

BZA Application #19666

1209 Park Road NW

Caryn Schenewerk

Presented by:

Meridith H. Moldenhauer

Cozen O'Connor



The Property – 1209 Park Road NW



Square 2839
Lot 0119
RF-1 Zone

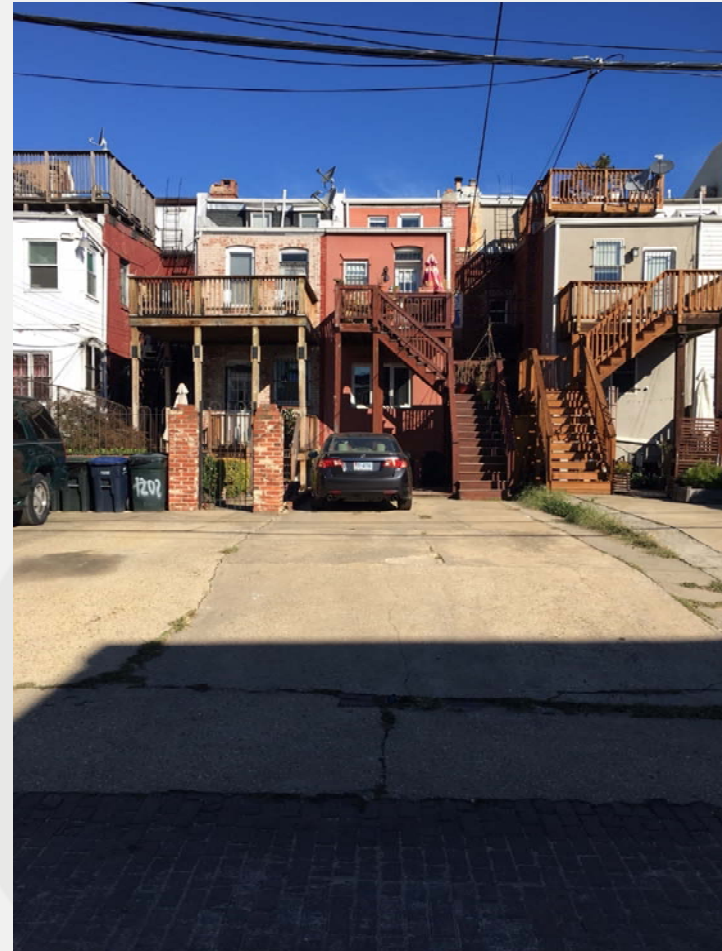
The Project

- Renovate and expand existing structure
- Construct a residential dwelling unit on the second floor
- Retain parking and storage on ground level of the carriage house

