

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown-Roberts, Project Manager
JL Joel Lawson, Associate Director for Development Review

DATE: July 19, 2019

SUBJECT: BZA 20081 – 1511 33rd Street, NW – Request for special exception relief under Subtitle D § 5201 to permit a rear addition to an existing house at 1511 33rd Street, NW.

I. RECOMMENDATION

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

- D § 1204, Lot Occupancy (60% permitted; 70% by Special Exception; 68.13% existing; 70% proposed); and
- C § 202 Expansion of a nonconforming principal building.

II. LOCATION AND SITE DESCRIPTION

Applicant	Scott Phillips
Address	1511 33 rd Street, NW
Legal Description	Square 1255, Lot 814
Ward / ANC	2, 2E
Zone	R-20 (Georgetown Residential House Zone)
Historic District	Georgetown Historic District
Lot Characteristics	Rectangular, 20.01 feet wide and 88.37 feet deep lot abutting a 10-foot-wide alley. The property has a slight slope from 33 rd Street towards the alley.
Existing Development	Three-story, plus basement, single family detached house.
Adjacent Properties and Neighborhood Character	Rowhouse-type structures to the north and south; duplex and unattached buildings to the east and west. The neighborhood is mostly rowhouses, but with a mix of detached, attached and duplexes.
Proposal	Replace an existing three-story, rear addition with a slightly larger three-story addition.

Site Location



III. ZONING REQUIREMENTS AND RELIEF REQUESTED

R-20 Zone	Regulation	Existing	Proposed	Relief
Height D § 1203.2	35 ft.	29.25 ft.	35 ft.	None Required
Lot Width D § 1202.1	20.0 ft. min.	20.1 ft.	20.1 ft.	None Required
Lot Area D § 1202.1	2,000 sf. min.	1,768 sf.	1,768 sf.	None Required
Lot Occupancy D § 1204.1	60% max.; 70% by sp. ex.	68.13%.	70%	Relief Required
Rear Yard D § 1206.2	20 ft. min.	46.16 ft.	46.16 ft.	None Required
Side Yard D § 1207	5 ft. min. if provided	N/A	NA	N/A
Additions to a Non-Conforming Structure C § 202.2	Additions to a nonconforming building	Lot occupancy nonconformity	Lot Occupancy relief	Relief Required

IV. ANALYSIS

SUBTITLE D § 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 seeks a special exception for lot occupancy and for an addition to a non-conforming structure.

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 applicant proposes to demolish the existing three-story, rear addition and replace it with a slightly larger, three-story rear addition on the principal dwelling unit.

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 light and air available to neighboring properties should not be unduly affected. The footprint of the proposed addition would only be expanded by 12 inches over the existing addition. Shadows cast would be minimal and therefore the impact should not be significantly greater than the existing condition and would not be undue. The applicant states that they have contacted both neighbors who are in support.

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

The privacy of adjacent properties should not be unduly compromised. The new structure would have windows on the rear façade, but the configuration would not be very different than the existing and there would be no windows along the side walls.

(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 33rd Street but would be visible from the alley. The addition would not substantially intrude upon the character, scale and pattern of houses along the alley. The application has been reviewed by the Old Georgetown Board which does not object to the proposed addition.

(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 contains plans, elevations, renderings and photographs to represent the relationship of the proposed addition to adjacent buildings.

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 proposes no special treatments or conditions.

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

The proposed use as a single-family dwelling is a conforming 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 would be increased to 35 feet which is the maximum by-right permitted height within the R-20 zone.

V. HISTORIC PRESERVATION

The property is within the Georgetown Historic District. The Old Georgetown Board reviewed the proposal and issued a letter of no objection on December 21, 2018 (Exhibit 10).

VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of this writing the record contains no comments from other District agencies.

VII. COMMUNITY COMMENTS

As of the date of this report, ANC 2E had not yet submitted a recommendation to the record.