



1117 Morse Street, NE

BZA APPLICATION NO. 20143

GRAND REALTY LLC

NOVEMBER 20, 2019

Board of Zoning Adjustment
District of Columbia
CASE NO.20143
EXHIBIT NO.46

Overview

- Property is currently improved with a 2-story, single-family dwelling
- Applicant is proposing to construct a 3rd story addition, and a small rear addition, adding 1 residential unit to the principal building
- Applicant is also proposing to construct a new, 2-story (18.5 feet high) accessory structure at the rear of the property and use that accessory building for a as a 3rd dwelling unit (for 3 dwelling units total)
- Office of Planning is recommending approval of the Application

Existing



Existing

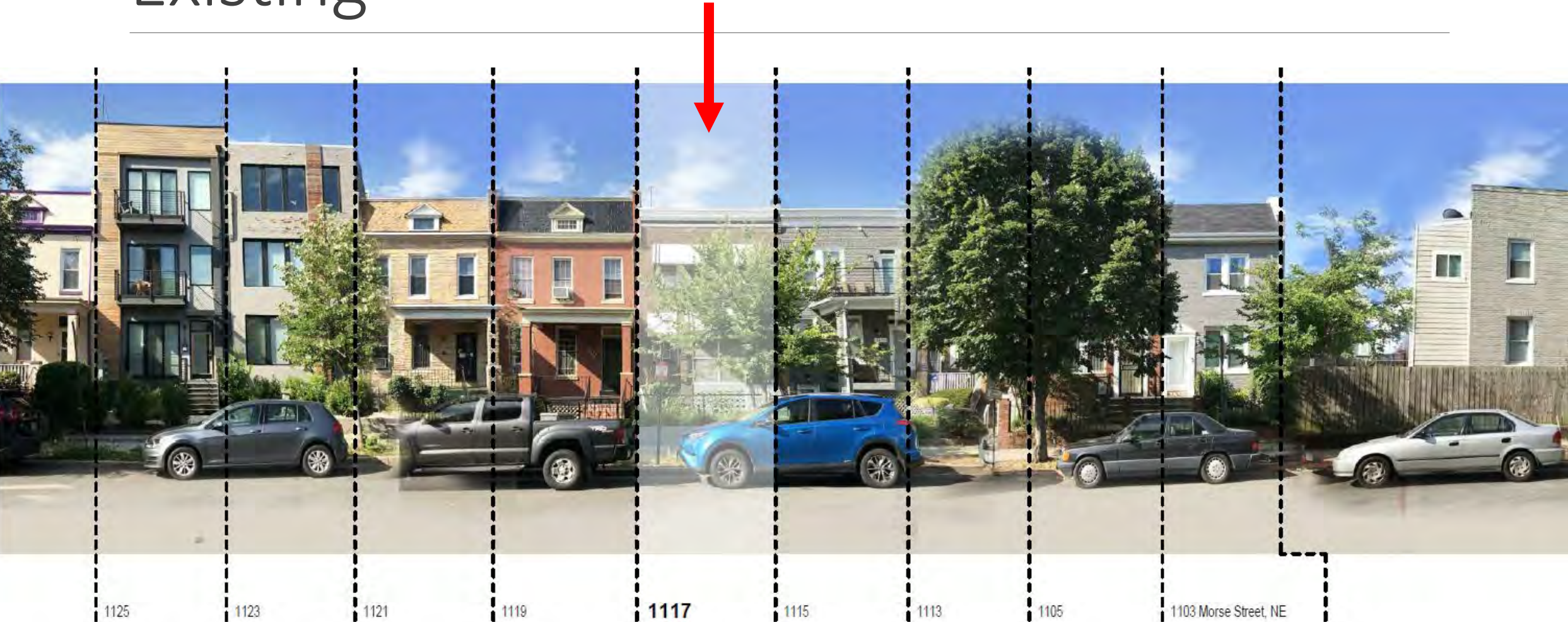


Rear Side View



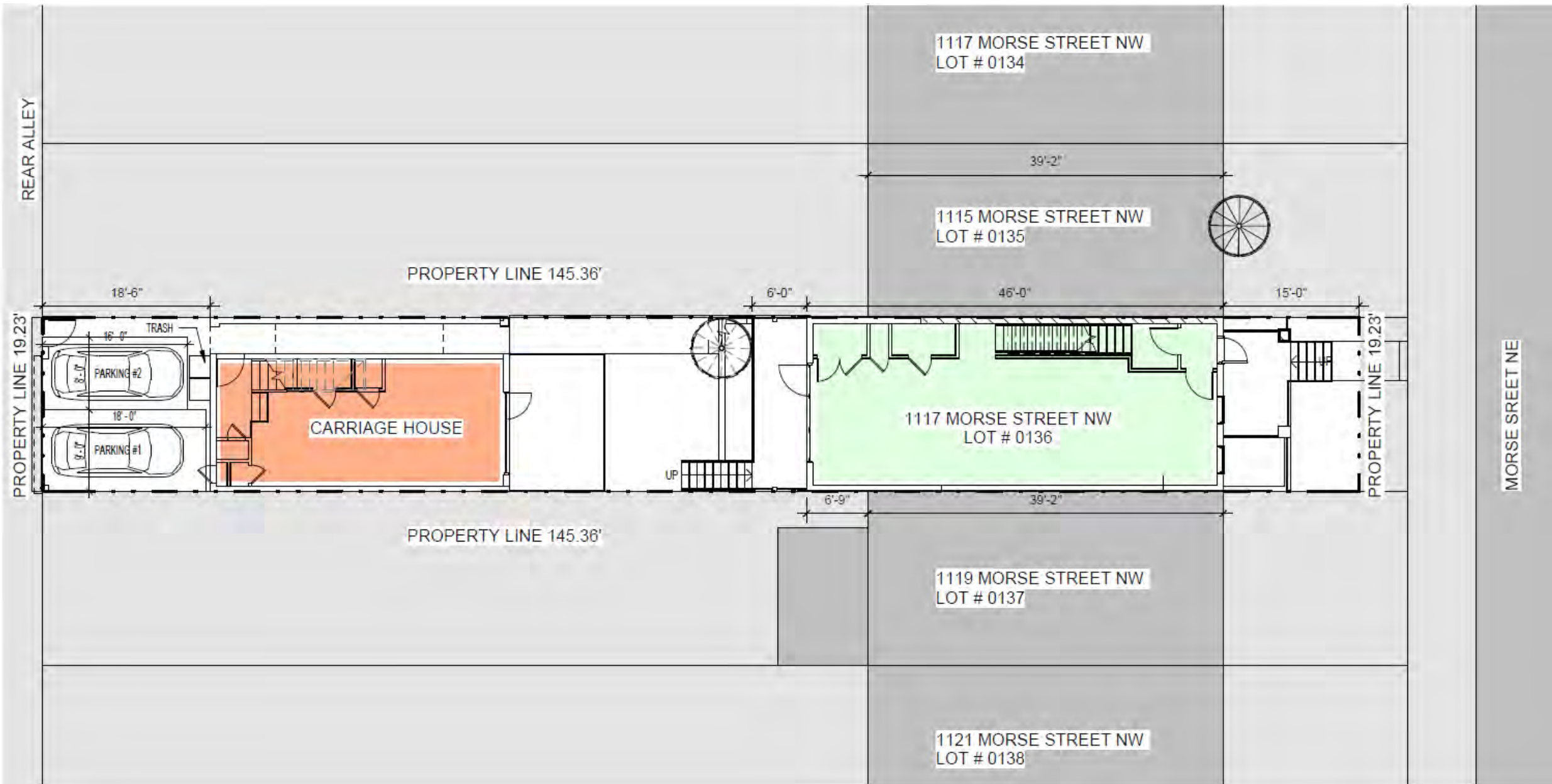
Rear Side View East

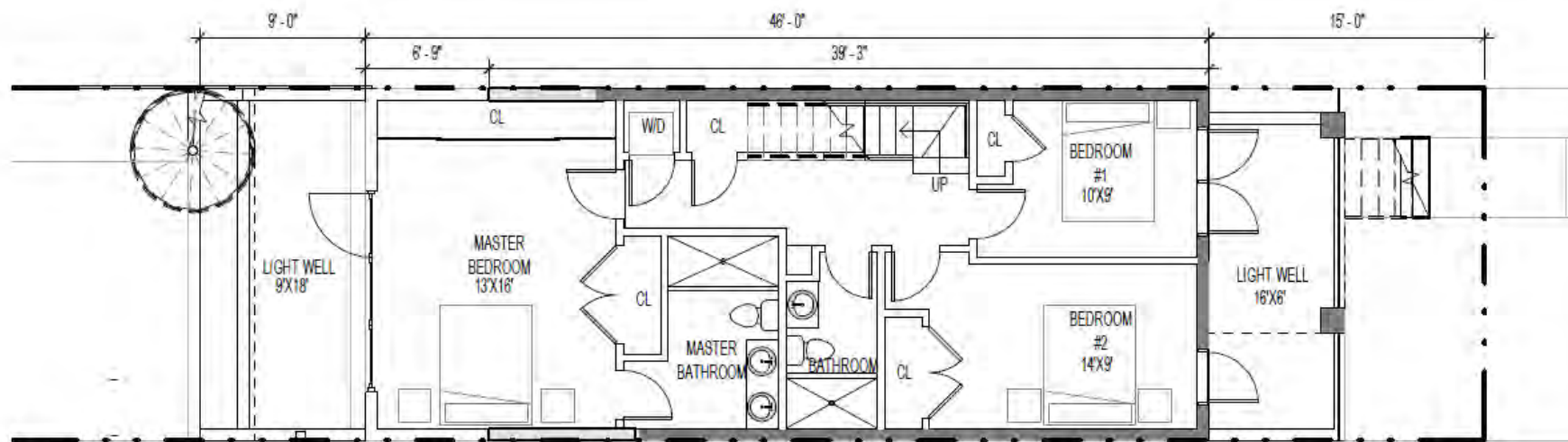
Existing



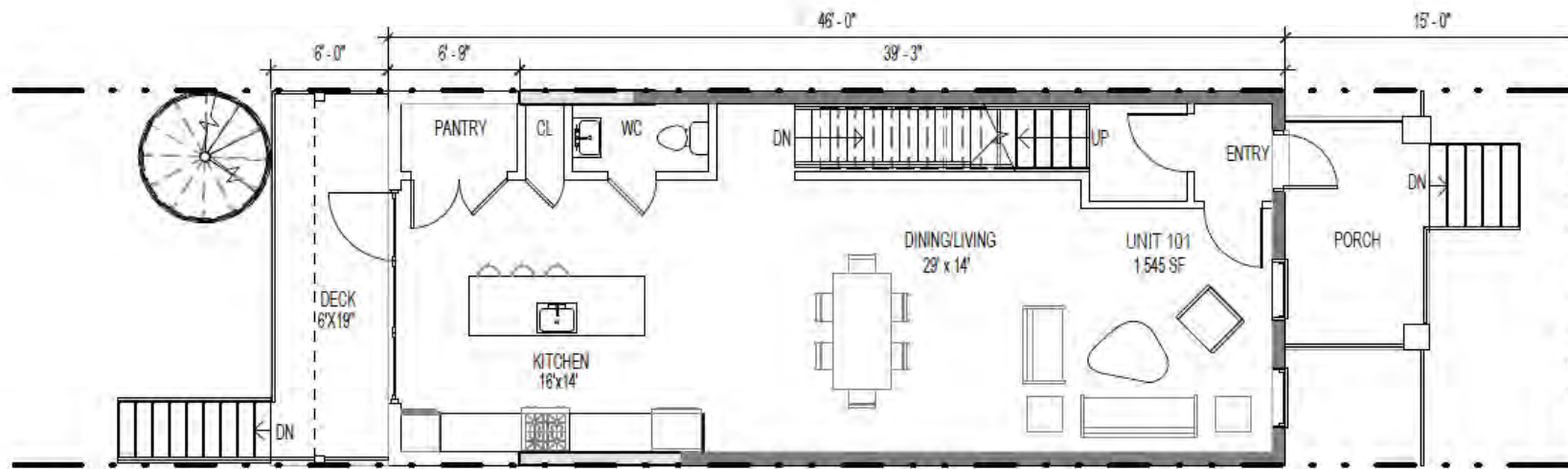
Special Exception

- (1) Conversion to 3 Principal Dwelling Units- § U-320.2
- (2) Principal Dwelling unit in a newly constructed Accessory Building- § U-301.1(e)
- (3) Accessory Building Lot Occupancy § E-5003.1 (450 feet permitted, 558 requested)