The Existing Structure



The Alley



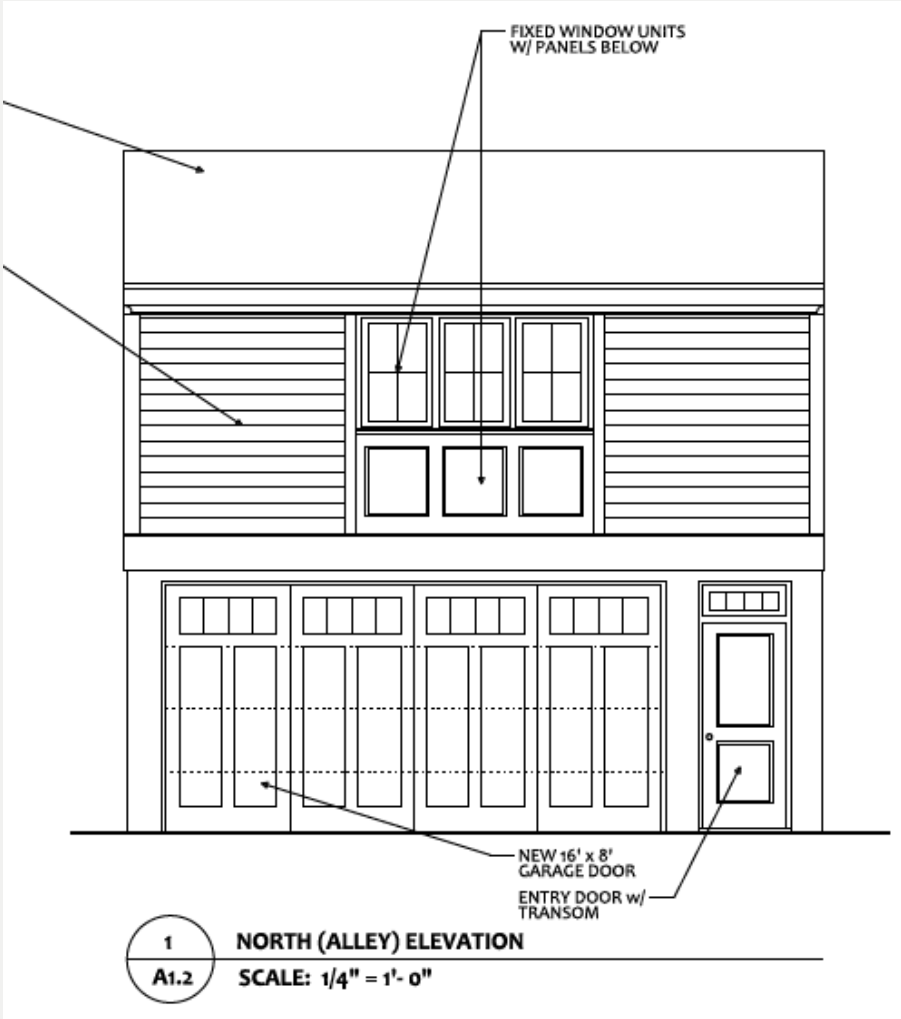
The Alley – Distance to Public Street



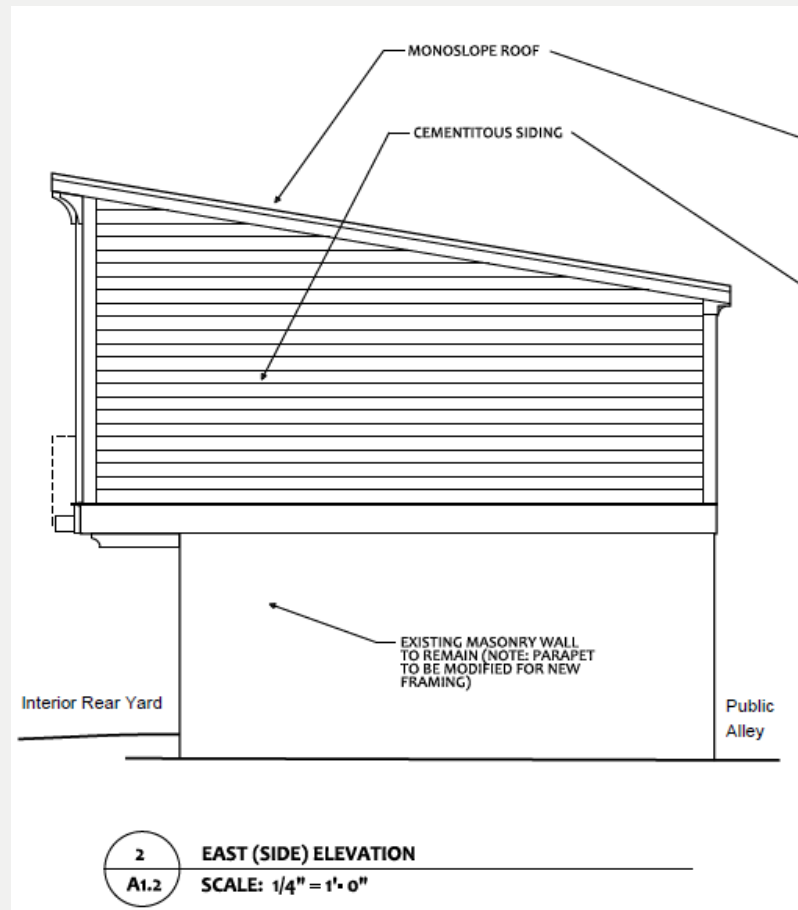
Community Outreach and Agency Input

- Fourteen letters of support, including neighbors on both sides of the Property
- Unanimous support from ANC 1A
- District Department of Transportation has no objection
- Office of Planning recommends support of requested relief with proposed conditions:
 - The applicant obtaining from FEMS in writing a statement that that they would have adequate access to the accessory building and dwelling unit given that the alley is less than 15'-wide;
 - The accessory building is equipped with sprinklers

