

SUPPLEMENTAL REPORT

TO: District of Columbia Board of Zoning Adjustment
FROM: Anne Fothergill, Development Review Specialist
JL Joel Lawson, Associate Director for Development Review
DATE: May 13, 2022
SUBJECT: BZA Case 20659 to allow a two-story rear addition at 604 Gallatin Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

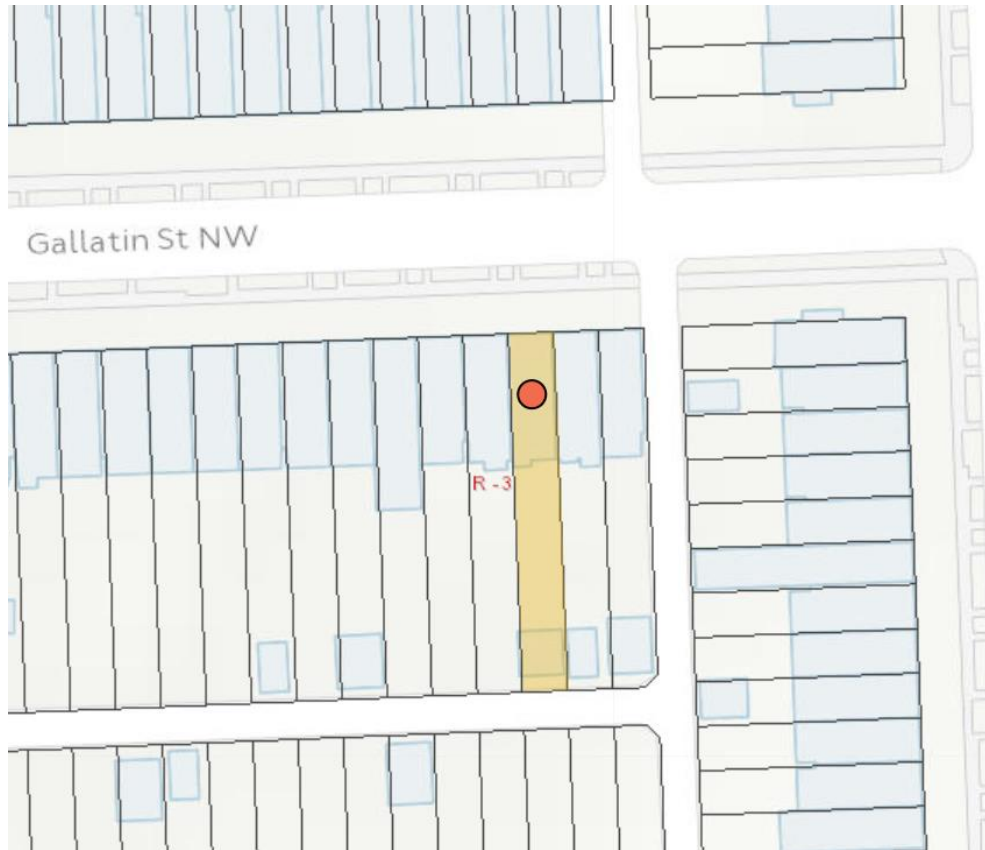
The Office of Planning (OP) recommends approval of the following Special Exception:

- Subtitle D § 306.3, pursuant to Subtitle D § 5201 – Rear Addition 10 feet beyond adjoining building allowed (18 ft. 4 in. rear addition beyond adjoining buildings proposed).

The Applicant should provide additional clarifying documents into the record prior to the public hearing to address inconsistencies in the Burden of Proof statement (Exhibit 18) and the plans (Exhibits 7 and 14).

II. LOCATION AND SITE DESCRIPTION

Address	604 Gallatin Street, N.W.
Legal Description	Square 3212, Lot 0139
Zoning	R-3, low density residential zone
Ward and ANC	Ward 4, ANC 4D
Lot Characteristics and Existing Development	2,656 sq.ft. rectangular lot with a 15 foot wide public alley at the rear on the south side. The lot is improved with a two-story row dwelling.
Adjacent Properties and Neighborhood Character	The adjacent properties and the remainder of the square are all residential row dwellings. Overall, the immediate neighborhood is residential in character.



