

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown-Roberts, Case Manager
Joel Lawson, Associate Director Development Review

DATE: March 15, 2016

SUBJECT: BZA Case 19223 –2233 10th Street, NW, to allow third floor addition to a dwelling in the R-5-B zone.

I. PROPOSAL AND OFFICE OF PLANNING RECOMMENDATION

Design Development LLC request variance relief pursuant to § 3103.2, § 402.4, FAR and § 2001.3, addition to a nonconforming structure, to allow for a third floor addition to a single-family dwelling at 2233 10th Street, NW in the R-5-B zone. The Office of Planning (OP) recommends **approval** of the variance requests as follows:

- § 402.4, FAR: 1.8 maximum, 1.65 existing, 2.5 proposed; and
- § 2001.3, Addition to a structure that has non-conforming lot occupancy and rear yard.

II. LOCATION AND SITE DESCRIPTION

Address:	2233 10 th Street, NW
Legal Description:	Square 0357, Lot 90
Ward/ANC:	1/1B
Lot Characteristics:	Flat, irregularly shaped lot with an area of 448 square feet that abuts a three-foot wide alley to the rear.
Zoning:	R-5-B – General Residence Districts designed to permit flexibility of design and by permitting in a single district, ... , all types of urban residential development if they conform to the height, density, and area requirements.
Historic District:	Not within a historic district.
Existing Development:	A two-story, single family rowhouse.
Adjacent Properties:	To the north, south and east are predominantly rowhouses and flats. To the west is the Howard University Service Center.
Surrounding Area	The property is within a triangular area bounded by Florida Avenue, 10 th Street, and W Street, NW. Other more intense uses include Howard University Service Center to the west, Garfield Terrace senior housing apartments and a Howard University parking lot to the north; Howard University dormitories and parking lots to the east; and mixture of residential uses across W Street, NW.

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Site Location and Photograph



III. PROJECT DESCRIPTION

The proposal is to construct a third-story addition to the existing building. The addition would not expand the existing footprint of the building.

IV. ZONING REQUIREMENTS

R-5-B Zone	Regulation	Existing	Proposed ¹	Relief
Height (ft.)	50 ft.	22 ft.	34.83 ft.	No
Lot Width (ft.)	None Specified	13.85 ft.	13.85 ft.	No
Lot Area (sq. ft.)	None Specified	448 sq. ft.	448 sq. ft.	No
Lot Occupancy	60% max.	82.8%	82.8%	Existing Nonconformity
Rear Yard (ft.)	4"/ft. but not less than 15 ft.	7.5 ft.	7.5 ft.	Existing Nonconformity
§ 2001.3	Addition to a non-conforming structure	-	-	Addition to a nonconforming structure not meeting the lot occupancy and rear yard requirements.

V. OP ANALYSIS

Variance from the requirements of § 402.4, FAR and § 2001.3, addition to a non-conforming structure.

1. Exceptional Situation Leading to Practical Difficulty

The subject property, with an area of 448 square feet, is one of the smallest in the square, is irregularly shaped and is currently developed with a small house at an FAR of 1.65 of the 1.8 FAR allowed. The house is an exceptionally small, one-family dwelling with very limited space and which needs to be modernized. However, there is only 64.4 square feet available within the allowable FAR. To modernize the house for a small family could not be accommodated in that small amount of square footage. The existing core (stairs, landing, and passageway) of the building currently occupies 99 square feet of space and making the living space smaller. Within the addition, 86 square feet of space would also be dedicated to core which is included in the FAR. The combination of the small lot and the large portion of the area dedicated to the core of the building are exceptional situations that lead to a practical difficulty in meeting the FAR requirement.

The property is non-conforming to lot occupancy at 82.8% which would be retained with the proposed addition. To meet the 60% lot occupancy would necessitate the demolition of a portion of the building which would be a practical difficulty to the applicant. Likewise, to provide an addition that conforms to the lot occupancy limit, given the extent of the core area, would result in an addition of little benefit.

2. No Substantial detriment to the Public Good or Zone Plan

¹ Information provided by Applicant.

The addition would not extend beyond the existing building line or that of the adjacent buildings and would therefore not block their light or air. The addition's frontage would be similar in color and material to the original house and therefore would not "stand out" along the street frontage. There are several other buildings with third floor additions along 10th Street and therefore the third floor addition would not be inconsistent with building heights along 10th Street. The Applicant has provided two options for the elevation. OP recommends the option that does not replicate the cornice line at the top of the addition. The cornice is a distinguishing element of the existing two-story buildings along this portion of 10th Street. The replication of the cornice, embellishments, color and material would make the original building indistinguishable for the addition. The character of the original building should be maintained with it being complemented by the addition. This would also maintain the character of the original building and distinguish it from the addition. The other buildings with additions do not replicate the cornice and to do so would make this addition out of character with them. Additionally, the cornice at the top of the addition would make the buildings seem taller.

The addition would not impact the Zone Plan as the building would remain a single family dwelling. The additional FAR would not make the building be out of scale with the other buildings along 10th Street.

VI. COMMUNITY COMMENTS

The property is within ANC-1B. On March 3, 2016 the ANC voted to recommend approval of the application.