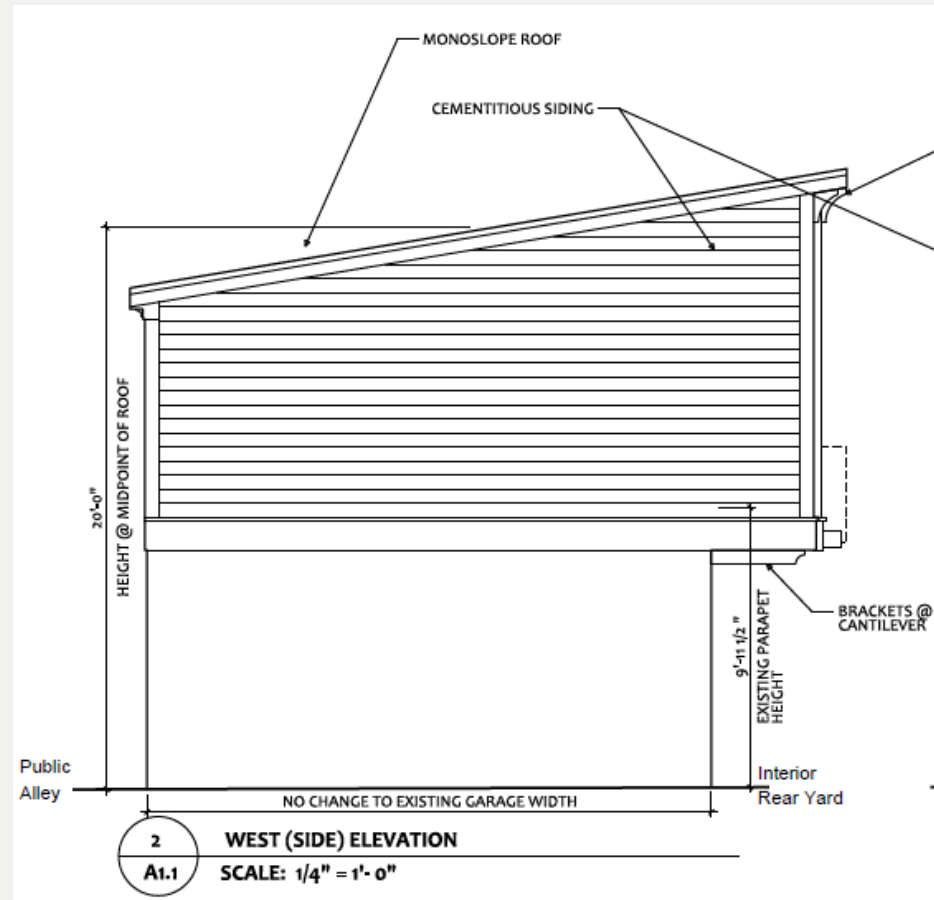
Architectural Plans – Alley-facing Facade



