

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: March 15, 2019
SUBJECT: BZA Case 19948 - request for special exception relief pursuant to Subtitle E § 5201.1 to allow for the construction of a two-story addition

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exceptions pursuant to Subtitle E § 5201:

- E § 304, Lot Occupancy (60 percent permitted, 62 percent existing; 62 percent proposed); and
- E § 306, Rear Yard (20 feet required, 14.4 feet existing (one-story); 14.4 feet proposed (two-story)).

II. LOCATION AND SITE DESCRIPTION

Address	1639 Potomac Avenue, S.E.
Applicant	James Trainum
Legal Description	Square 1091S, Lot 66
Ward, ANC	Ward 6, ANC 6B
Zone	RF-1
Lot Characteristics	Unusually shaped four-sided lot with rear alley access
Existing Development	Two-story row house with a one-story rear addition
Adjacent Properties	Similar two-story row houses
Surrounding Neighborhood Character	Moderate density residential, including row houses and flats
Proposed Development	Removal of rear one-story addition and construction of a two-story rear addition within the same footprint

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief
Height of Building Addition E § 303	35-foot max.	9.75 feet	20.5 feet	None Required
Lot Width E § 201	18-foot min.	14 feet	14 feet	None Required
Lot Area E § 201	1,800 square-foot min.	784.8 sq.ft.	784.8 sq.ft.	None Required
Lot Occupancy E § 304	60% max.	62%	62 %	REQUIRED
Rear Yard E § 306	20-foot min.	14.4 feet	14.4 feet	REQUIRED
Parking C § 704	None if building expanded by < 25%	None	None	None Required

IV. ANALYSIS

Subtitle E 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 applicant requests relief from lot occupancy and rear yard.

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

- (a) *An addition to a residential building;*
- (b) *A new or enlarged accessory structure that is accessory to such a building; or*
- (c) *A reduction in the minimum setback requirements of an alley lot.*

The applicant requests special exception relief to permit an addition to a residential building.

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 two-story addition would extend out 7 feet, 10 inches, or less than ten feet from the original rear wall of the rowhouse, similar to the existing rear addition. The proposed two-story addition, similar to the existing one-story addition, would continue

to be set back 5 feet, 6 inches from the adjacent property to the northeastern, minimizing any adverse effects the proposed addition would have on that property.

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

The proposed two-story addition would be located on the same footprint as the existing one-story rear addition, extending less than ten feet out from the rear wall of the houses on either side of the subject property. As no windows would be provided on the party wall facing southwest, use of neighboring properties should not be adversely affected. Windows would be provided on the northeast side of the proposed addition, but would be set back from the common lot line and face only a portion of the subject property's rear yard and the windowless party wall of the adjacent row house.

(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 proposed addition would not be visible from the street. To the rear it would maintain the existing rear yard depth and be two-stories in height, same as the existing two-story rowhouse. Therefore, as viewed from the alley, the addition would neither extend further back nor would it extend higher than the existing rowhouse.

(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 application includes plans, photographs and elevations sufficient to represent the relationship of the proposed building addition to neighboring row houses.

(e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%).

The application requests a lot occupancy of 62 percent, less than the maximum 70 percent permitted 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 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.

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 height and number of stories of the proposed addition conforms to the provisions of the RF-1 zone. Therefore, the subject application does not propose the introduction or expansion of a nonconforming height or number of stories.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VI. COMMUNITY COMMENTS TO DATE

The adjoining neighbors at 1637 and 1641 Potomac Avenue, S.E. submitted letters to the file in support of the application (exhibits 12 and 13).

The Capitol Hill Restoration Society submitted a letter to the file in support. (Exhibit 31)

The applicant informed OP that the application was scheduled to be reviewed by the ANC 6B Planning and Zoning Committee on March 5, 2019 and by the full ANC on March 12, 2019.

Attachment: Location Map