III. PROJECT DESCRIPTION IN BRIEF

The Applicant proposes to construct an approximately 2-story rear addition with a 300 square foot footprint. It would extend 18 feet beyond the adjoining property rear walls, as shown on Sheet A104 (Exhibit 17).

IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The subject site is zoned R-3. The application seeks zoning relief as noted in the table below. Calculations were provided by DCRA in Exhibit 11.

R-3 Zone	Regulation	Existing	Proposed	Relief
Lot Area	2,000 sq.ft. min.	2,565 sq.ft.	No change	None required
Lot Width	20 feet min.	18 ft.	No change	Existing non-conformity
Rear Yard	20 feet min.	104.5 ft.	86.2 ft.	None required
Lot Occupancy	60% max.	38.9%	51.8%	None required
Rear Addition	10 ft. max. beyond adjoining neighbor allowed	N/A	18 ft.4 in. beyond adjoining buildings	Relief requested

V. ANALYSIS

Special Exception from Rear Yard and Lot Occupancy requirements pursuant to Subtitle D § 5201

Subtitle D Section 5201 SPECIAL EXCEPTION RELIEF FROM CERTAIN REQUIRED DEVELOPMENT STANDARDS

5201.1 For an addition to a principal residential building with one (1) principal dwelling unit 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 subject to the following table: TABLE D § 5201.1*
- (b) Yards, including alley centerline setback; and*
- (c) Pervious surface.*

The application requests special exception relief from the rear yard provision.

5201.2 & 5201.3 – not applicable

5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:

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

The rear yard would continue to be much larger than required, providing ample light and air between properties. The Applicant provided a shadow study in Exhibit 32. The shadow studies are confusing, and the location of a rear addition and the orientation of the lots means that there would likely be some impact on the direct access to light of adjacent neighbors. The applicant may wish to provide better diagrams which provide a comparison of a by-right addition compared to the proposal as is typical. However, the studies as provided appear to show that the additional shadow created by the proposed addition should not have an undue impact on the neighboring properties' light and air.

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

In Exhibit 7, Sheet A102 shows a new first floor window on the right and left sides but the revised elevation Sheet EL101 in Exhibit 14 does not show the right side window. The rear elevation would have windows that would look out on the rear yard of the subject property. The elevations in Exhibits 7 and 14 show a full width rear deck but the first floor plan in Sheet A102 shows a stoop with steps to grade. These plans would need to be reconciled, but the rear addition should not have an undue impact on the privacy of neighbors.

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

The proposed rear addition would not be visible from the street, and it should not visually intrude upon the character, scale and pattern of other buildings as viewed from the alley. While many of the houses on this block do not appear to have rear additions, and the design of the proposed addition should not substantially intrude upon the pattern of the rear facades of the adjoining houses along Gallatin Street, N.W because it would remain set well back from alley, and appears to be designed to generally reflect current building patterns.

(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 Applicant provided adequate photos and plans to represent the relationship of the proposed rear addition to adjacent buildings and public ways.

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 does not propose any additional special treatments.

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 property would continue to be used as a single-family dwelling, which is a conforming use, and no nonconforming use would be introduced. The Applicant does not propose any change to the building height or number of stories.

Subtitle X § 901, Special Exception Review Standards

(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

The proposed rear addition should not result in a building that is out of character with the intent of this single family dwelling zone. The building would conform to height, lot occupancy and rear yard requirements for the zone, and would remain a single family dwelling as anticipated in this zone.

(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;

As noted above, the proposed rear addition should not have an undue adverse impact on the use of neighboring properties.

VI. OTHER AGENCY COMMENTS

There were no comments from other agencies in the record at the time of this report.

VII. ANC COMMENTS

There were no comments from the ANC in the record at the time of this report.

VIII. COMMUNITY COMMENTS

At the time of this report there were no comments from the community filed into the record.