

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: July 13, 2019

SUBJECT: BZA Case 20036: Request for special exception relief to allow a two-story rear addition to a semi-detached principal dwelling at 4844 Reservoir Rd, N.W. in the R-1-B Zone.

I. OFFICE OF PLANNING RECOMMENDATION

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

- D § 206.7 Side Yard (5 feet minimum required for an extension; 0 feet and 16.9 feet proposed); and
- C § 202 Expansion of a nonconforming principal building.

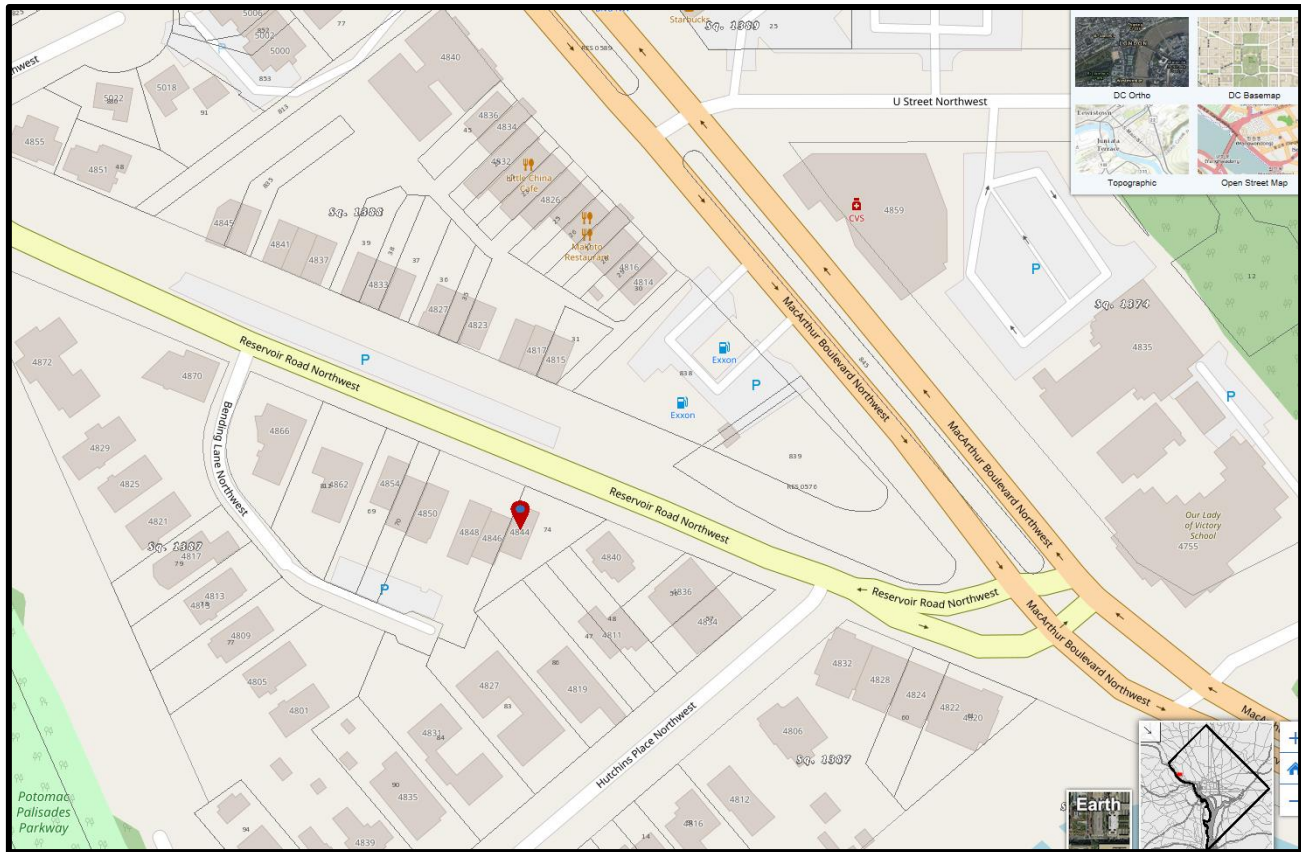
II. LOCATION AND SITE DESCRIPTION

Address	4844 Reservoir Road N.W.
Applicants	Mariela Licha Salomon
Legal Description	Square 1387 Lot 74
Ward, ANC	3/ANC3D
Zone	R-1-B
Historic Districts	None
Lot Characteristics	The triangular lot has an even grade with vehicle access off Reservoir Road. There is no alley system at the rear.
Existing Development	The property is developed with a single-family, semi-detached dwelling, as the end unit of three attached structures constructed in 1954.
Adjacent Properties	The abutting residence to the west is a row-dwelling, connected to the subject house but does not align with the home at the front or at the rear. To the east is a detached dwelling.
Surrounding Neighborhood Character	The neighborhood is primarily developed with single-family detached and semi-detached homes in R-1-B district.

Proposed Development	The applicant proposes to expand the master bedroom on the second level by enclosing an existing porch. The existing porch on the lower level would also be enclosed.
----------------------	---

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1-B Zone	Regulation	Existing	Proposed	Relief
Height D § 303	40 ft., 3 stories	18.83 ft., 2 stories	18.83 ft., 2 stories	None Required
Lot Width D § 302	50 ft. min.	76.50 ft.	76.50 ft.	None Required
Lot Area D § 302	5,000 sf. min.	4,665.20 sf.	4,665.20 sf.	Existing Nonconforming
Lot Occupancy D § 304	40% max.	17.64%.	23.11%	None Required
Rear Yard D § 306	25ft. min.	60 ft.	47.7 ft.	None Required
Side Yard D § 206.7	5 feet min. required for a nonconforming side yard adjacent to addition	0, and 16.9 ft	0, 16.9 ft	Existing nonconformity
Additions to a Non-Conforming Structure C § 202.2	Additions to a nonconforming building	Side Yard nonconformity	Side Yard relief	Relief Required



Location Map

IV. OP ANALYSIS

Subtitle D 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 requested relief from the nonconforming side yard, as shown in the table above.

