

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Anne Fothergill, Case Manager
 Joel Lawson, Associate Director Development Review

DATE: February 16, 2016

SUBJECT: BZA Case 19209 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct a rear deck addition to an existing row dwelling at 1861 Ingleside Terrace, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 404 (20 feet rear yard required, 1.6 feet proposed); and
- § 403 (60% maximum lot occupancy, 64.5% proposed).

II. LOCATION AND SITE DESCRIPTION:

Address:	1861 Ingleside Terrace, N.W.
Applicant:	Larry Schimdt
Legal Description:	Square 2617, Lot 0156
Ward / ANC:	Ward 1/ ANC 1D
Zone:	R4 – row dwellings and flats
Historic District or Resource:	N/A
Lot Characteristics:	Rectangular lot of 1647 SF
Existing Development:	Two-story row house with internal garage
Adjacent Properties:	Adjacent and abutting properties are row dwellings and behind the subject property is parkland
Surrounding Neighborhood Character	Residential neighborhood consisting primarily of row dwellings
Proposed Development	Construction of a rear deck over a carport

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed ¹	Relief
Height (ft.) § 400	35 feet max.	32.1 feet	32. 1 feet	None required
Lot Width (ft.) § 401	18 feet min.	20 feet	20 feet	None required
Lot Area (sq.ft.) § 401	1800 SF min.	1649 SF	1649 SF	Existing non-conformity
Lot Occupancy § 403	60% max.	50.1%	64.5%	Relief requested
Rear Yard (ft.) § 404	20 feet min.	13.9 feet	1.6 feet	Relief requested
Side Yard (ft.) § 405	0 feet min.	0 feet	0 feet	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.

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 permit a rear deck addition to a row house within the R-4 district.

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;

Light and air available to the abutting property would not be unduly impacted. The adjacent neighbor has a similar size deck and carport and the proposed deck will be on the north side of the house.

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

The privacy of use and enjoyment of the abutting neighbors should not be compromised unduly. There are many rear decks at the rear of the neighboring row houses.

(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

¹ Information provided by applicant.

The proposed deck and carport, when viewed from the public alley behind the house, would not visually intrude upon the character and pattern of adjacent row houses; many other neighboring houses also have rear decks and the proposed addition would be in keeping with that pattern and context.

(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 proposed addition.

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 64.5% and would not exceed the 70% maximum permitted under this Section.

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.*

OP does not suggest any additional screening for this project.

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

A permitted residential use would be continued on this property.

V. COMMENTS OF OTHER DISTRICT AGENCIES

At the time of the staff report, no other agency comments had been submitted.

VI. COMMUNITY COMMENTS

ANC 1D voted unanimously in support of the application (Exhibit 23).