

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
 Joel Lawson, Associate Director Development Review

DATE: March 8, 2016

SUBJECT: BZA Case 19214 - request for special exception relief under § 223 to construct a deck and stairs at the rear of the house.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 404 Rear Yard (20 feet required, 10.29 feet proposed); and
- § 406 Open Court (5 feet (min.), 3.93 ft. proposed);

The lot is non-conforming due to its lot area and width.

II. LOCATION AND SITE DESCRIPTION:

Address:	3836 Beecher Street, NW
Applicant	Pamela Hall, (Andrew Stevenson, Architect)
Legal Description:	Square 1301, Lot 1057
Ward / ANC:	3/ANC 3B
Zone:	R-3 – detached and semi-detached, single-family dwellings.
Historic District or Resource:	None
Lot Characteristics:	The lot is irregularly shaped, as the rear lot line follows the diagonal of the 16-foot wide alley.
Existing Development:	Single-family row dwelling, permitted in this zone.
Adjacent Properties:	The subject property is second of the row of 12 row dwellings, on the south side of Beecher Street. To the east, the subject property abuts the residence at the corner of Beecher Street and Huidekoper Place NW (#3834) and another row dwelling (#3838) to the west.
Surrounding Neighborhood Character:	The neighborhood is predominantly characterized by row dwellings in the R-3 District.
Proposed Development:	The applicant proposes to add a rear deck and stairs to the residence.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-3 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	35 ft. max.; 3 stories	2 stories	2 stories	None required
Lot Width (ft.) § 401	20 ft. min.	18.25ft.	18.25 ft.	None required
Lot Area (sq.ft.) § 401	2,000 sq.ft. min.	1,549 sq.ft.	1,549 sq.ft.	None required
Floor Area Ratio § 401	None prescribed	N/A	N/A	None required
Lot Occupancy § 403	60 % max.	50 %.	60 %	None Required
Rear Yard (ft.) § 404	20 ft. min.	20 ft.	10.29 ft.	Required
Side Yard (ft.) § 405	0 ft. min.	0 ft.	0 ft.	None required
Court § 406	5 ft. min.	0 ft.	3.93 ft.	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 §404 (rear yard) and § 406 (open court).

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 to neighboring properties would not be affected as the stair and deck combined is an open structure, which would not obstruct either element to the abutting neighbors.

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

Privacy of use and enjoyment of neighboring properties would not be unduly compromised, including at the rear where visibility exists among other decks within view, as seen from submitted photos to the record. The proposed structure would be similar to the rear 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*

¹ Information provided by applicant.

visually intrude upon the character, scale and pattern of houses along the subject street frontage; and

The proposed addition would conform to this provision, as shown by the provided plans and photos of the existing neighborhood structures at the rear.

- (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 required photos and plans were provided to represent the relationship of the proposed deck and stairs with the adjacent residences and as viewed from the public alley.

- 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 of the existing structure with deck and stair combined (60%) would not exceed the maximum lot occupancy permitted under this provision (70%).

- 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 anticipate the need for special treatment or screening to protect neighboring properties.

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

The existing use as a residence is permitted in the R-3 District and the stair and deck are accessory to that use.

V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies would be submitted separately to the record.

VI. COMMUNITY COMMENTS

The ANC 3B held is regularly scheduled meeting on January 14, 2016 and voted unanimously to support the requested relief. Signatures of the abutting neighbors (#3834 and #3838) in support of the proposed deck and stair addition are attached to the ANC's report (Exhibit #20).

Location and Zoning Map

