

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Project Manager
JL Joel Lawson, Associate Director Development Review
DATE: December 19, 2017

SUBJECT: OP Report - BZA Case #19652 - Special Exception to allow the addition of a second story to the house at 5148 Linnean Terrace, NW in the R-9 zone.

I. OFFICE OF PLANNING RECOMMENDATION

John Linam, on behalf of David Dale (applicant) submitted an application to construct a second story and rear addition to a one-story, single-family, detached house at 5148 Linnean Terrace, NW in the R-9 zone. To accommodate the rear addition, the Office of Planning (OP) recommends **approval** of the following:

Special Exception pursuant to Subtitle D, § 5201:

- Subtitle D, § 504.1, Subtitle D, § 5201.3(e), Lot Occupancy (30% max., 50% with SE allowed; 30% existing; 37% proposed).

II. LOCATION AND SITE DESCRIPTION

Address:	5148 Linnean Terrace, NW (See Attachment 1)
Legal Description:	Square 2032, Lot 815
Ward/ANC:	3/3F
Lot Characteristics:	The rectangular lot has an area of 7,502 square feet and tapers down from Linnean Terrace towards the rear of the property. There is a seven-foot difference in the grade between the front and rear of the house.
Existing Development:	Single family, detached dwelling.
Zoning:	R-9, Forest Hills Tree and Slope Protection Residential House zones - intended to permit detached houses on moderately sized lots.
Historic District:	Not within a historic district.
Adjacent and Surrounded Properties:	The surrounding community is developed with one- and two-story, single-family dwellings.

III. PROJECT DESCRIPTION

The proposal is for a second story and rear addition to the existing house.

IV. ZONING REQUIREMENTS

The existing house meets all the development standards of the R-9 zone. The applicant proposed to increase the lot occupancy over that permitted as a matter-of-right.

R-9 Zone	Regulation	Existing	Proposed¹	Relief
Lot Area, Subtitle D § 502.1	5,000 sf.	7,502 sf.	7,502 sf	None required
Lot Width, Subtitle D § 502.1	50 ft.	75.02 ft.	75.02 ft.	None required
Height, Subtitle D § 503.1	40 ft./3-stories max.	13 ft./1-story	26 ft./2-story	None required
Lot Occupancy, Subtitle D § 504.1	30% max. 50% (SE)	23%	37%	Special Exception
Front Yard, Subtitle D § 505.1	Range of front setbacks along the same side of the street	15.5 ft.	15.5 ft.	None required
Rear Yard, Subtitle D § 506.1	25 ft. min.	48.8 ft.	28.1 ft.	None required
Side Yard, Subtitle D § 507.1	24 ft. in the aggregate but 8 ft. minimum on each side.	9.05 ft.	9.05 ft.	None required
Pervious Surface, Subtitle D § 508.1	50%	60%	61%	None required
Parking, Subtitle C § 701.5	1 space	1 space	2 spaces	None required

V. OP ANALYSIS

The applicant has requested special exception review pursuant to Subtitle D § 5201, Addition to a Building or Accessory Structure for not meeting the lot occupancy requirements of Subtitle D § 504.1, for the proposed 37% lot occupancy.

5201.1 The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

- (a) Lot occupancy;*
- (b) Yards;*
- (c) Courts;*
- (d) Minimum lot dimensions;*
- (e) Pervious surface; and*
- (f) The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.*

The proposed additions would increase the lot occupancy to 37% which is above the maximum 30% allowed by right, but less than the 50% allowed by special exception.

¹ Information provided by the Applicant.

5201.2 *Special exception relief under this section is applicable only to the following:*

(a) *An addition to a building with only one (1) principal dwelling unit; or*

The property has only one principal dwelling unit.

5201.3 *An applicant for special exception under this section shall demonstrate that the proposed 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 addition would maintain the existing 9.2-foot side yard on both sides of the house. The additional height is well within the amount anticipated for this zone. The addition would result in some shadows on the adjacent properties but it would not be an undue amount beyond the shadows that currently exist, and therefore would not unduly affect the light and air to the adjacent properties.

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

The proposed 25-foot rear addition on the southwestern portion of the building would align with the adjacent property to the south. On the northern side, a small court area would be filled in and only one window would be added to the portion of the building closest to the property line. The privacy and use of the adjacent property would be maintained with the large trees on both properties minimizing direct views into each building. Views from the large windows on the addition on the southern portion of the building would be minimized as it would be setback in addition to the trees which would minimize views. The adjacent neighbors have both provided statements in support of the proposed addition.

