

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: July 16, 2019

SUBJECT: BZA Case 20076: Request for special exception relief to construct a one-story rear addition and a second-floor balcony to a principal row dwelling at 122 V Street, N.W. in the RF-1 Zone.

I. OFFICE OF PLANNING RECOMMENDATION

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

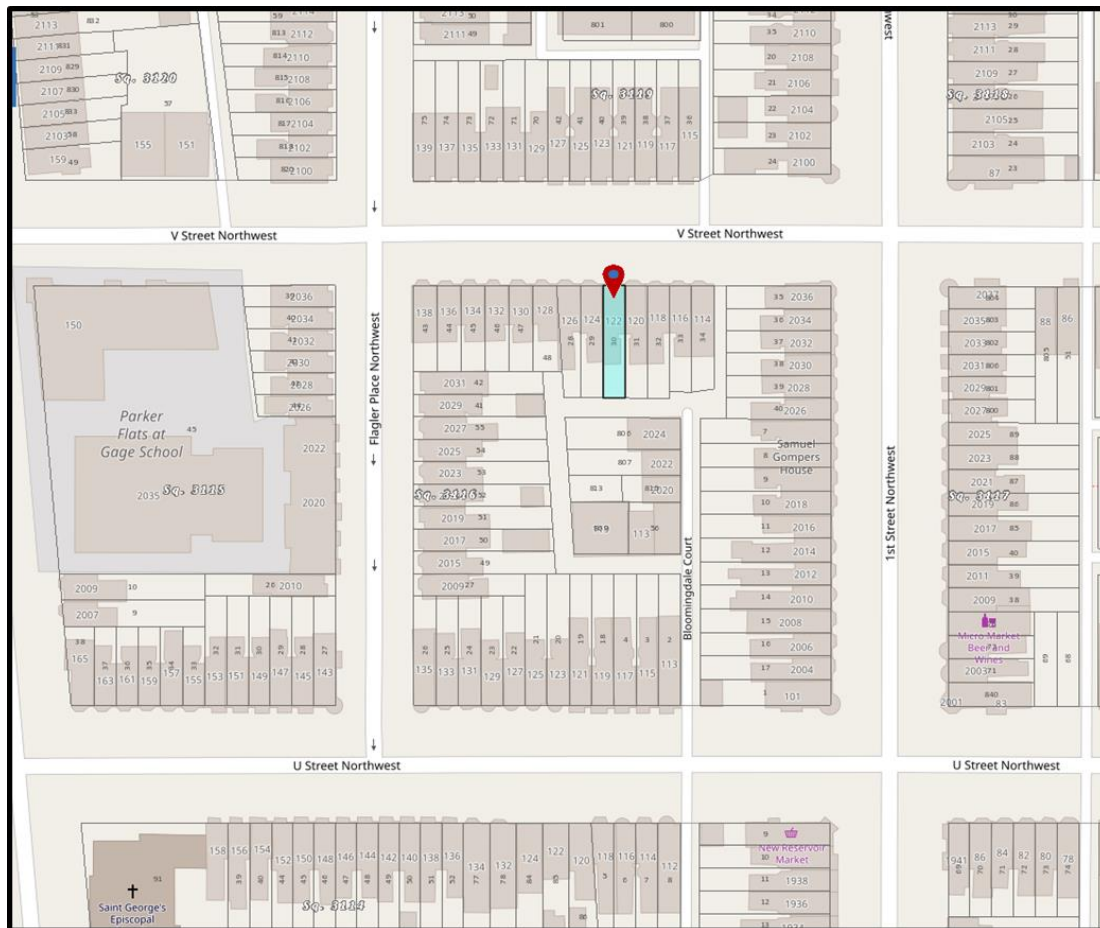
- E § 304.1 Lot Occupancy (60% maximum permitted; 69.03% proposed);
- E § 205.5 Rear Yard (10 feet max. beyond adjacent rear wall; 12 feet proposed); and
- C § 202 Expansion of a nonconforming principal building.