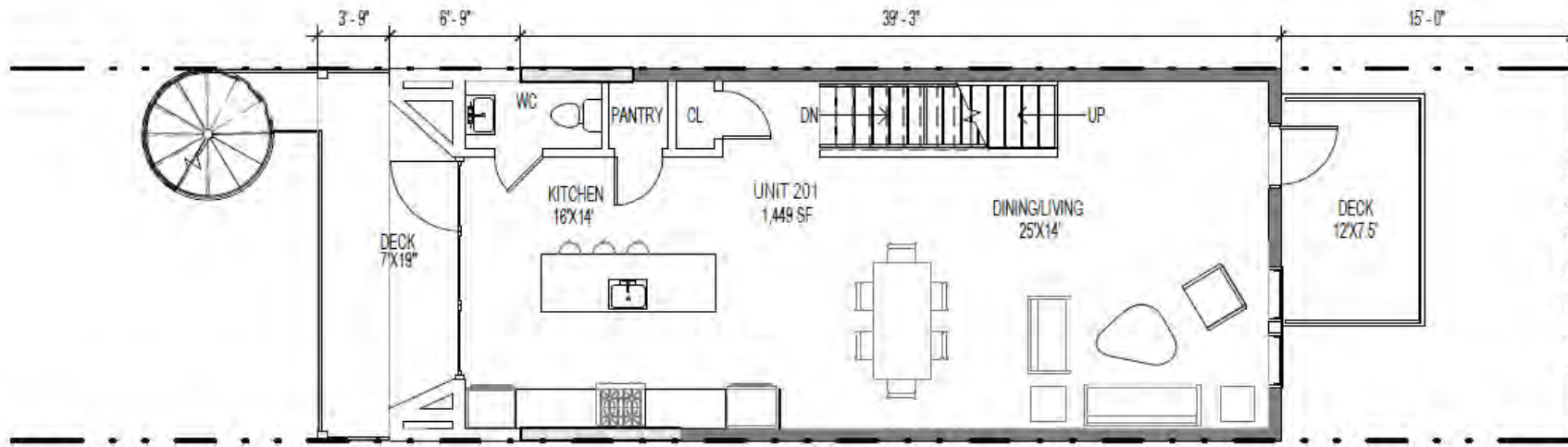




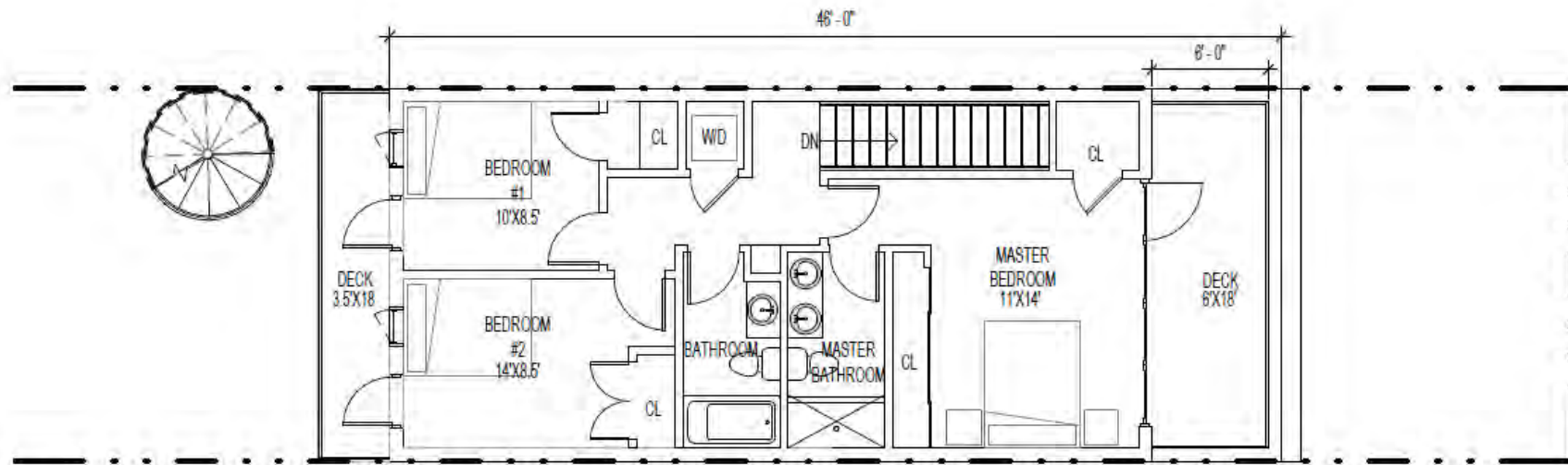
Cellar



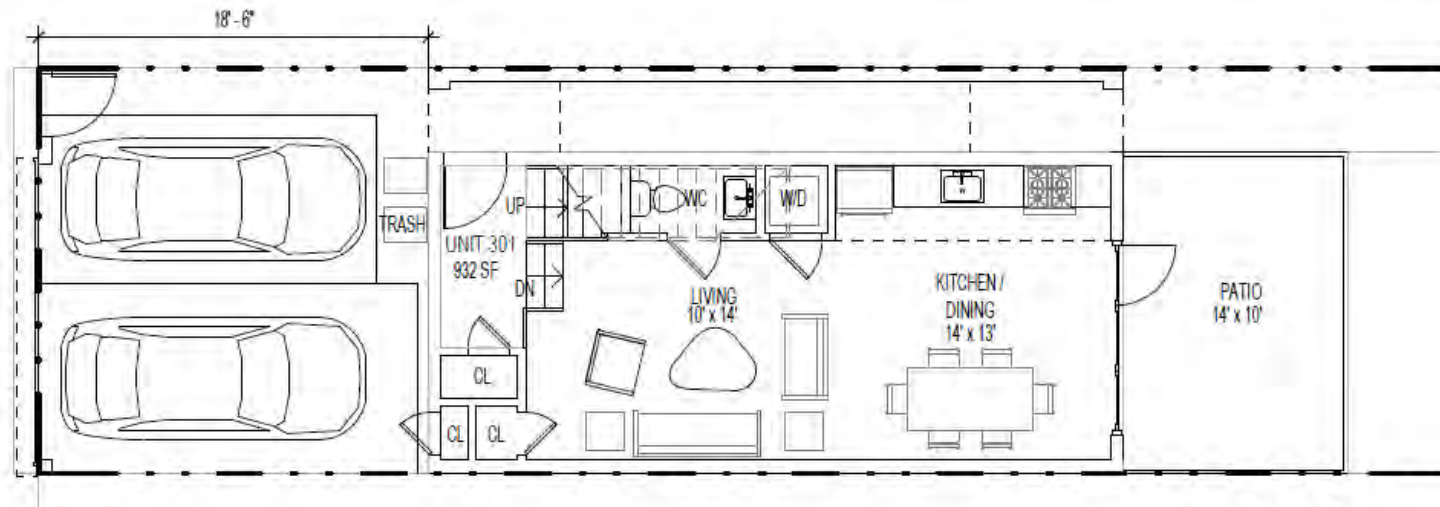
First Floor



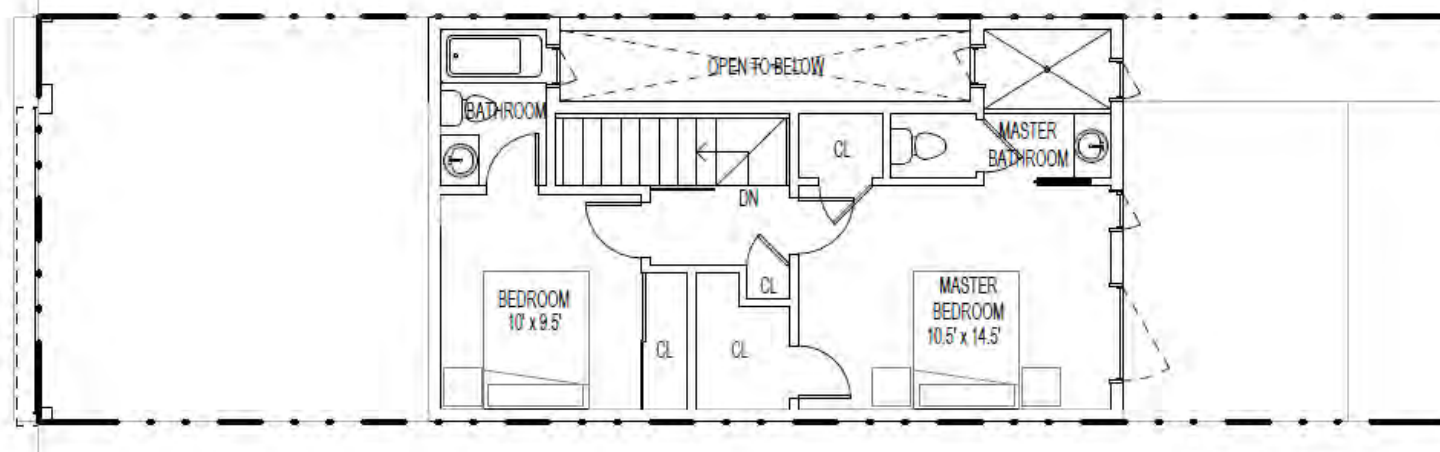
Second Floor



Third Floor



First Floor



Second Floor

Main House Elevations

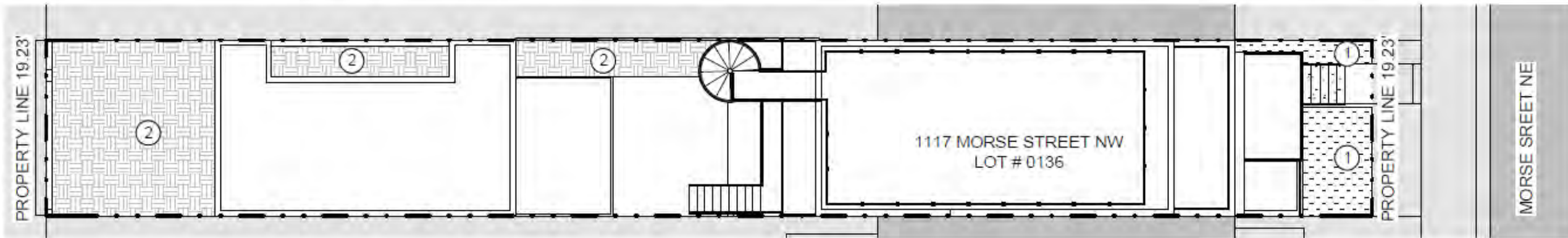


Rear Elevation - North

Main Elevation - South

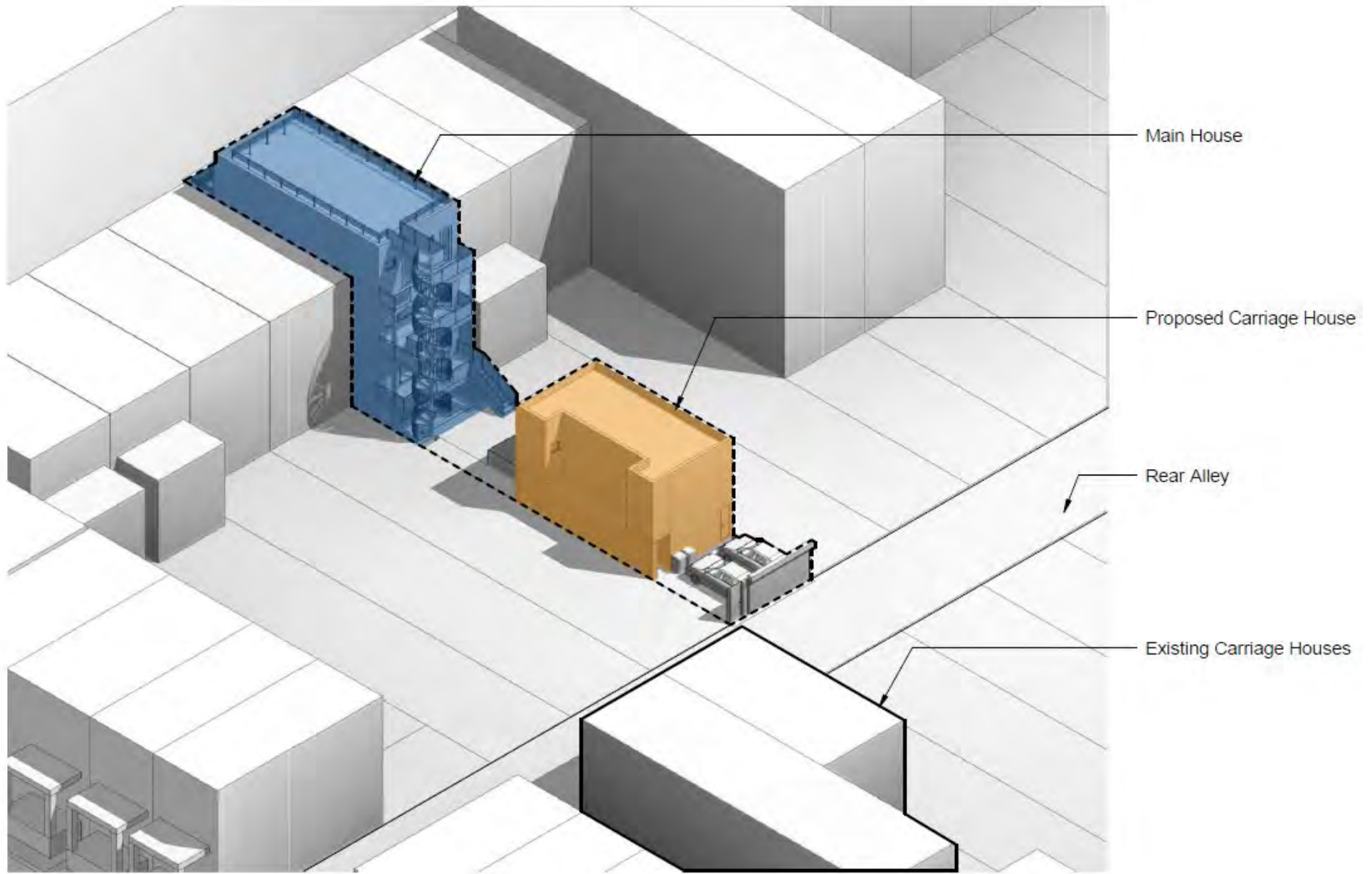
Carriage House Elevations





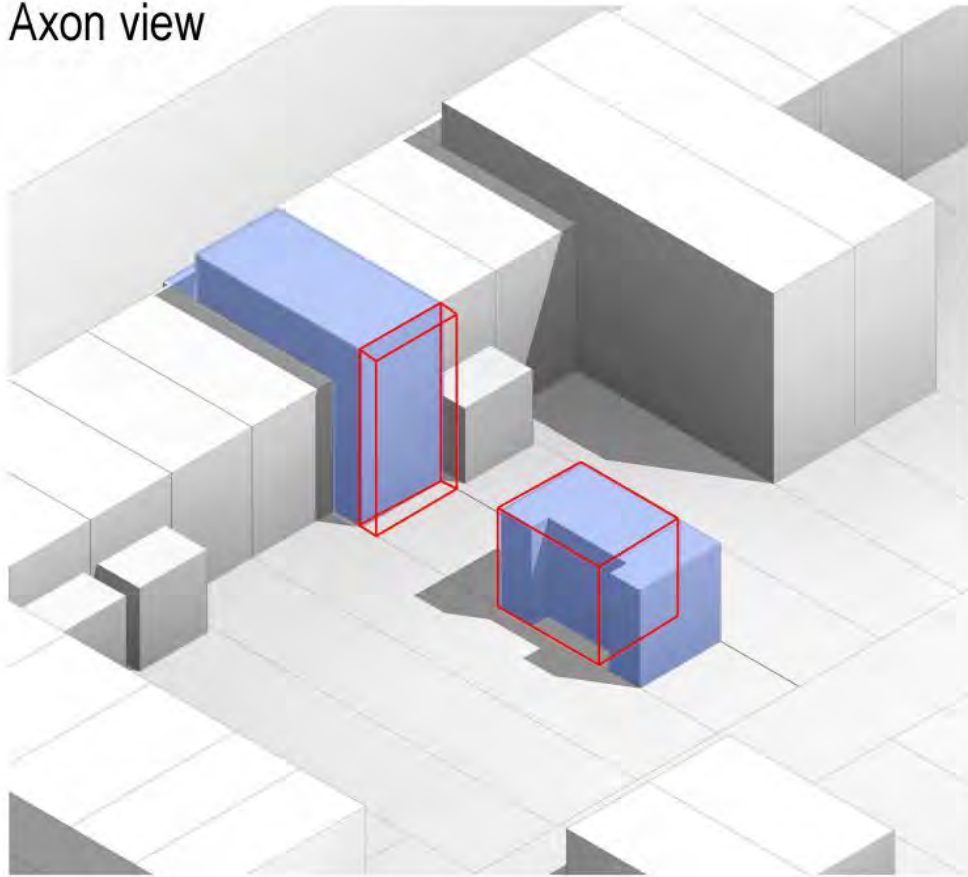
LOT AREA: 2,795 SF
REQUIRED: 559 SF (20%)
PROPOSED: 620.63 SF (22.2%)

- ① LANDSCAPED AREA
- ② PERMEABLE PAVING / ASPHALT

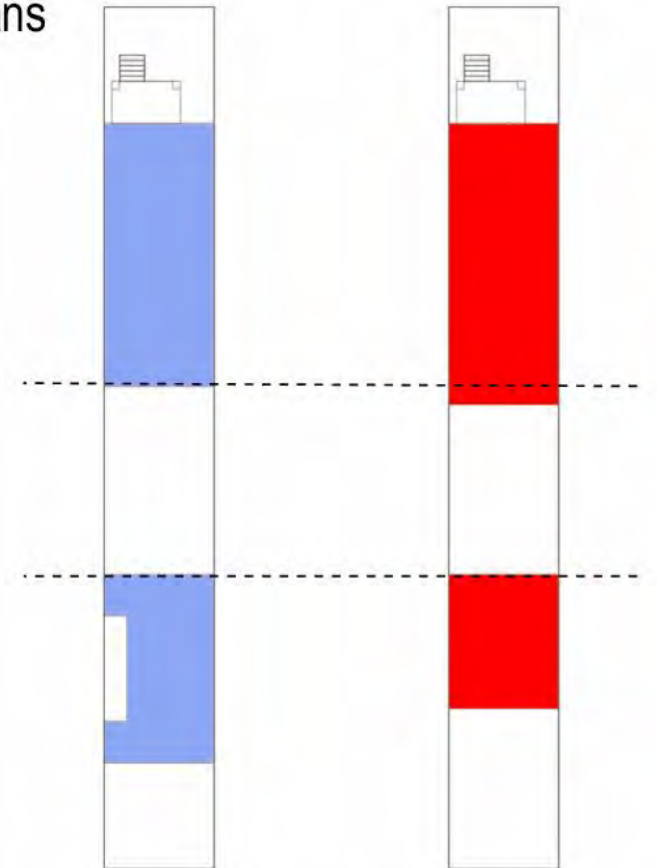


Isometric View

Axon view



Site-Plans



Proposed

Matter of right

 Proposed  Matter of right



Main House - Rear View



Carriage House - Rear View

Requirements of Subtitle X § 901.2

1) Addition will be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps

- The Property is located in the RF-1 Zone which “are distinguished by a maximum number of principal dwelling units per lot of either 2, 3, or 4 units.” (E § 100.4)
- The Zoning Regulations permit 2 units and the use of a new accessory building as a principal dwelling unit via special exceptions
- Therefore, the proposed use was contemplated by the Zoning Commission and enumerated in the 2016 Zoning Regulations

Requirements of Subtitle X § 901.2

1) Addition will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps.

- The project was designed to limit any impact on neighbors
- Instead of proposing a large addition on the principal building in order to accommodate 3 units, the Applicant is proposing to locate the 3rd principal dwelling unit at the rear of the Property in a separate accessory building
- 3 principal dwelling units are permitted via special exception and the physical addition to the building is permitted as a matter-of-right
- The accessory building will be separated from the adjacent principal structures by some distance
- The Applicant is only proposing 1 more dwelling unit than would be permitted as a matter-of-right which is unlikely to create additional noise or privacy issues

Requirements of Subtitle X § 901.2

1) Addition will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps.

