

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: June 14, 2016

SUBJECT: BZA Case 19263: Request for special exception relief under § 223 for 2629 Woodley Place, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403, Lot Occupancy (60 permitted, 70 proposed);
- § 404, Rear Yard (20 feet required; 5 feet proposed); and
- § 406, Open Court Width (10 feet required, 1.15 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address	2629 Woodley Place, N.W.
Applicants	Kimberly and Michael Baker
Legal Description	Square 2205, Lot 40
Ward, ANC	Ward 3, ANC 3C
Zone	R-4
Historic District	Woodley Park
Lot Characteristics	Rectangular lot with rear alley access
Existing Development	Row house
Adjacent Properties	Row houses and an apartment building
Surrounding Neighborhood Character	Moderate density residential
Proposed Development	Remove existing rear deck constructed without permits and replace it with a new deck to accommodate an existing tree that is surrounded by the deck. The new deck would have an enlarged opening to accommodate the tree as recommended to the applicant by a certified arborist.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed	Relief
Lot Width § 401	18-foot min.	20 feet	20 feet	None required
Lot Area § 401	1,800 sq. ft.	1,660 sq. ft.	1,600 sq. ft.	None required
Floor Area Ratio § 402	None prescribed	N.A.	N.A.	N.A
Lot Occupancy § 403	60% max; 70% by S.E.	54.21	70%	Required
Rear Yard § 404	20-foot min	--	5 feet	Required
Side Yard § 405	None required	None	None	Not required
Open Court § 406	10-foot min.	1.15 feet	1.15-foot width	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.*

One-family detached dwellings are a permitted use in this zone. The applicant is requesting special exception relief under § 223 from the requirements of §§ 403, 404 and 406.

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 applicant proposes to construct a new rear deck, similar to the existing deck. As it would be similar in size to other decks along the alley, with no walls or a roof, light and air should not be unduly affected.

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

The proposed deck would abut a solid wall of an apartment building to south and a similar deck to the north. It would not abut any windows or other openings on the adjacent structures.

(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 deck would be similar in character to the other decks along the subject alley, maintaining the existing scale and pattern.

- (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, elevation and section plans sufficient to represent the proposed deck.

- 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 70 percent, the maximum permitted by special exception in the R-4 zone.

- 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 makes no recommendations for special treatment.

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

The subject application would not result in the introduction or expansion of a nonconforming use.

The Historic Preservation Office had no comments on the application.

The Urban Forestry Division commented in an email dated June 7, 2016 that the applicant should clarify how the posts would be anchored and if new footers would be required.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VI. COMMUNITY COMMENTS

ANC 3C, at its regularly scheduled meeting of May 16, 2016, had no objection the application.

Attachment: Location Map