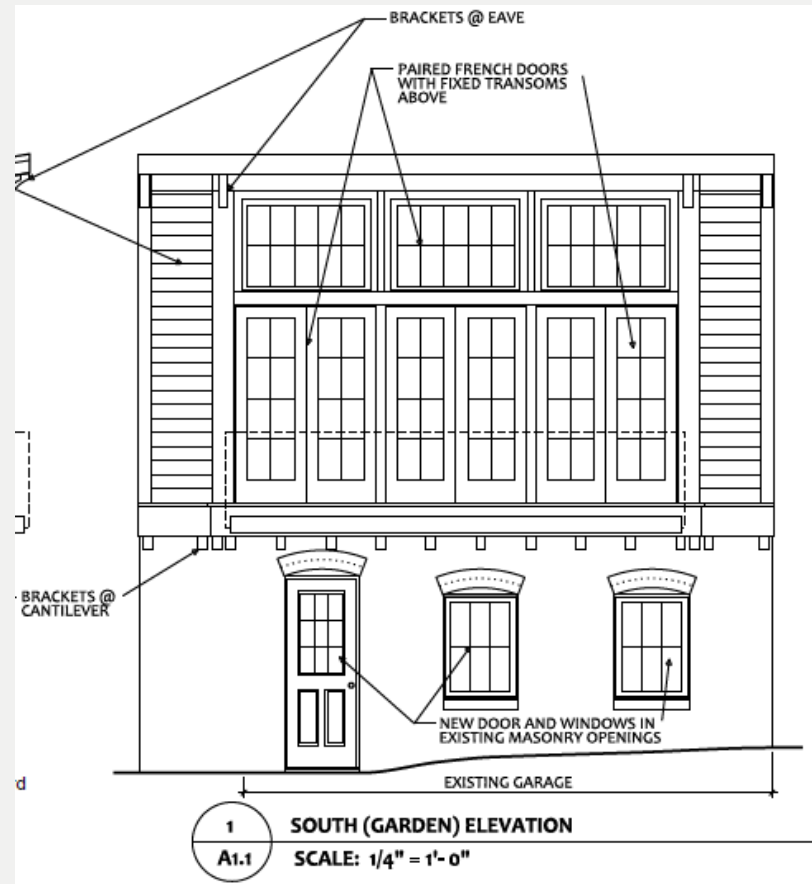
Architectural Plans – East Exterior



Architectural Plans – West Exterior



Architectural Plans – Southern-Facing Exterior



Special Exception Relief Requested

- Subtitle U § 301.1(g):
 - Expansion of an Accessory Structure for Residential use (§ U-301.1(c)(2))
 - Access from a 15-Foot Wide Alley (§ U-301.1(c)(4)(C))
- Subtitle E § 5007.1:
 - Accessory Building Lot Occupancy (§ E-5003.1)
 - Accessory Building Rear Yard Alley Setback (§ E-5004.1)
 - Accessory Building Height (§ E-5002.1)

Special Exception Standard (§ X-901.2)

- The BZA may grant special exception relief if it finds the relief will:
 - Be in harmony with the general purpose and intent of the Zoning Regulations and Maps;
 - Not tend to affect adversely the use of neighboring property; and
 - Satisfies any special conditions.
- Special exception relief is presumed to be appropriate, reasonable, and compatible with other uses in the same zoning classification, provided the specific requirements for the relief are met. *First Baptist Church of Wash. v. District of Columbia Bd. of Zoning Adjustment*, 432 A.2d 695, 701 (1981).

Harmonious with Purpose & Intent of ZR and Maps

- Two principal dwelling units are permitted on one lot as a matter of right in the RF-1 Zone
- The Zoning Regulations specifically permit residential units in accessory dwellings
- Intended use of the Property to be maintained as SFD
- The proposed use is in conformance with the intent of the Regulations to provide housing in walkable, amenity-rich neighborhoods

No Adversely Effect on Use of Neighboring Properties

- The Carriage House is located to the rear of the Property facing north into the alley
- Relief will not change neighboring properties' use of the shared alley or access to the rear of their properties
- The Applicant intends to continue the current use of the Carriage House ground floor for storage and parking
- Small dwelling unit will not add to traffic, noise, or light in the alley

Special Conditions of § U-301.1(c)

(c) A permitted principal dwelling unit within an accessory building subject to the following conditions of:

- (1) The accessory building was in existence on January 1, 2013;
- (2) No expansion or addition may be made to the accessory building to accommodate an apartment except as a special exception;
- (3) There shall be permanent access to the accessory building dwelling from a dedicated and improved right of way; and
- (4) Permanent access shall be provided by one (1) of the following:
 - (A) An easement for a permanent passage, open to the sky, no narrower than eight feet (8 ft.) in width, and extending from the accessory building to a public street through a side setback recorded in the land records of the District of Columbia;
 - (B) Through an improved public alley with a minimum width of twenty-four feet (24 ft.) that connects to a public street; or
 - (C) On an improved alley no less than fifteen feet (15 ft.) in width and within a distance of three hundred (300) linear feet of a public street

Applicant Satisfies Special Conditions of § E-5201

- Any potential increase in shadow would be minimal and, due to the sun's positioning, would fall primarily on the paved alley to the north, a parking pad to the east, or an existing garage to the west. Also, the angle of the proposed roof will minimize shadow due to its slope toward the alley.
- Existing use of or access to neighboring properties will not be impeded
 - The Project will not feature any windows facing toward the adjacent lots
- The relative impact of the proposed Project will align with the existing character and pattern of the alley and will not be visible at all from the street frontage
- The Applicant provided plans, photographs, and elevation section drawings to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways
- The Applicant will not exceed the total 60% maximum lot occupancy for the Property

Alternatively, the Applicant Satisfies the Variance Relief

- The Property is characterized by an exceptional situation and condition arising from a confluence of four factors:
 - Large lot size
 - Only one of three non-apartment buildings of similar length on the block facing Park Road
 - Location next to a large apartment building with windows facing the Property's rear yard
 - Existing nonconforming Carriage House at the rear of the Property
- It would be unduly burdensome on the Applicant to create an 8 foot wide open to the sky pedestrian access along the side of the Property without completely restructuring the Property, and the alley cannot be widened in any realistic way
- Relief to the access requirements will not have a detrimental impact to the public good and will not impair the intent, purpose, and integrity of the zone plan because emergency services will still be able to access the carriage house

