots 800, 801, 802.



Existing Site

Proposed Site Plan

ZONING ANALYSIS

The applicant requires special exception relief from the lot area, lot occupancy and lot width requirements (§§ 401 and 403) to allow additions to the nonconforming structures on Lots 28 and 29. The addition would extend the lot occupancy for each lot by 6.6% beyond the 60% permitted for lots in the R-4 Zone District.

Section	Item	Required	Existing	Proposed	Deviation
401.3	Lot Area	1,800 square feet	863 Sq. Ft. (Lot 28) 863 Sq. Ft. (Lot 29)	Same	N/A
401.3	Lot Width	18 feet	12.5 Feet	Same	N/A
403	Lot Occupancy	60%	48% (414 Sq. Ft - Both lots)	65.2 % (562 sq. ft.)	5.2% over the required

Table 1

Special Exception Relief

In the R-4 Zone District, relief may be granted from the requirements of §§ 401 and 403, 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 rear additions would extend approximately 9 feet beyond the rear of the existing residences. As reflected in the site plan shown above, abutting properties to the west of Lots 28 and 29 would be aligned and therefore would not project beyond the proposed flat on Lot 800.

The properties in this section of the square are south facing and are aligned east to west. All properties benefit from the southern exposure and the extended additions would not cast shadows on the rear yard of the abutting property to the west. However, there may be a brief shadow to the property on the east (Lot 27). There would be no change to the amount or flow of air due to the addition for the property owner of Lot 27, since the existing court width and distance between both properties would be maintained.

Therefore, OP believes the extension would have minimal effect on the most affected neighbor's light and air to the east of Lot 28.

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

Privacy of the property owner on the west will not be affected, since the addition would complement the proposed development of the adjacent vacant lots to the west of Lots 28 and 29, but would not extend to the length of the proposed flat for Lot 800. All properties would share a party wall and no windows are proposed along the party wall shared by Lots 27 and 28. Therefore, the proposed addition would not affect privacy through visual encroachment on neighboring properties, particularly to the east of Lot 28.

(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.***
The additions would not be visible from the street frontage or the existing alley, since both lots abut rear yards of other properties within the Square.

According to the Historic Preservation's staff report (July 28, 2005), the proposed addition is compatible with the character of the neighborhood in terms of its height and general materials use. However, the applicant has been advised by the Board to increase the setback of the third floor and rooftop deck to ensure invisibility from K and 12th Streets.

(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).

AGENCY COMMENTS

OP was informed by ANC6B that the application will be heard at its regularly scheduled meeting on September 13th, 2005. However, ANC6B met with HPRB and unanimously recommended approval of the project (attached).

The applicant's request was heard by HPRB on August 4, 2004, and HPRB recommended approval in concept, on condition that the applicant increase the setback of the third floor and rooftop deck to ensure invisibility from K and 12th Streets

RECOMMENDATION

Therefore, based on the above, OP recommends approval of special exception relief from the lot width, lot occupancy and lot area to permit additions to the existing residential structures at 1120 and 1122 K Street, S.E (Lots 28 and 29).

EMcC/kt