

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: February 9, 2016

SUBJECT: BZA Case 19178 - request for special exception relief under § 223 to construct a two-story addition at 1436 Florida Avenue, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to § 223:

- § 403.1, Lot Occupancy (60% maximum, 69.7% proposed); and
- § 404.1, Rear Yard (15 feet minimum required, 12.5 feet proposed).

II. LOCATION AND SITE DESCRIPTION:

Address:	1436 Florida Avenue, N.W.
Applicant	Martin Sullivan
Legal Description:	Square 202, Lot 804
Ward/ANC:	1, 1B
Zone:	R-5-B – moderate height and density residential, including row dwellings and multifamily buildings.
Historic District or Resource:	Greater U Street Historic District
Lot Characteristics:	The rectangular property is 1,125 square feet in area, with a frontage of 20.74 feet along Florida Avenue. This property is not served by an alley.
Existing Development:	Row dwelling, permitted in this zone.
Adjacent Properties:	To the north, across Florida Avenue, are larger row dwellings and multifamily buildings. To the south, east, and west are row dwellings.
Surrounding Neighborhood Character:	The surrounding neighborhood character is predominantly residential, consisting of row dwellings and multifamily developments. The site is 0.2 miles from Meridian Hill Park, and the nearest commercial corridor is along U Street, two blocks south of the subject site.

Proposed Development:	The applicant has requested special exception relief that would allow for the construction of a two story addition to the rear of an existing row dwelling, accommodating a larger kitchen, bedroom, and bathroom. Relief has also been requested to allow the development of a deck approximately 50 square feet in area.
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III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-5-B Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	50 ft. max.	26 ft.	26 ft.	None required
Lot Width (ft.) § 401	None prescribed	20 ft.	20 ft.	None required
Lot Area (sq.ft.) § 401	None prescribed	1,125 sq. ft.	1,125 sq. ft.	None required
Floor Area Ratio § 401	1.8	1.7	1.7	None required
Lot Occupancy § 403	60% maximum	55.3%	69.7%	Required
Rear Yard (ft.) § 404	15 ft. minimum	20.38 ft.	12.5 ft.	Required
Side Yard (ft.) § 405	Not required	--	--	None required
Court § 406	Not provided	--	--	None required

IV. OP ANALYSIS:

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223.1 An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure 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 existing use is a row dwelling, which is permitted in this District. The applicant has requested special exception relief under § 223 from the requirements of § 403, Lot Occupancy and § 404, Rear Yard, to permit the construction of a two story addition and deck.

223.2 The addition or accessory structure shall not have a substantially adverse effect 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;

Light and air available to neighboring properties should not be unduly affected. The two story addition would maintain the existing height of 26 feet, and the face of the addition would maintain the existing rear yard of approximately 20 feet, where 15 feet is required. While the addition and deck would provide no side yard, the neighboring property to the west is set back approximately five feet from the common property line. Further, the depth of the dwelling would be similar to or less than adjacent dwellings, and should not significantly impact light and air to neighboring

¹ Information provided by applicant.

properties.

The proposed deck would be approximately 50 square feet in area, and would maintain a rear yard of 12.5 feet. It would be roughly seven feet above grade and screened by the adjacent fence located on the property line. As a result, the deck should not impact the light and air available to neighboring properties.

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

The addition should not compromise the privacy of use and enjoyment of neighboring properties. The two story addition will replace an existing deck, and would maintain a rear yard of approximately 20 feet. The elevations indicate that no windows would be provided along the eastern property line, ensuring the privacy of the adjacent neighbor.

A deck would project into the rear yard approximately eight feet beyond the two story addition. No side yard would be provided between the deck and east property line; however, the neighboring dwelling is removed from the property line by approximately five feet and the deck would be screened by an existing fence and landscape. Therefore, the proposed deck should not compromise the use and enjoyment of neighboring properties.

- (c) *The addition or accessory structure, 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; and*

The proposed two story addition and deck would not be visible from Florida Avenue, as it would be behind the existing row dwelling. Given that there is no alley at the rear of the dwelling, the addition and deck would not be visible from any public right of way. The proposed addition and deck have been reviewed by the Historic Preservation Office, which has expressed no concern related to the impact the expansion may have on the character of the Greater U Street Historic District.

- (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 or accessory structure to adjacent buildings and views from public ways.*

The applicant has submitted plans, photographs, and elevations sufficient to represent the relationship of the proposed deck to adjacent buildings and views of public ways.

- 223.3 *The lot occupancy of all new and existing structures on the lot 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 lot occupancy is 69.7%, which is permitted with the approval of a special exception.

- 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 recommends no special treatments or conditions.

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

The applicant does not propose to introduce a nonconforming use.

V. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this report, comments from other District Agencies had not been received.

VI. COMMUNITY COMMENTS

At its regularly scheduled meeting on January 7, 2016, ANC 1B voted to recommend approval of the requested relief.

Location Map