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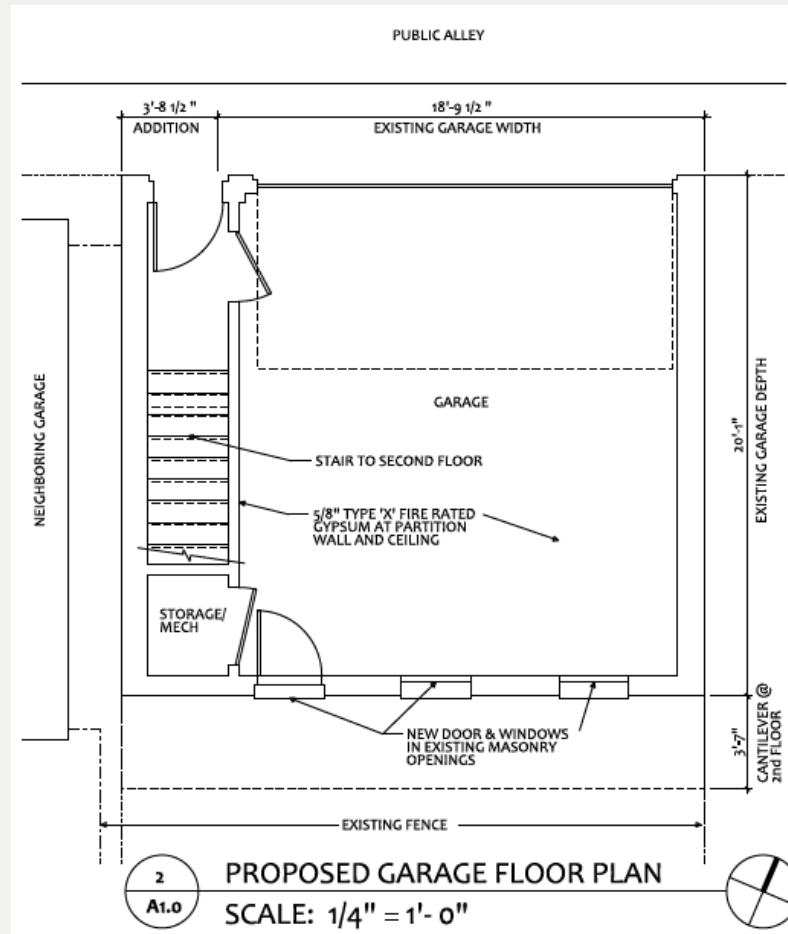
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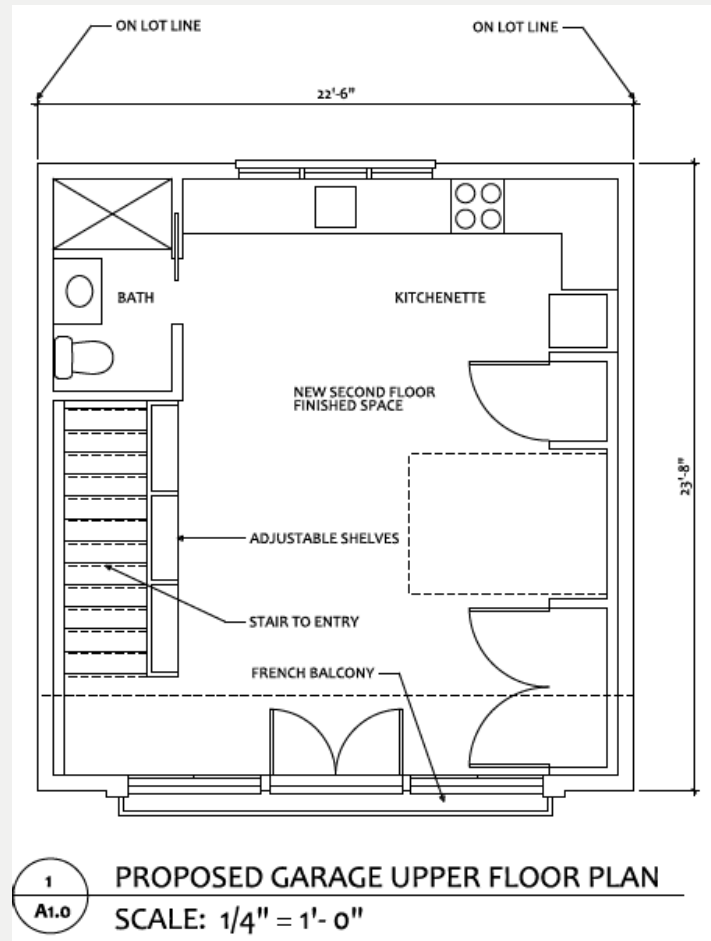
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Internal Floor Plan – First Floor



Internal Floor Plan – Second Floor



Alley View – Northern-Facing



Plat

