

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Matt Jesick, Case Manager  
*JL* Joel Lawson, Associate Director for Development Review

**DATE:** June 4, 2021

**SUBJECT:** BZA #20461 – 1525 K Street, SE – Request for relief to construct a single story rear addition to an existing rowhouse

**I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following requested special exception for lot occupancy:

- F § 304, Lot Occupancy, pursuant to F § 5201 (60% permitted as a matter of right; 70% permitted by special exception; 56.6% existing; 70% proposed).

**II. LOCATION AND SITE DESCRIPTION**

Applicant	Alvaro Vasquez and Meredith Hutchinson, owners
Address	1525 K Street, SE
Legal Description	Square 1079, Lot 39
Ward / ANC	6B
Zone	RA-2 (Moderate density multifamily; rowhouses permitted by right)
Historic District or Resource	None
Lot Characteristics and Existing Development	Existing three-story rowhouse; Lot is 15.5' x 94.3', and 1,462.3 sf in size; 16' wide alley to the south.
Adjacent Properties and Neighborhood Character	Adjacent properties both appear to be two-story single family rowhouses. The remainder of the neighborhood is primarily rowhouses, but with a mix of apartment buildings, including on the subject block. There is a fast food establishment on the north side of K Street.
Proposal	Demolish existing one-story addition with rooftop deck and construct larger one-story addition with rooftop deck.

### III. ZONING REQUIREMENTS AND RELIEF REQUESTED

Item	Regulation	Existing	Proposed	Relief
Lot Width	n/a	15.5'	No change	Conforming
Lot Depth	n/a	94.3'	No change	Conforming
Lot Area	n/a	1,462.3 sf	No change	Conforming
Height F 303	50'	33.3'	No change	Conforming
<b>Lot Occupancy F 304</b>	<b>60% MOR 70% Spec. Ex.</b>	<b>56.6%</b>	<b>70%</b>	<b>Requested</b>
Rear Yard F 305	15'	31.5'	18.6'	Conforming
FAR F 302	1.8	1.4	1.6	Conforming

### IV. ANALYSIS

#### Special Exception Relief From Lot Occupancy

The Board may grant relief to lot occupancy pursuant to the criteria of F § 5201, and those criteria are evaluated below.

#### Subtitle F Section 5201 SPECIAL EXCEPTION RELIEF FROM CERTAIN REQUIRED DEVELOPMENT STANDARDS

*5201.1 For an addition to a principal residential building on a non-alley lot or for a new principal residential building on a substandard non-alley record lot as described by Subtitle C § 301.1, the Board of Zoning Adjustment may grant relief from the following development standards of this subtitle as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:*

- (a) Lot occupancy up to a maximum of seventy percent (70%) for all new and existing structures on the lot;*
- (b) Yards, including alley centerline setback;*
- (c) Courts; and*
- (d) Green Area Ratio.*

The applicant proposes an addition to an existing single family attached rowhouse and requests a special exception for the resulting lot occupancy.

*5201.2 & 5201.3 not relevant to this application*

*5201.4 An applicant for special exception under this section shall demonstrate that the proposed addition, new building, 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 compromised;*

The proposed single story addition should not have an undue impact on light or air available to neighbors. Because the addition would be only one story tall, it would not extend higher than the existing rear addition, and not significantly higher than the existing rear fence. Any additional shadow or impact to air flow, therefore, should be minimal.

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

Granting special exception relief for lot occupancy should not impact the privacy of adjacent properties. While the total lot occupancy would increase, the depth of the deck on the second floor should not be much greater than the depth of the existing deck, meaning views onto adjacent properties should not change significantly. At the first floor, there are no windows proposed on the shared property line to the west, and privacy in general would be preserved by the existing fence around the rear of the property.

*(c) The proposed addition or accessory structure, together with the original building, or the new 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 street and alley frontage; and*

The addition would not be visible from K Street, and would not visually intrude on the character of the alley side. The alley side of the block exhibits a number of different rear additions, balconies, staircases and decks, all of various sizes. The proposed addition would be only one story in height and would be largely hidden by the fence around the rear of the property.

*(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.*

The application includes plans, photos, elevations and renderings.

*5201.5 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 recommends no special treatments for the project.

*5201.6 This section shall not be used to permit the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized in this section, height, or number of stories, as a special exception.*

The applicant proposes an addition to a single family home, a permitted use in this zone. Lot occupancy would be within the range permitted by this section, and the height and number of stories of the existing house would not change.

*5201.7 Where an application requests relief from the alley centerline setback requirements...*

Not applicable.

## **V. COMMENTS OF OTHER DISTRICT AGENCIES**

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

## **VI. ANC COMMENTS**

The ANC has submitted a letter in support at Exhibit 43.

## **VII. COMMUNITY COMMENTS**

As of the date of this report, the record contained a number of letters in support, including from one of the immediately adjacent neighbors. The Capitol Hill Restoration Society has also submitted a letter of support at Exhibit 42. A letter in opposition was submitted at Exhibit 44.

### VIII. VICINITY MAP