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 two-story rear addition is proposed for the existing 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 addition would include a master bedroom second-floor addition, a new covered porch addition on the ground floor and a trellis over a window well along the left elevation. The only property that could be affected by the proposed addition would be the abutting property at 4846 Reservoir Road. The 12-foot rear addition would not go beyond the side and rear wall of the abutting property, as shown on the Site Plan (Sheet A001), the Left Elevation (Sheet A004) and the Rear Elevation Photo (Exhibit 5). As shown, light and air should not impact that residence.

The proposed trellis structure along the left elevation should not impact the light and air of homes on adjacent lots, fronting on Hutchins Place or at 4840 Reservoir Road. The 16.9 feet side yard of the subject property abuts the rear yards of those lots, which have ample rear yards and would remain well separated from the subject property. The existing side yard would remain as is, since the building was constructed in 1954. The adjacent lots are currently shaded by large trees and no trees are proposed to be removed due to the addition. The applicant should consult with an arborist or the Urban Forestry Division of DDOT regarding potential tree protection measures, to ensure the trees and their root systems are not damaged during the construction process.

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

The privacy of use and enjoyment of neighboring homes should not be impacted. No new windows are proposed beyond what currently exists along the left elevation. Trees and vegetation between the subject property and adjacent homes will continue to provide screening to minimize views among neighbor's yards.

(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 addition would not be visible from the street.

(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 provided the necessary graphics to show the relationship of the proposed addition to adjacent buildings and views (Exhibits 5,6, 13-16).

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 special treatment for protection of the adjacent property.

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

The use of the principal dwelling unit would continue as permitted.

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 of the structure would not be increased beyond its existing height of 18.83 feet.

V. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT's report is included in the record as Exhibit 38.

VI. COMMUNITY COMMENTS TO DATE

ANC 3D's resolution of approval is included as Exhibit 37. The ANC's letter indicates the support of the adjacent and other neighbors, including at 4846 and 4850 Reservoir Road; as well as 4827 Hutchins Place, at the rear of the subject property.