- The layout of the Project has additional features which improve the quality of the project and the mitigation of typical concerns in conversion cases
- In particular, the open walkway along the side of the accessory building provides direct access to the rear of the Property from the principal building, improving the situation both for parking and trash collection
- The occupant of a unit in the principal building will have access to trash cans at the rear of the Property, and the access to parking makes it more likely that the spaces would be used, rather than parking on the front street
- In addition, the layout provides for separately accessed private yard space for the units, providing outdoor recreation space to multiple units

Requirements of Subtitle U § 320.2

a) The maximum height of the residential building and any additions thereto shall not exceed thirty five feet (35 ft.), except that the Board of Zoning Adjustment may grant a special exception from this limit to a maximum height of forty feet (40 ft.) provided the additional five feet (5 ft.) is consistent with Subtitle U §§ 320.2(f) through 320.2(i);

- **The Applicant is proposing to increase the height of the principal building from 27 ft. to 34 ft. 9 in.**

(b) The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Subtitle C, Chapter 10, Inclusionary Zoning, including the set aside requirement set forth at Subtitle C § 1003.6;

- **The proposed Addition will increase the number of units from 1 unit to 3 units. Therefore, Inclusionary Zoning and the set aside requirements of Subtitle C § 1003.6 do not apply.**

Requirements of Subtitle U § 320.2

(c) There must be an existing residential building on the property at the time of filing an application for a building permit;

- **There is an existing residential structure on the Property at the time of filing an application for a building permit.**

(d) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per dwelling unit;

- **The proposed structure includes 3 units, requiring a minimum of 2,700 square feet of land. The Property has 2,795 square feet of land, therefore satisfying the minimum requirement.**

(e) An addition shall not extend further than ten feet (10 ft.) past the furthest rear wall of any principal residential building on the adjacent property;

- **The proposed Addition to the Building will only extend 6 ft. 9 in. past the existing Building's rear wall and the rear walls of the adjacent buildings (which are currently in-line with the existing Building's rear wall).**

Requirements of Subtitle U § 320.2

(f) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent compliant with any District of Columbia municipal code on an adjacent property. A chimney or other external vent must be existing and operative at the date of the building permit application for the addition;

- **The Addition, including roof structures and penthouses, will not block or impede the function of a chimney or other external vent on the adjacent properties**
- *(g) Any addition, including a roof structure or penthouse, shall not significantly interfere with the operation of an existing solar energy system of at least 2kW on an adjacent property unless agreed to by the owner of the adjacent solar energy system;*
- **The Addition will not interfere with the operation of an existing or permitted solar energy system on any adjacent property**

Requirements of Subtitle U § 320.2

(h) A roof top architectural element original to the house such as cornices, porch roofs, a turret, tower, or dormers shall not be removed or significantly altered, including shifting its location, changing its shape or increasing its height, elevation, or size. For interior lots, not including through lots, the roof top architectural elements shall not include identified roof top architectural elements facing the structure's rear lot line. For all other lots, the roof top architectural elements shall include identified rooftop architectural elements on all sides of the structure;

- **The 3rd story Addition will be set back 6 ft. from the front façade**
- **The Applicant is proposing to remove a metal awning covering the porch and replace it with a new porch roof and porch area**
- **While the awning and porch are likely not original to the house, out of an abundance of caution, the Applicant is requesting a waiver from this subsection**
- **The existing porch is enclosed and has a sloped metal awning. The new porch will more closely match the existing porches on Morse Street which are not enclosed and have flat roofs**

Requirements of Subtitle U § 320.2

(i) Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- 1) *The light and air available to neighboring properties shall not be unduly affected;*
 - **The proposed Addition will only extend 6 ft. 9 in. past the rear walls of the buildings to the east and west**
 - **The 3-story rear Addition is permitted as a matter-of-right**
 - **The new accessory building is limited to 2-stories and 18 ft. 6 in. and is situated towards the rear of the Property**
 - **While the Applicant is requesting relief for the footprint of the accessory building, the height and number of stories is permitted as a matter-of-right**
 - **The difference in shadow created by a matter-of-right accessory building and the proposed accessory building is unlikely to rise to the level of “undue” and will be cast towards the rear of the adjacent properties**

Requirements of Subtitle U § 320.2

(i) Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

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

- **Neither the proposed Addition nor the new Accessory Building will have any windows facing east and west**

Requirements of Subtitle U § 320.2

(3) The conversion and any associated additions, 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 or alley;

- **The addition is set back 6 ft. from the front façade**
- **The Applicant is proposing to remove a metal awning covering the porch (not original to the house) and replace it with a new porch roof and porch area**
- **The new porch will more closely match the existing porches on Morse Street which are not enclosed and have flat roofs**
- **The accessory structure is setback approximately 20 ft. from the alley so that when viewed from the alley it does not stand out or intrude upon the existing scale**
- **The houses on this block have some variety; while there are a number of 2-story structures, there are also some mid-block 3rd story additions and 2, large 3-story, multi-unit buildings with 50+ foot rear additions at the end of this block of Morse Street**

Requirements of Subtitle U § 320.2

(j) In demonstrating compliance with Subtitle U § 320.2(i) the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways;

- **The Applicant has submitted plans showing the relationship of the proposed Addition to the neighboring properties and the public ways**

(k) 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 or nearby properties, or to maintain the general character of a block;

- **No special treatment is necessary because the Addition will maintain ample open space, will be a size and scale appropriate for the site, and will have a design consistent with the neighborhood**

Requirements of Subtitle U § 320.2

(l) The Board of Zoning Adjustment may modify or waive not more than three (3) of the requirements specified in Subtitle U §§ 320.2(e) through § 320.2(h) provided, that any modification or waiver granted pursuant to this section shall not be in conflict with Subtitle U § 320.2(i)."

- **The Applicant is requesting a waiver from U § 320.2(h)**
- **Even though the awning is likely not original to the principal building, the Applicant is requesting the waiver out of an abundance of caution**
- **The proposed Project and waiver are not in conflict with U § 320.2(i).**

Requirements of Subtitle E § 5201

(a) The light and air available to neighboring properties shall not be unduly affected;

- **The new accessory building is situated towards the rear of the Property**
- **Accessory building is limited to 2 stories and is less than 20 ft. in height**
- **While the Applicant is requesting relief for the footprint of the accessory building, the height and number of stories is permitted as a matter-of-right**
- **The difference in shadow created by a matter-of-right accessory building and the proposed accessory building is unlikely to rise to the level of “undue” and will be cast towards the rear of the adjacent properties**

Requirements of Subtitle E § 5201

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

- **The accessory building will be located towards the rear of the Property and there will be a significant distance between the accessory building and adjacent buildings**

(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; and

- **The accessory building is setback approximately 20 ft. from the alley so that when viewed from the alley it does not stand out or intrude upon the existing scale**
- **There is an existing fence on the adjacent property to the east and an existing accessory structure at the rear of the property to the west**
- **Considering the setback of the accessory building, the adjacent fence, and the adjacent accessory structure, the accessory building will not substantially visually intrude upon the character, scale, and pattern of houses along the alley**

Requirements of Subtitle E § 5201

(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 has provided plans, photographs, elevations and section drawings sufficient to represent the relationship of the proposed Accessory Building to the adjacent buildings and views from public ways**

(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%)

- **Total lot occupancy of 58.62%**

Requirements of Subtitle E § 5201

Section 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.”

