

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen Cochran, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: June 11, 2021

SUBJECT: BZA #20465 – 13 7th Street, S.E. Special Exception from Subtitle E § 304. to construct a Rear Addition to a Single-Family Residence in the RF-1 zone

I. BACKGROUND

The original application was determined by the Zoning Administrator (Exhibit 11) to require area variance relief, as the applicant’s original design for the proposed porch addition resulted in a 72% lot occupancy. In the most recent self-certified filings (Exhibits 34 - 36), the proposed porch has been reduced to a size that would make the resulting lot occupancy permitted by special exception. OP has analyzed the case according to the revised application.

II. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following Special Exception Relief pursuant to Subtitle E § 5201 and Subtitle X §901.2 to enable the construction of a 63.75 square foot, 1-story addition that would not extend past the existing rear wall of the house:

- **Lot Occupancy Requirements of Subtitle E § 304.1** (Permitted, 60% by-right, 70% by special exception; Existing, 66.5%; Proposed 69.8%).

III. LOCATION AND SITE DESCRIPTION

Address	13 7th Street, S.E.	Legal Description	Square 0869, Lot 0827
Zoning	RF-1 (Predominantly one or two-unit attached row houses on small lots)		
Ward, ANC	6, 6B	Historic District	Capitol Hill
Lot Character and Existing Development	A 1,920 sq.ft. rectangular interior lot with 20 feet of frontage on the west side of 7th St. S.E. The existing attached rowhouse has ~ 465 sq.ft. on each of two levels, a bay in public space on the front, a two-story rear addition, a basement, and an open court on the western end of the house’s south side. There is a two-story carriage house/garage at the rear of the lot that faces onto a 30-foot-wide public alley.		

Adjacent Properties	The adjacent properties at 15 (south) and 11 (north) 7th Street are similar two-story rowhouses on similarly-sized lots as the applicant's. Each of those houses have rear additions approximately as deep as the applicant's, with the northern property's addition being two-stories and the southern property's addition being one story.
Neighborhood Character	The neighborhood is characterized primarily by 2 and 3-story rowhouses, with occasional 3 to 3½-story apartment buildings. A mix of commercial and more intense residential uses is two-blocks to the south, on Pennsylvania Ave., S.E.
Proposal	The applicant proposes (Exhibit 34) to construct a 7'6" by 8'6" one-story wood-framed screened porch off the south side of the existing kitchen, within a portion of an existing open court. The rear wall of the porch would be aligned with the house's existing rear wall and the rear walls of the houses to the north and south. The south wall of the porch would be 1'6" from the southern property line and an at-risk window in the one-story rear addition of the property to the south. Accordingly, the applicant also proposes to construct a one-hour fire-rated wall next to the south side of the porch, and extending another ~ 8 feet to the east, into the applicant's open court.

IV. ZONING REQUIREMENTS

Zone – RF-1	Regulation	Existing	Proposed	Relief
Lot Area E § 201	1,800 sq.ft. min.	1,920 sq.ft.	Same	None required
No of dwelling units/ land area E § 302.1	2 units, max.	1 unit	Same	None required
Lot Width E § 201	18 feet min.	20 ft.	Same	None required
Height E § 303	35' & 3 stories 40' by S.E.	23 feet 2 stories	Same	None required
Lot Occ. E § 304	60% max.; 70% by SE	66.5%	69.9%	Special. Exception requested
Front Setback E § 305	Within range of existing front setbacks on same side of the street	On front property line	No change	None required
Rear Yard E § 306	20 ft. min.	22 feet	Same	None required
Side Yard E § 207	None required	None	None	None required
Parking C § 701	One	One	Same	None required
Rear Addition E §5201	10 ft. or less from adjacent rear wall	In line with house to north and south.	Same to the north. 12" past the house to the south.	None required

Zone – RF-1	Regulation	Existing	Proposed	Relief
Pervious Surface E § 204	N/A	Not provided	Not provided	None required
Penthouse C § 1502	N/A	None	No change	None required

V. ZONING ANALYSIS

The criteria for determining whether lot occupancy relief is appropriate are included in Subtitle E, §§ 5201.2 – 5201.6, which are listed below, with emphasis in bold added by OP.

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.

