GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

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# 3Memorandum

**TO:** Board of Zoning Adjustment (BZA)

**FROM:** Ellen McCarthy, Director
Office of Planning

**DATE:** November 8, 2005

**SUBJECT:** BZA Application #17389 (Anderson Residence)
4659 Massachusetts Avenue NW (Square 1556 Lot 58)

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## APPLICATION

The application by Carol Anderson (Applicant) requests, pursuant to 11 DCMR 3103.2, a special exception under Section 223 to allow an addition to an existing house at 4659 Massachusetts Avenue, N.W. that does not meet the lot occupancy and lot width requirements.

## SUMMARY RECOMMENDATION

The Office of Planning (OP) supports the addition to the subject house and believes that it will not be detrimental to the privacy and enjoyment of neighboring properties. The Office of Planning therefore recommends **approval** of the requested special exception.

## SITE AND AREA DESCRIPTION

The subject property is located in the Spring Valley area and is currently developed with a single-family detached house. The house is located at the intersection of Massachusetts Avenue, N.W., Van Ness Street, N.W., and 47th Street, N.W. The area is in the R-1-B zone district and is generally developed with single-family detached houses.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17389
EXHIBIT NO. 24

## PROPOSAL

The applicant proposes an addition to the portion of the second floor of the house

## ZONING REQUIREMENTS

The subject site is in the R-1-B zone district. The existing house meets the requirements of the Zoning Regulations except that it exceeds the maximum lot occupancy permitted as a matter-of-right and the lot width is less than that required as shown on Table 1.

Board of Zoning Adjustment
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**Table 1**

| Item | Required/Allowed | Provided | Deviation |
|---|---|---|---|
| **Lot Area** | 2,000 sq. ft. | 2,675 sq. ft | N/A |
| **Lot Width** | 50.0 ft. | 26.75 ft. | 23.65 ft./46.5% |
| **Lot Occupancy** | 40% | 47% | 7% |
| **Height** | 40 ft. | 19.7 ft. | N/A |
| **Side Yard** | N/A | N/A | N/A |
| **Rear Yard** | 25 ft. | 41.5 ft. | N/A |
| **Parking Spaces** | 0 | 1 | N/A |

**ANALYSIS**

The subject property is developed with a two-story single family detached house. The house is slightly smaller than the typical house in the neighborhood. The applicant proposes an addition on the second floor for a bathroom and closet. The addition will be within the footprint of the existing house and therefore the lot occupancy will not be increased. Additionally, the height of the addition will be lower than the highest portion of the existing house. The addition is to a portion of the houses that is adjacent to Van Ness Street and therefore will not be visible from the house closest to the subject property. The addition will be visible from across Massachusetts Avenue which has a right-of-way of 160-feet and Van Ness Street which has a right-of-way of 90-feet. Therefore, there are no houses that are directly adjacent to the area of the addition.

The submitted plans show a portion of the addition in the public space along Van Ness Street and a proposed cover over the entrance area along Massachusetts Avenue. The overhang extends approximately 3.5-feet into the right-of-way-along Van Ness Street and is proposed as an architectural feature. The overhang will require a public space permit from the District Public Space Committee. The applicant has offered to remove the extension if requested by the BZA.

The applicant requests a special exception pursuant to Section 223 and meets the criteria of this section as follows:

*"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 §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

The proposed addition is to a single-family detached house that is a permitted use in the R-1-B zone district. The existing house is not in compliance with Section 403, Lot width and Section 403, Lot Occupancy.

*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;*

The proposed addition will be on the second floor of the existing house and this portion of the house is not adjacent to any residences. The addition is also located in an area that is away from adjacent properties to the south and abuts Van Ness Street which has a right-of-way of 90-feet. Therefore, the light and air available to neighboring properties will not be unduly affected.

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

The proposed addition cannot be viewed from the house that is located closest to the subject property and neither will the house be viewed from the addition. The privacy of use and enjoyment of neighboring properties will not unduly compromise properties across Van Ness Street because of their distance from the subject property.

(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 frontage; and*

The proposed building addition will be visible from Van Ness Street and Massachusetts Avenue. The existing house is smaller than many of the houses in this area and the addition will not significantly increase the size of the house. Materials on the addition will be similar to that of the existing house and will not change the pattern of houses along the adjacent streets. The addition is therefore within the character, scale and pattern of houses along Van Ness Street and Massachusetts Avenue.

(d) *In demonstrating compliance with paragraphs (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 views from public ways.*

The applicant submitted photographs and architectural drawings as a part of the application in support of Section 223.

*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 existing house has a lot occupancy of 47 percent which is less than the maximum 50 percent permitted by Section 223.3 for the R-1-B zone district. The addition will be on the second floor within the existing building footprint and the lot occupancy will not be changed.

*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.*

The Office of Planning does not recommend special treatment.

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

A single-family detached house is permitted as a matter of right within the R-1-B zone district. The approval of this application will not permit the introduction or expansion of a nonconforming use.

It is the Office of Planning's conclusion that the applicant has satisfactorily met the criteria for special exception relief of Section 223 and that granting the relief, "*will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps,...*"

## COMMUNITY COMMENTS

On October 13, 2005, ANC-3E voted to recommend approval of the requested special exception.

## SUMMARY AND RECOMMENDATION

The Office of Planning (OP) supports the addition to the subject house and believes that it will not be detrimental to the area and enjoyment of neighboring properties. The Office of Planning therefore recommends **approval** of the requested special exception.

**Attachment**

1. Site and Surrounding Area

EM/mbr




Feet

N

0 100 200 300

# BZA 17839
# Anderson Residence Addition
# 4659 Massachusetts Avenue, NW

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

**Office of Planning ~ September 9, 2005**

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.
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Zoning Districts

Buildings

**Attachment 1**