- **The Applicant will comply with Board directives for protection of adjacent and nearby properties**

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

- **The Applicant is not requesting to introduce or expand a nonconforming use**

Section 5201.5 “This section may not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.”

- **The Applicant is not requesting to introduce or expand nonconforming height or number of stories**

Conclusion

- The Office of Planning is recommending approval
- The proposal breaks up the bulk and density and maintains the character of the Principal Building
- The Application meets the requirements of Subtitle X § 901.2, Subtitle U § 320.2, and Subtitle E § 5201



PLAN MATTER OF RIGHT
CONDITIONS - 9AM



MATTER OF RIGHT CONDITIONS - 9AM

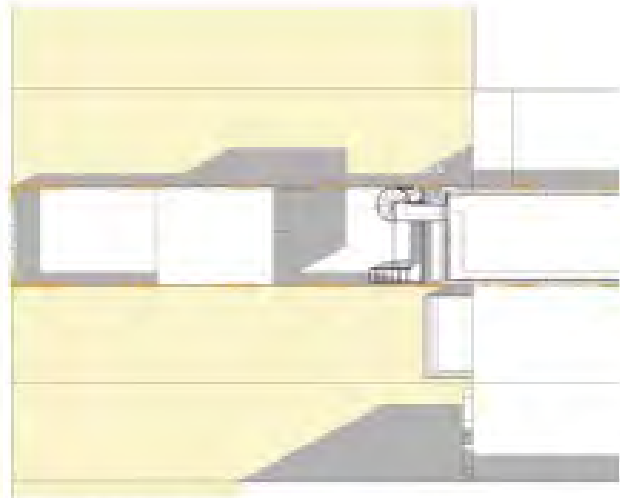
ADDITIONAL
SHADE



PLAN PROPOSED CONDITIONS - 9AM



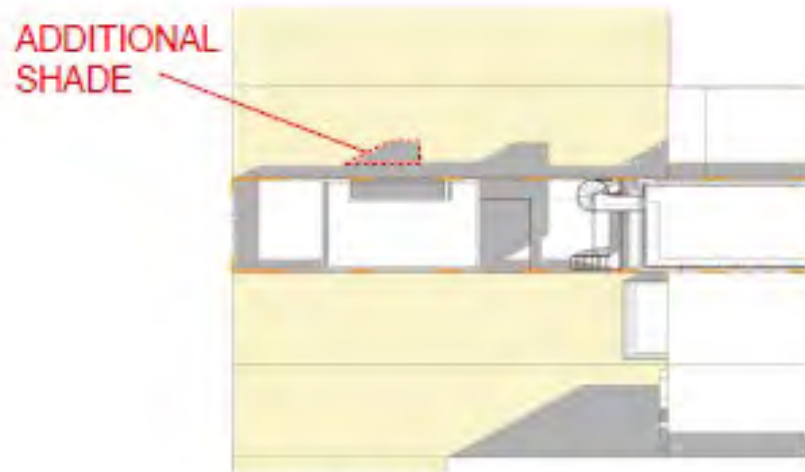
PROPOSED CONDITIONS - 9AM



PLAN MATTER OF RIGHT
CONDITIONS - 12PM



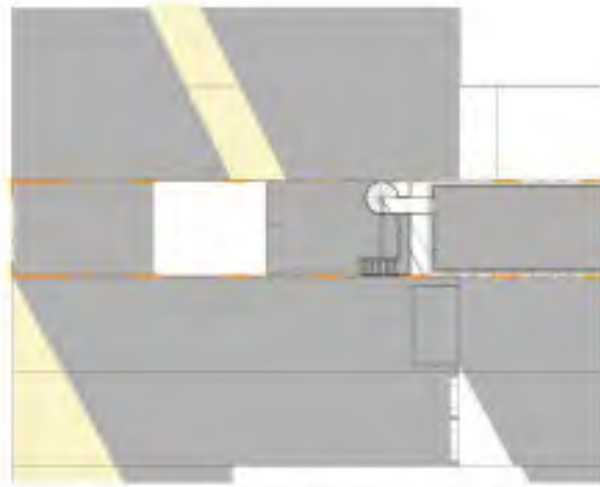
MATTER OF RIGHT CONDITIONS - 12PM



PLAN PROPOSED CONDITIONS - 12PM



PROPOSED CONDITIONS - 12PM



PLAN MATTER OF RIGHT
CONDITIONS - 6PM



MATTER OF RIGHT CONDITIONS - 6PM

NO CHANGE



PLAN PROPOSED CONDITIONS - 6PM



PROPOSED CONDITIONS - 6PM



PLAN MATTER OF RIGHT
CONDITIONS - 9AM



MATTER OF RIGHT CONDITIONS - 9AM

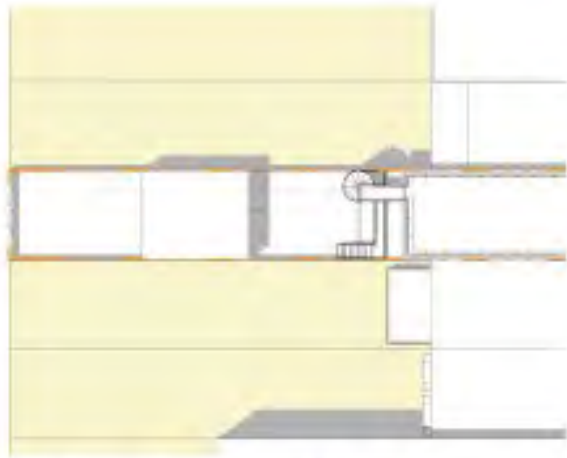
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PLAN PROPOSED CONDITIONS - 9AM