II. LOCATION AND SITE DESCRIPTION

| | |
|------------------------------------|---|
| Address | 122 V Street, N.W. |
| Applicants | Athos Pashiardis |
| Legal Description | Square 3116 Lot 30 |
| Ward, ANC | 5/ANC 5E |
| Zone | RF-1 |
| Historic Districts | Bloomingdale HD |
| Lot Characteristics | The 1,457sf rectangular lot has unremarkable grade and abuts a 15-foot wide alley. |
| Existing Development | The property is developed with a single-family, row dwelling. |
| Adjacent Properties | The adjacent properties are also contributing structures to the historic district, including the properties that are at the center of the square, known as Bloomingdale Courts. |
| Surrounding Neighborhood Character | The neighborhood is primarily developed with single-family attached and small apartment homes in the RF-1 district. |
| Proposed Development | The applicant proposes to construct a one-story, 12-foot rear addition with a second-floor balcony above. |

III. ZONING REQUIREMENTS and RELIEF REQUESTED

| RF-1 Zone | Regulation | Existing | Proposed | Relief |
|---|--|---|--|------------------------|
| Height E § 303 | 35 ft., 3 stories | 18.83 ft., 2 stories | 18.83 ft., 2 stories | None Required |
| Lot Area E § 302 | 1,800 sf. min. | 1,457.41 sf. | 1,457.41 sf. | Existing Nonconforming |
| Lot Width | 18 ft. | 17 ft. | 17 ft. | Existing Nonconforming |
| Lot Occupancy E § 304 | 60% max. (70% by SE) | 60.3%. | 69.03% | Relief Required |
| Rear Yard E § 205.5 | Rear wall to extend no greater than 10 feet beyond adjacent properties | Aligns – currently a screened porch attaches to rear wall | 12 feet – for conditioned space as a new sunroom | Relief Required |
| Rear Yard E § 306 | 20ft. min. | 27.09 ft. | 20.5 ft. | None Required |
| Additions to a Non-Conforming Structure C § 202.2 | Additions to a nonconforming building | Lot Occupancy nonconformity | Lot Occupancy 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.*

Relief was requested from the nonconforming lot occupancy and rear 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 rear addition and new sunroom are 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 new sunroom at the first floor would project 12-feet beyond the adjacent homes. The adjacent property to the east (120 V Street) would remain separated in part by its court and the subject property's court for an effective separation of approximately 7 feet. The proposed first floor sunroom's design would be glass-enclosed and should not present an adverse impact on the available light to the neighbor at 124 V Street.

While the sunroom would extend 4 feet 8 inches into the existing court area to the east where the rear stairs would be located, the stair would remain uncovered for the most part and should not substantially reduce the light and air available to 120 V Street. (Exhibit 10A Sheet 0004).

The second-floor balcony would extend 7.5 feet beyond the adjacent homes, as shown in the site plan at Exhibit 10A Sheet 0004 and is not anticipated to affect the available light and air to either adjacent property.

A shade study at Exhibit 4 was included and demonstrates the imperceptible changes to available light to adjacent properties.

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

The glass-enclosed sunroom on the first floor should pose no new privacy concerns than what currently exists with the screened porch. An existing shade tree on the neighbor's property at 124 V Street would continue to provide screening and shade to minimize views between both properties. No new windows are proposed beyond what currently exists. The balcony located above the sunroom would represent passive space for a bedroom and is not anticipated to result in privacy concerns for abutting neighbors. The privacy of use and enjoyment of neighboring homes should not be unduly compromised by the additions.

(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 and balcony would not be visible from the street frontage and would be similar to recent additions to neighbors' existing homes, as viewed from the rear.

(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 4, 9, 10A1) as well as a shade study – Exhibit 4.

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 35 feet.

V. COMMENTS OF OTHER DISTRICT AGENCIES

At the writing of this report, comments of other District agencies were not included in the record.

VI. COMMUNITY COMMENTS TO DATE

ANC 5E's report recommending approval is at Exhibit 32. The neighbor at 114 V Street supports the project as stated in Exhibit 18. Other neighbors' letters in support are included at Exhibit 3.