(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;*

The second-floor addition and renovations to the building would be visible from Linnean Terrace, NW. The houses along Linnean Terrace are typically one to two stories, and are of varying architectural styles, materials and sizes. The addition as viewed from Linnean Terrace would be not significantly different from some of the other buildings. The proposed material would be a combination of brick, wood paneling and glass which would similar and compatible to the other buildings and other additions along the street. Therefore, the addition should not intrude on the character, scale or pattern along the Linnean Terrace. The addition would also be visible from 36th Street, NW, to the rear of the property. However, houses are set back a significant distance and large trees separate the property from the street right-of-way and therefore visibility should be minimal.

(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; and

The applicant has met this requirement as shown in Exhibits 4, 7 and 8.

(e) *The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot as specified in the following table:*

TABLE D § 5201.3: MAXIMUM PERMITTED LOT OCCUPANCY

Zone	Maximum Lot Occupancy
R-3 R-13 R-17	70%
R-20 – attached dwellings only	70%
R-20 – detached and semi-detached dwellings All Other R zones	50%

With the proposed addition, the lot occupancy would be at 37% which is below the 50% maximum allowed by special exception.

5201.4 The Board of Zoning Adjustment 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.

5201.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

The building would remain a single-family residence.

5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.

The proposed 35-foot/2-story addition would be below the 40 feet/3 stories maximum allowed in the R-9 zone.

VII. AGENCY REPORTS

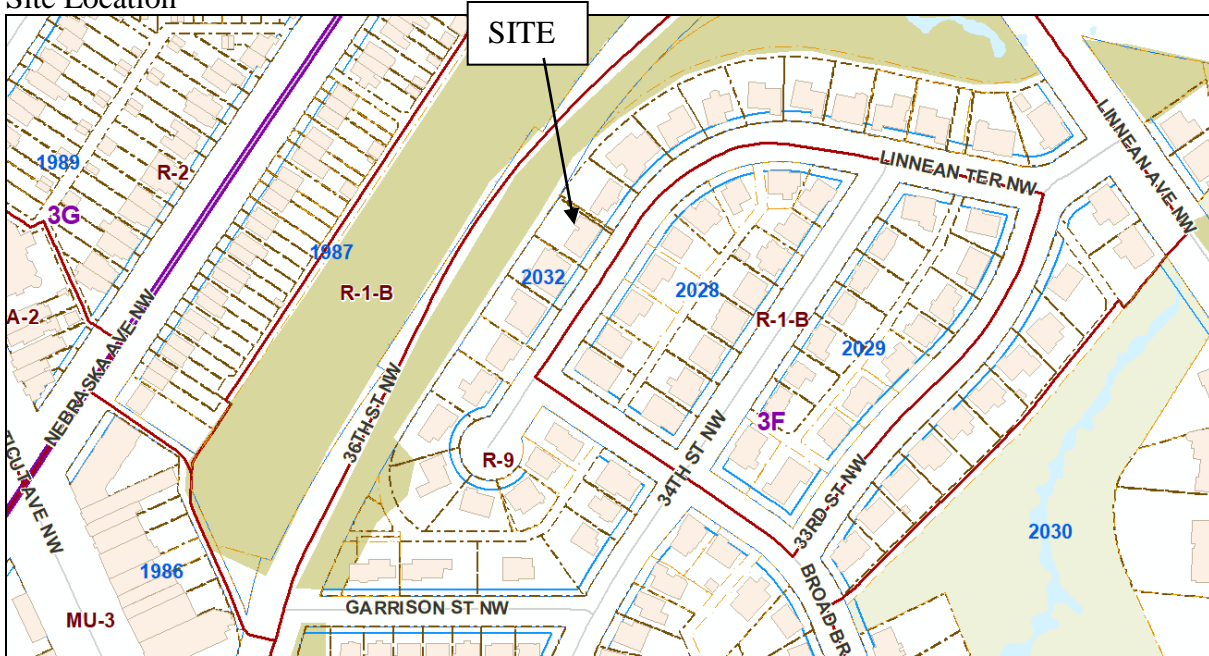
The Department of Transportation (DDOT) will submit a letter in reference to the proposal.

VI. COMMUNITY COMMENT

The property is within ANC-3F. The applicant was reviewed by the ANC at their October 17, 2017 meeting and voted to recommend approval of the requested special exception (Exhibit 30). The applicant also has letters of support from the two adjacent neighbors.

ATTACHMENT 1

Site Location



Front of House



Rear of House