PROPOSED CONDITIONS - 9AM

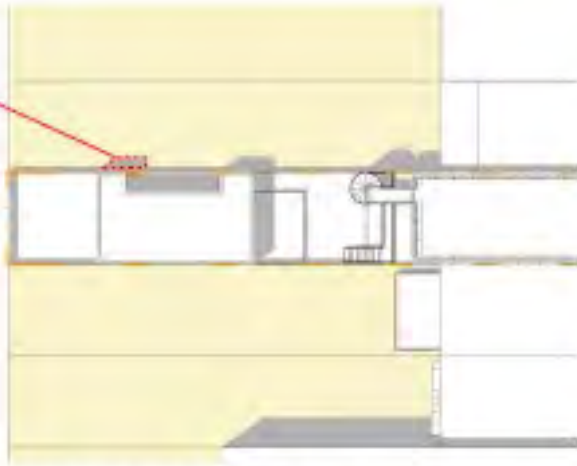


PLAN MATTER OF RIGHT
CONDITIONS - 12PM



MATTER OF RIGHT CONDITIONS - 12PM

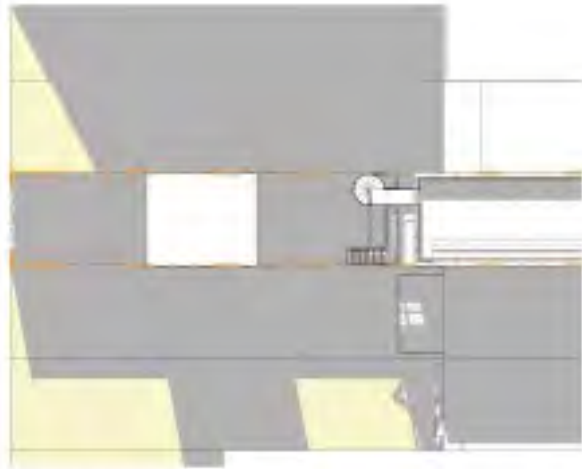
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PLAN PROPOSED CONDITIONS - 12PM



PROPOSED CONDITIONS - 12PM



PLAN MATTER OF RIGHT
CONDITIONS - 6PM



MATTER OF RIGHT CONDITIONS - 6PM

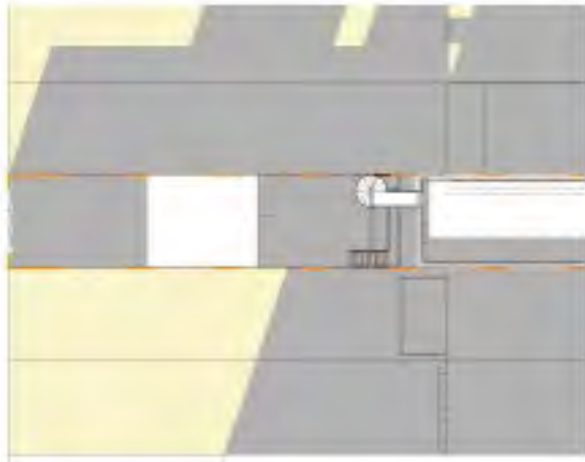
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PROPOSED CONDITIONS - 6PM

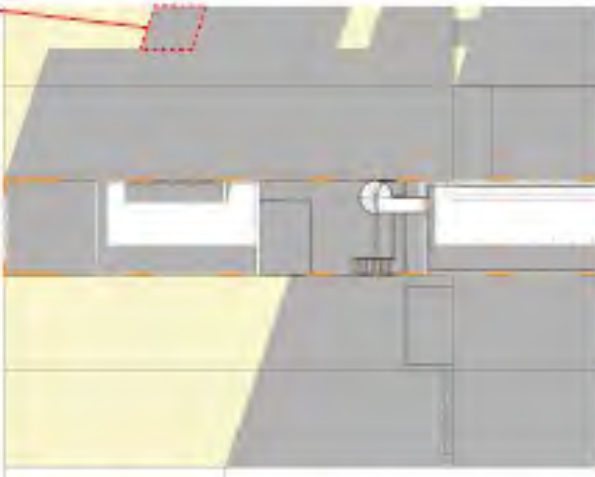


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CONDITIONS - 9AM



MATTER OF RIGHT CONDITIONS - 9AM

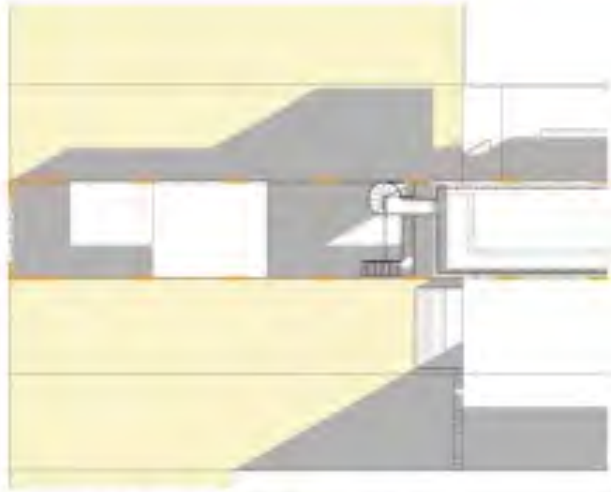
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PROPOSED CONDITIONS - 9AM

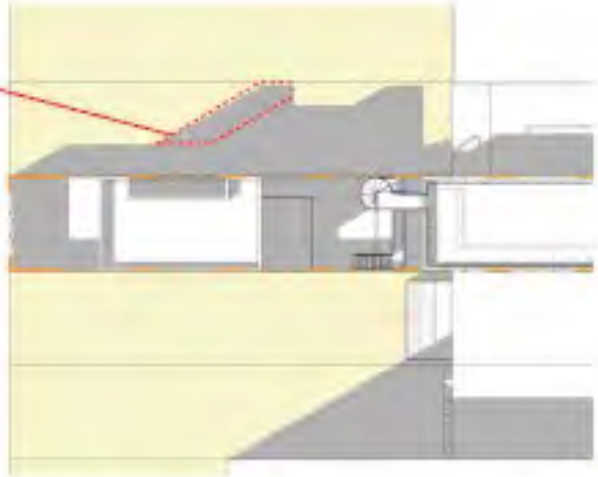


PLAN MATTER OR RIGHT
CONDITIONS - 12PM



MATTER OF RIGHT CONDITIONS - 12PM

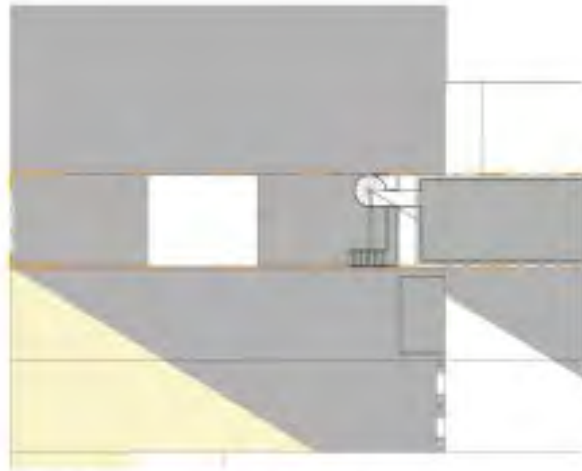
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SHADE



PLAN PROPOSED CONDITIONS - 12PM



PROPOSED CONDITIONS - 12PM



PLAN MATTER OF RIGHT
CONDITIONS - 6PM



MATTER OF RIGHT CONDITIONS - 6PM

NO CHANGE



PLAN PROPOSED CONDITIONS - 6PM



PROPOSED CONDITIONS - 6PM