

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, Case Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** October 12, 2018

**SUBJECT:** BZA Case 19837: Request for special exception relief pursuant to Subtitle D § 5201.1 from C § 202.2, D §304.1 and D 306.2 to allow a rear building addition and new rear deck at 600 H Street SW.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception relief, pursuant to Subtitle D § 5201:

- D § 304.1, Lot Occupancy (60 percent permitted, 64.7 percent existing; 69.9 percent proposed);
- D § 306.2, Rear Yard (20 feet required, 24 feet existing; 13.67 feet proposed); and
- C § 202.2, Enlargements of Additions to Nonconforming Structures.

**II. LOCATION AND SITE DESCRIPTION**

Address	600 H Street, S.W.
Applicant	Peter Eicher
Legal Description	Square 468, Lot 67
Ward, ANC	Ward 6, ANC 6D
Zone	R-3, which permits detached, semi-detached and rowhouse single family dwellings
Lot Characteristics	Rectangular corner lot with no alley access and a 6-foot deep building restriction line across the front. A pedestrian walkway separates the subject property from the one to the south.
Existing Development	Three-story end unit row house
Adjacent Properties	Row houses
Surrounding Neighborhood Character	Moderate density residential
Proposed Development	Three-story rear addition with a new rear deck

### III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-3 Zone	Regulation	Existing	Proposed	Relief
Height D § 303	40-foot/3-story max.	31 feet/3-stories	31 feet/3-stories	None Required
Lot Width D § 302	20-foot min.	20.5 feet	20.5 feet	None Required
Lot Area D § 302	2,000 sq.ft. min.	1,599 sq.ft.	1,599 sq.ft.	None Required
Lot Occupancy D § 304	60% max. (70% by S.E.)	64.7%	69.9%	<b>REQUIRED</b>
Rear Yard D § 306	20-foot min.	24 feet	13.67 feet	<b>REQUIRED</b>
Parking C § 701	1-space min.	1-space	1-space	None Required

### IV. OP ANALYSIS

#### Subtitle + Chapter 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

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 application requests relief from the lot occupancy and rear yard provisions of the R-3 zone.

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*
- (b) A new or enlarged accessory structure that is accessory to such a building.*

The subject application requests relief from a building with one principal dwelling.

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 building addition would not extend further south than the rear wall of the adjoining row house to the west. Although the proposed deck would extend beyond the rear wall of the adjoining row house, as an open structure it should not significantly impact light and air.

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

The rear addition would extend the rear wall of the dwelling on the subject property approximately five feet, making it consistent with the rear wall of the attached dwelling to the west. The new deck would be one-foot shallower than the existing one, reducing the impact. Further, the dwelling to the south has no windows on the side facing the subject property, minimizing the impact the proposed addition would have on that property.

The neighbors to the south and west submitted statements to the file in support of the application.

*(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 rear addition would not be visible from H Street, but would be visible from the side street, 6<sup>th</sup> Street. The rear addition would be in character with the frontage along 6<sup>th</sup> Street. As designed, it would expand the depth of the dwelling by 5.34 feet and include a window on each of the three floors, animating what is, except for the front door, a solid brick wall.

*(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 submitted plans, photographs and elevation drawings sufficient to represent the proposed addition from adjacent buildings and public ways.

*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 makes no recommendations for 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 subject application does not propose the introduction or expansion of a nonconforming use.

## **V. COMMENTS OF OTHER DISTRICT AGENCIES**

No comments from other District agencies were received as of the date of the filing of this report.

## **VI. COMMUNITY COMMENTS TO DATE**

ANC 6D, at its regularly scheduled meeting of July 8, 2018, voted to support the application. (Exhibit 13)

Five emails and a petition signed by 43 neighbors were submitted to the file in support of the application. (Exhibit 14)

