

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: April 12, 2016, 2016

SUBJECT: BZA Case 19245 - request for special exception relief under § 223 to construct a third story and expand a deck on an existing detached dwelling at 1605 Madison Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403.2, Lot Occupancy (40% maximum, 48% proposed);
- § 405.8, Side Yard (8 feet required, 7.9 and 3.2 feet proposed);
- § 2001.3, Additions to Nonconforming Structures

II. LOCATION AND SITE DESCRIPTION:

Address:	1605 Madison Street, N.W.
Applicant	Jessica Bloomfield for George Simpson, owner
Legal Description:	Square 2722W, Lot 1
Ward/ANC:	4/4A
Zone:	R-1-B – detached single family dwellings.
Historic District or Resource:	Not applicable.
Lot Characteristics:	The rectangular lot is 4,300 square feet in area, with 40 feet of frontage along Madison Street. A 15-foot wide public alley is located along the east side and rear property lines.
Existing Development:	Detached dwelling, permitted in this zone.
Adjacent Properties:	Properties on all sides of the subject site are developed as detached single family residences.
Surrounding Neighborhood Character:	The surrounding neighborhood character is predominantly residential. The area is included in the Sixteenth Street Heights Overlay District, which aims to preserve housing supply and neighborhood quality and character, while controlling the expansion of human services and private institutions.

Proposed Development:	The applicant proposes to expand an existing detached dwelling with a third story, and slightly increase the footprint of an existing deck.
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III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1-B Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	30.75 ft.	38.08 ft.	None required
Lot Width (ft.) § 401	50 ft. min.	40 ft.	40 ft.	Existing nonconforming
Lot Area (sq.ft.) § 401	5,000 sq.ft. min.	4,300 sq.ft.	4,300 sq.ft.	Existing nonconforming
Floor Area Ratio § 401	None prescribed	--	--	None required
Lot Occupancy § 403	40% max.	45%	48%	Relief required
Rear Yard (ft.) § 404	25 ft. min.	37 ft.	28.9 ft.	None required
Side Yard (ft.) § 405	8 ft. min.	7.9 ft./3.2 ft.	7.9 ft./3.2 ft.	Relief 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.

The existing use is a detached dwelling, which is permitted in the R-1-B District. The applicant has requested special exception relief under § 223 from the requirements of §403, Lot Occupancy; § 405, Side Yard; and § 2001.3, Additions to Nonconforming Structures. The applicant proposes a third floor addition, which would accommodate a master suite, as well as an expansion of the existing rear yard deck.

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;

The proposed third story should not unduly affect light and air available to neighboring properties. The third story addition would increase the overall height approximately eight feet, but would be under the 40 feet maximum permitted in the R-1-B District. The dwelling is separated by a significant distance from the dwellings to the north and east, including a 15 foot wide alley on either side. The existing 12 foot separation between the subject property and the existing two-story detached dwelling located to the west would be maintained, thereby limiting the impact on light and air.

¹ Information provided by applicant.

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

The proposed third story addition should not compromise the privacy of use and enjoyment of neighboring properties. A setback of over 90 feet would be provided between the subject dwelling and the dwelling to the north, and over 70 feet would be provided between the subject dwelling and the property to the east. The existing 12 feet between the subject dwelling and the dwelling to the west would be maintained, ensuring that the addition would have little impact on the property owners' privacy and enjoyment of their property. In addition, letters of support have been provided by multiple property owners, including those to the west, located at 1609 Madison Street, N.W.

- (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 should not substantially visually intrude upon the character, scale and pattern of houses along the street frontage and other public ways. The third story would increase the height of the structure by less than eight feet, and would continue to have a hip roof, which is a characteristic of many dwellings in this neighborhood. While most dwellings on this block of Madison Street remain at two stories, there is another existing three story dwelling located at 1617 Madison Avenue, N.W.

- (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 provided plans, photographs, and elevations sufficient to represent the relationship of the proposed addition to adjacent buildings, as well as views from public ways.

- 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 48%, which is permitted in the R-1-B District with the approval of a special exception.

- 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 recommend any special treatment of the addition in the way of design, screening, exterior or interior lighting, building materials, or other features.

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

The proposed use is a detached single family dwelling, which is a by-right use in the R-1-B District.

V. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this writing, comments from other District Agencies have not been provided.

VI. COMMUNITY COMMENTS

This project is scheduled to be heard as a consent calendar item at the public meeting of ANC 4A on April 5, 2016. Several letters of support have been provided by neighboring property owners, including those that would be most impacted by the proposed addition.

Location Map