5201.2 *Special exception relief under this section is applicable only to the following:*
 (a) **An addition to a residential building;**
 (b) A new or enlarged accessory structure that is accessory to such a building; or
 (c) A reduction in the minimum setback requirements of an alley lot.

The proposed one-story addition is to a residential building and the requested special exception is for lot occupancy.

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 one-story addition should have minimal impact on properties to the north or west, which are separated from the proposed porch by either the existing rear addition or the existing carriage house at the rear of the applicant’s property. The porch may result in some visual impact on the property to the south, but it would be experienced only from the adjacent property’s at-risk window on the property line. The screened porch should also have minimal impact on the air available to the property to the south and there should be no substantial change to the light beyond the impact of the existing two-story house.

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

The privacy and use of properties to the north and west of the property should not be impacted if the

relief were granted. The planned one-hour-rated fire-wall should screen most activity on the proposed porch from the at-risk window on the side of the property to the south.

(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 small, one story addition would not be visible from 7th Street, and would be screened from the alley by the existing two-story carriage house at the rear of the applicant's property. It should not substantially intrude on the character, scale and pattern of houses.

(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 sufficient graphical representations addressing this criterion for the proposed 63.8-foot 1-story addition.

(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%).

The proposed lot occupancy would be 69.9%.

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 propose any special treatments.

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 house is a conforming use in the RF-1 zone

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 proposed height and number of stories of the building would be conforming.

VI. OTHER DISTRICT AGENCY COMMENTS

There were no comments from other District agencies at the time OP completed this report.

VII. ADVISORY NEIGHBORHOOD COMMISSION COMMENTS

ANC 6B had not submitted a report to the record at the time OP completed this report.

VIII. COMMUNITY COMMENTS TO DATE

Both adjacent neighbors have filed letters in support of the application (Exhibits 10 and 12). There were no other letters from the public at the time OP completed this report

Enclosure: Location and Zoning Map

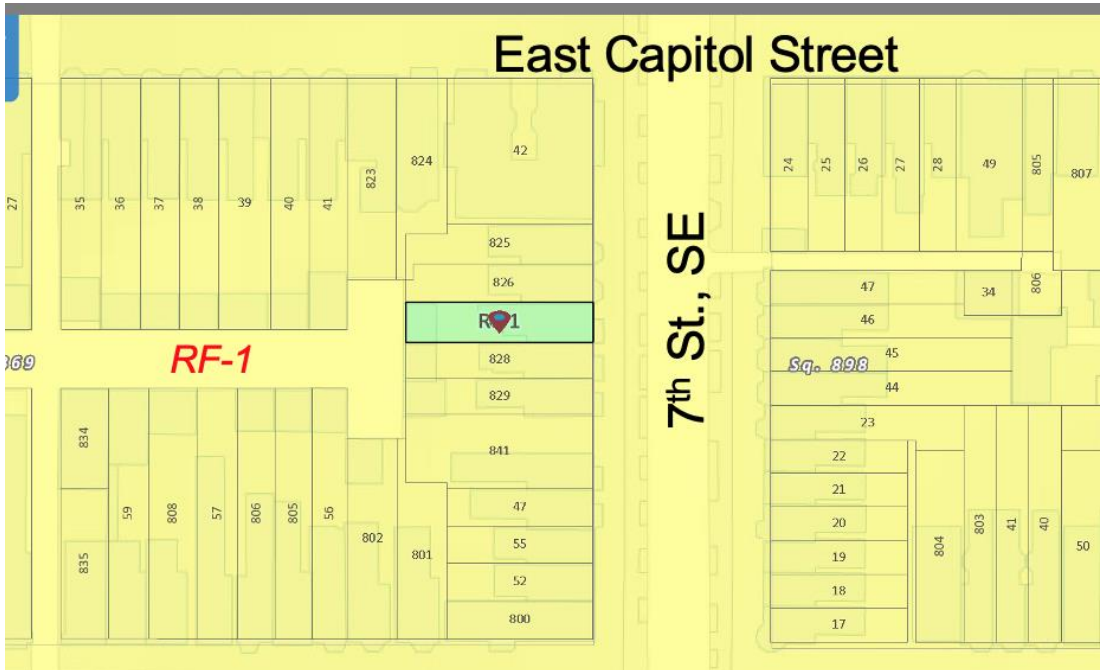


Figure 1. Location and Zoning Map. Applicant's property is highlighted in light blue with red dot.