

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Elisa Vitale, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: February 16, 2016

SUBJECT: BZA Case 19192 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing row dwelling at 916 K Street NE.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403, lot occupancy (60% maximum permitted, 68% proposed); and
- § 404, rear yard (20 feet required, 17.7 feet proposed).

II. LOCATION AND SITE DESCRIPTION:

Address:	916 K Street NE
Applicant:	Rebecca Mann
Legal Description:	Square 931, Lot 4
Ward / ANC:	6/6A
Zone:	R-4 – detached, attached, semi-detached, single-family dwellings and flats.
Lot Characteristics:	Generally rectangular lot bounded by K Street NE to the south, an improved 12 foot alley to the north, and existing row dwellings to the east and west.
Existing Development:	Single family row dwelling, which is a permitted use in the zone.
Adjacent Properties:	Single family row dwellings and flats in the R-4 zone.
Surrounding Neighborhood Character	The surrounding neighborhood is predominantly single family row dwellings and flats. Florida Avenue is to the north of the property and features some commercial properties in the C-2-A zone. Gallaudet University is located to the northwest of the property.
Proposed Development	The applicant is proposing to replace an existing addition at the rear of the house.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	35 ft. max.	26 ft.	26 ft.	None required
Lot Width (ft.) § 401	18 ft. min.	19.25 ft.	19.25 ft.	None required
Lot Area (sq.ft.) § 401	1,800 sq. ft. min.	1,126 sq. ft.	1,126 sq. ft.	Existing nonconforming
Floor Area Ratio § 401	None prescribed			None required
Lot Occupancy § 403	60 % max. 70 % (§ 223)	70 %	68 %	8 %
Rear Yard (ft.) § 404	20 ft. min.	16.8 ft.	17.7 ft.	2.3 ft.
Side Yard (ft.) § 405	0 ft. min.	0 ft.	0 ft.	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.

Single family row dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §403, lot occupancy, and §404, rear yard, to construct an addition.

223.2 The addition or accessory structure 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 light and air available to neighboring properties should not be unduly affected. The proposed two-story addition would have a smaller footprint than the existing addition it would replace and would project 10.5 inches less into the rear yard. The property to the east at 918 K Street NE has an existing rear addition that would align with the proposed addition at the subject property.

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

The proposed addition would not have windows on the sides; therefore, the privacy of neighbors should not be unduly compromised.

¹ Information provided by applicant.

- (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 addition would be clad in a stucco finish and would be similar in character to other rear additions in the area. As viewed from the alley, the proposed addition should not visually intrude upon the character, scale and pattern of houses along the public alley.

- (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 provided sufficient information, including plans, photographs, and elevations to demonstrate compliance with paragraphs (a), (b) and (c) of this subsection.

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 lot occupancy is currently 70%. However, with the demolition and replacement of the addition, the lot occupancy would be reduced to 68%.

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.*

No special treatment is recommended.

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

The house would continue to be used as a single family residence and would not permit the introduction of a nonconforming use if the requested special exceptions are approved.

V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been received at the time this report was drafted.

VI. COMMUNITY COMMENTS

ANC 6A voted 7-0 (with 5 Commissioners required for a quorum) at its regularly scheduled and properly noticed meeting on December 10, 2015, to support the applicant's request for a special exception (Exhibit 21).