

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: June 10, 2022

SUBJECT: BZA #20738 – 1609 G Street, SE – Request for relief to construct a rear addition

I. RECOMMENDATION

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

- E § 304, pursuant to E § 5201 – Lot Occupancy (59.8% existing; 70% permitted by special exception; 67.8% requested).

II. LOCATION AND SITE DESCRIPTION

| | |
|--|---|
| Applicant | Trin Mitra and Paromita Shah, owners |
| Address | 1609 G Street, SE |
| Legal Description | Square 1092, Lot 18 |
| Ward / ANC | Ward 6, ANC 6B |
| Zone | RF-1 - Moderate density rowhouses and flats |
| Historic District / Resource | None |
| Lot Characteristics and Existing Development | Rectangular rowhouse lot, 79' x 20'; 15' alley at rear; Slight change in grade down from front to rear; Existing attached single family dwelling, 2 stories plus cellar. |
| Adjacent Properties and Neighborhood Character | Similar rowhouses on either side; Surrounding neighborhood is mostly rowhouses; Congressional Cemetery on block to the west; Potomac Avenue metro two blocks to the west. |
| Proposal | Construct a rear and third story addition. |

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

| Item | Regulation | Existing | Proposed | Relief |
|--------------------|------------|----------|-----------|------------|
| Lot Width E 201 | 18 ft. | 20 ft. | No change | Conforming |
| Lot Depth | n/a | 79 ft. | No change | Conforming |

| Item | Regulation | Existing | Proposed | Relief |
|--------------------------------|---------------------|---------------------------------|------------------------------|-------------------------|
| Lot Area E 201 | 1,800 sq.ft. | 1,580 sq.ft. | No change | Existing Non-Conforming |
| Height E 303 | 35 ft. 3 stories | 29.75 ft. 2 stories + cellar | 35 ft. 3 stories + cellar | Conforming |
| Lot Occupancy E 304 | 60% | 59.8% | 67.8% | Requested |
| Rear Yard E 306 | 20 ft. | 28'1" | 21'10" | Conforming |

IV. ANALYSIS

Special Exception from Lot Occupancy – Subtitle E § 304, pursuant to E § 5201

The proposed addition would result in a lot occupancy of 67.8%, higher than the matter of right limit of 60% but within the 70% limit of a special exception. The applicant, therefore, requests special exception relief, which the Board can grant pursuant to the criteria of § 5201. Those criteria are analyzed below.

- 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) Pervious surface.

The applicant requests special exception relief for Lot Occupancy.

5201.2 *[not applicable]*

5201.3 *[not applicable]*

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*

affected;

The air available to adjacent dwellings should not be unduly impacted. The rear addition would extend only 6’3” past the rear wall of adjacent homes, and the conforming rear yards would still provide for ample air flow.

The submitted sun study (Exhibit 24) shows that there would be new shadow falling on adjacent houses, though the level of impact should not be undue, as it would be limited to the morning hours for 1607 G Street, and the afternoon hours for 1611 G Street. As a result of the new matter of right third floor, some new shadow would fall on the roof of 1607 G Street, which has solar panels. Those owners, however, have submitted a letter in support of the application at Exhibit 12, and Exhibit 13 is an agreement between the applicant and the neighbors outlining the neighbors’ acceptance of the shadow impacts in exchange for compensation.

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

The privacy of neighboring properties should not be unduly impacted. There would be no windows on the side walls, and the large existing rear deck is being removed and replaced by a smaller landing. A small terrace would be located at the third floor, but views from there should be similar to a balcony in a matter of right project.

(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 addition should not substantially intrude upon the character of the street frontage or alley. From the front the third-floor addition would be set back and the existing mansard would be maintained. At the rear, the addition would appear slightly different than other houses, but any small degree of change to the character would “not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling” (§ 5201.4).

(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 materials include plans, elevations, photos, and site plans.

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.

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.*

Granting relief would not permit the introduction of a nonconforming use.

V. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this report, the record does not contain comments from other District agencies.

VI. ANC COMMENTS

As of the date of this report, the record does not contain a report from the ANC.

VII. COMMUNITY COMMENTS

The record contains a number of letters in support of the application, including, at Exhibit 12, the owners of the adjacent property to the west.

VIII. VICINITY MAP

