MEMORANDUM

D.C. ZONING
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TO: Office of Zoning
District of Columbia

FROM: H.L. Walker, Agent for
David N. Jackson, applicant

DATE: June 29, 2005

SUBJECT: BZA Application No. 17397- D. Jackson Addition
1008 South Carolina Avenue, S.E. (Square 970, Lot 23)

David Jackson, owner of 1008 South Carolina Avenue, S.E. - Washington, D.C. 20003, applies for a special exception to fill in the recess opening at the northeast corner at the rear building wall. The aspects of the proposed project that fall outside of the current zoning regulations are as follows:

The existing lot occupancy of all buildings in this block, constructed before current zoning codes were established, exceed the 60% limit for townhouses in the R-4 Zoning District. The existing building lot occupancy is 64.6 percent. The proposed construction will add 44 square feet or 6.4 percent lot occupancy, for a total of 71%.

The proposed construction fills in the recess area at the rear wall and uses that area as a means of egress from the first floor to the rear, as all other row houses have in this block.

I. Summary

A. Special exception qualifications under 11 DCMR Section 223 notes that the proposed construction not increase the lot occupancy for an R-4 property to the extent that the percentage exceeds 70% (11DCMR 223.3). The proposed 44 SF addition will increase the lot percentage to 71%. The location of this addition fills in a pocket at the rear wall of the building and will have no adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).

B. All other buildings in this block have a rear entrance from the first floor onto a platform, and steps to the rear grade. The proposed construction utilizes the typical recess opening space at the rear wall corner for interior use and pushes the egress rear platform to the exterior.

C. The location of the addition does not project beyond the rear wall, and when completed will not be visualized as an addition, because the rear wall will be flush from property line to property line.

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EXHIBIT NO. 5

D. The basement rear egress will be provided like all other properties in this clock. The first floor egress platform and steps have been designed to avoid any conflict with the egress means from the basement floor.

II. Bases for Grant of Special Exception

Section 223 provides consideration for relief based on satisfying specific criteria, under which single-family dwellings may be permitted within a residential district. The same are listed below:

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 applicable area 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 two story addition is to a permitted residential home that is not currently in conformance with section 403.2 (lot occupancy). The existing structure has a lost occupancy of 65% which will be increased to 71% with the proposed addition. This is an 11% increase over the matter-of-right lot occupancy allowed in the R4 district, 5% over the existing house footprint, and just 1% over the 79% allowed by Section 223.3 as a special exception.

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 fills in an inset between the subject property and the adjacent property. The adjacent property wall at that location is a windowless brick wall. Thus, the proposed addition at that location would have no adverse affect on the light and air availability to the adjacent property.

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

The proposed addition does not project beyond the existing rear building wall, which is a common rear wall, which is a common rear wall to all the row houses in this block. This addition takes away nothing whatsoever from each adjacent neighboring property. Their use and enjoyment of these properties shall continue as if not addition was provided.

(c) In addition, together with the original building, as viewed from the street, alley, or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and

The addition will be available only from the alley. The rear elevator, as shown on the attached plans, is a simple brick wall with a French balcony at the second floor, a typical porch and steps at the second floor and double doors leading to a patio at the basement level. All can only be seen from the alley. The rear façade and patio, attractively landscaped will lend a subtle bit of freshness to a normally dull scene.

(d) *In demonstrating compliance with paragraphs (a), (b) and (c) of this sub-section, 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.*

Photos, elevation drawings, and a site plan showing the relationship of the proposed addition to adjacent buildings and views from public ways are enclosed.

If you require any further clarification or have any questions regarding our application, Henderson L. Walker will be available to discuss them with you. Thank you for you attention to this matter.

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David N. Jackson
applicant