

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: March 15, 2016

SUBJECT: BZA Case 19211 - request for special exception relief under § 223 for a rear addition at 629 L Street, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

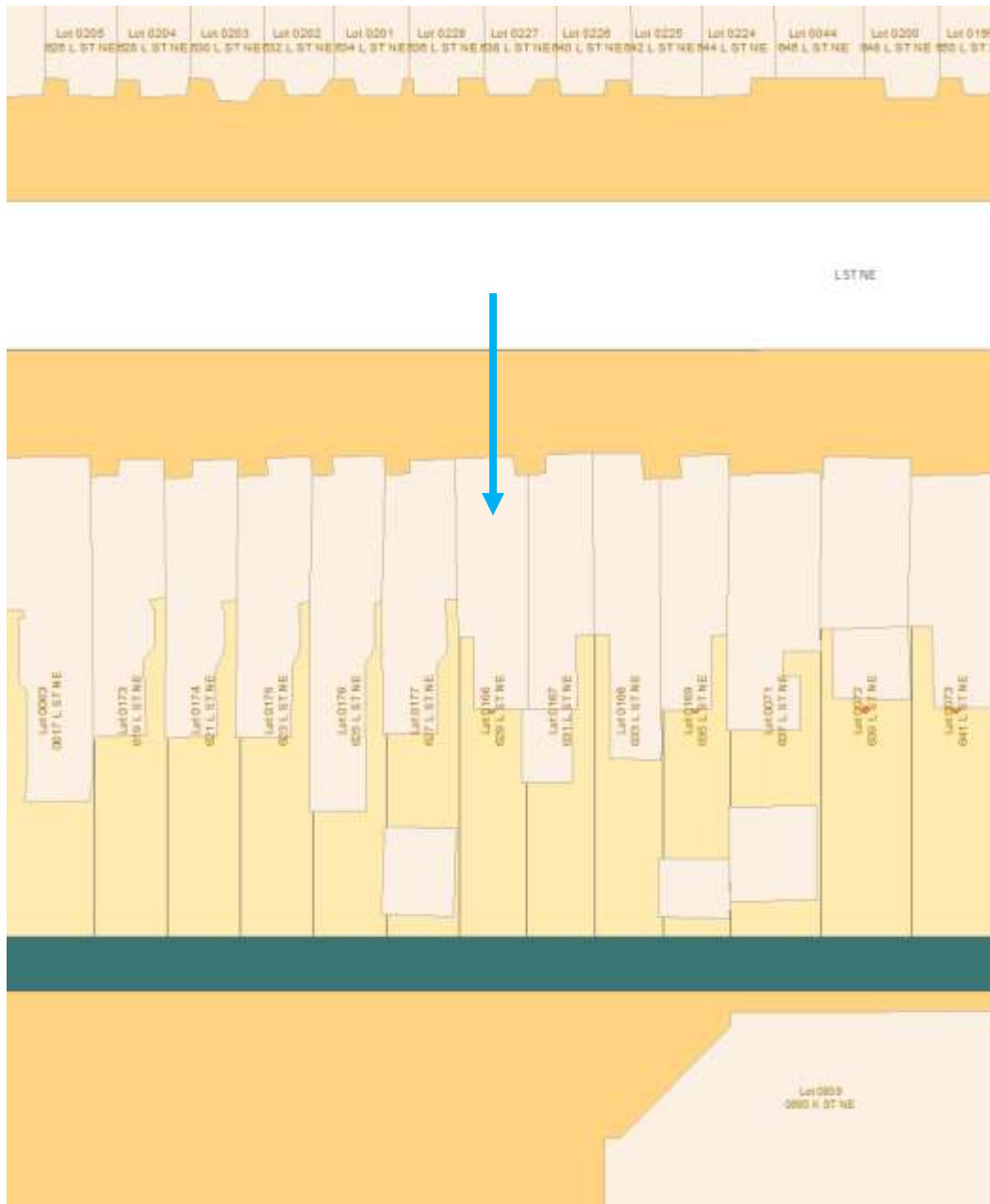
The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223 from the following requirements:

- § 403.1, Lot Occupancy (maximum 60 % allowed, 64.7 % proposed);
- § 406., Open Court (minimum 10.5' required, 4' existing non-conformity); and
- § 2001.3, Addition to a nonconforming structure

to construct a rear addition at 629 L Street, N.E. The existing property is also non-conforming for lot area and lot width.

II. LOCATION AND SITE DESCRIPTION

Address	629 L Street, N.E.
Legal Description:	Square 0856, Lot 0166
Ward:	6/ANC 6C
Lot Characteristics:	The lot is a rectangular lot with 1500 SF located mid-block.
Zoning:	R-4 - attached row and semi-detached single-family dwellings
Existing Development:	The lot is developed with a row dwelling.
Historic District:	N/A
Adjacent Properties:	The subject property is in the middle of a block of row dwellings and across the street to the north is a block of row dwellings. Behind the property to the south is an alley and across the alley is a school.
Surrounding Neighborhood Character:	The neighborhood is residential with row dwellings and small apartment buildings.



III. PROJECT DESCRIPTION IN BRIEF

The owners propose to construct a 2-story addition to the rear of the existing three-story rowhouse.

IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	35 feet maximum	31.5 feet	No change	None required
Lot Width (ft.) § 401	18 feet minimum	15 feet.	No change	Existing non-conformity
Lot Area § 401	1,800 SF (min.)	1,500 SF	1,500 SF	Existing non-conformity
Lot Occupancy § 403	60% maximum	52.7%	64.7%	Relief requested
Rear Yard § 404	20 feet minimum	49.9 feet	No change	None required
Open Court § 406.1	10.5 feet minimum	4 feet	No change	Relief requested

V. 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 subject application is for relief from §§ 403 and 406, Lot Occupancy and Open Court, to permit an addition to a single-family row house within the R-4 district.

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 the adjacent properties would not be unduly impacted. The proposed addition extends 12 feet to the rear, which would be in line with the adjacent addition at 631 L Street. The open court would remain between the proposed addition and the adjacent property at 627 L Street for access to light and air.

(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 beyond what currently exists. The east side of the addition would be constructed along the party wall with the adjacent house and the west side of the addition would not have windows.

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 addition, as viewed from the street and public alley, would not substantially alter the character, scale and pattern of the houses. The addition would not be visible from the street but it would be visible from the alley. As viewed from the alley, the expanded house with the proposed rear addition would remain consistent with the context of neighboring houses.

- (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 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 64.7% 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.

VI. AGENCY COMMENTS

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

VII. COMMUNITY COMMENTS

The ANC voted to oppose the project (Exhibit 21). The applicant has followed up with the ANC to resolve concerns. The applicant indicated that the adjacent neighbors are expected to submit letters of support into the record prior to the hearing date.