

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Crystal Myers, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: July 5, 2024

SUBJECT: BZA Case 21150: Request for special exception relief to allow an addition at 4450 Alton Pl. NW.

I. OFFICE OF PLANNING RECOMMENDATION

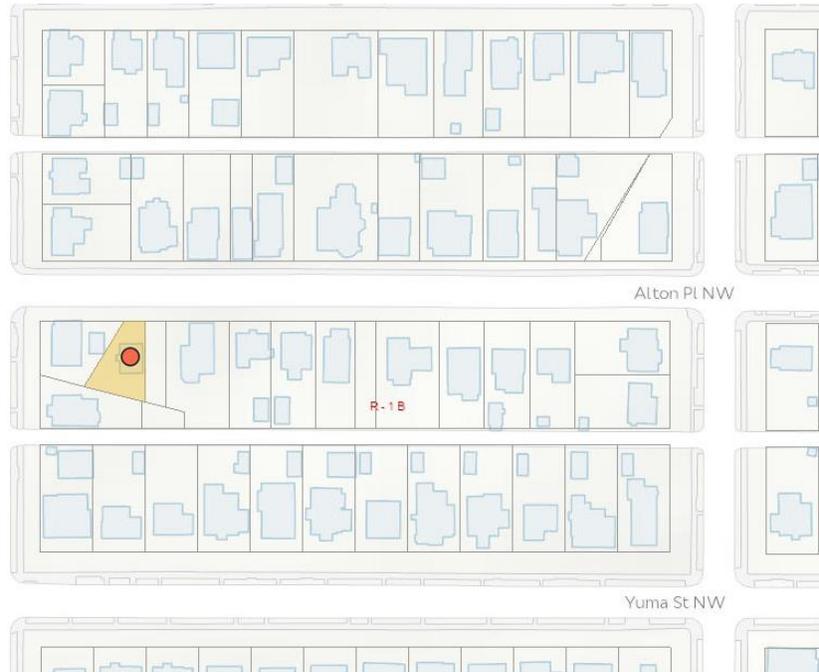
The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle D § 5201 and Subtitle X § 901:

- Side Yard, D § 208 (5 ft. required, 5 ft. & 6.5 ft. existing; 5 ft. & 3 ft. proposed).

II. LOCATION AND SITE DESCRIPTION

Address	4450 Alton Pl. NW
Applicants	Craig A. Morgan on behalf of Sreeja Nair and Alexander Cohen
Legal Description	Square 1591, Lot 18
Ward, ANC	Ward 3; ANC 3E
Zone	R1-B, low density residential
Historic Districts	N/A
Lot Characteristics	Nonconforming Irregularly shaped lot with no public alley access
Existing Development	Detached, Single-dwelling house
Adjacent Properties	Detached, single-dwelling house to the west and a vacant lot to the north which is owned by the owners of the property to the east of it (two lots from the subject property).
Surrounding Neighborhood Character	The surrounding neighborhood primarily consists of single-dwelling, detached houses.
Proposed Development	Construct a front and side addition to an existing single-dwelling house which would allow for the front entrance to be relocated from the side of the house to the front along the street.

III. LOCATION



IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R1-B Zone	Regulation	Existing	Proposed¹	Relief
Lot Width D § 202	50 ft. min.	21.1 ft.	21.1 ft.	Existing Non-Conforming
Lot Area D § 202	5,000 sq. ft. min.	2,877 sq. ft.	2,877 sq. ft.	Existing Non-Conforming
Height D § 203	40 ft. max.	26.3 ft.	26.3 ft.	Existing Conforming
Front Setback D § 206	Within the range of existing front setbacks of all residential buildings on the same side of the street in the block.	19 ft.	No change	None requested
Rear Yard D § 207	25 ft. min.	22.3 ft.	22.3 ft.	Existing
Side Yard D § 208	5 ft. min. ² (existing non-conform)	East-5 ft. West- 6.5ft.	East-5 ft. West- 3.1 ft.	Relief requested
Lot Occupancy D § 210	40% max. by right 50% max by sp. ex.	19.2%	27.2%	Conforming

¹ Information provided by the applicant

² The application states that the side yards are required to be at least 8 ft. OP considers D§208.7 to be more applicable in this case. It allows existing non-conforming side yards to be 5 ft.

V. OP ANALYSIS

Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS

901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

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

Granting the relief would be in harmony with the general purpose and intent of the Zoning Regulations and Maps. The R-1B zone is intended to allow for detached single-dwelling houses, and to provide for orderly development and to reinforce neighborhood character. Allowing the relief would allow this house to become more in line with the other houses, which would improve orderly development on this lot, and would improve the neighborhood's character.

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

Granting the requested relief should not adversely affect the neighboring properties. As discussed below, the proposed addition meets the special exception criteria in Subtitle D § 5201. The addition would also help the house become more compatible with the neighborhood.

Subtitle D § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

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 ...:*
(b) *Yards, including alley centerline setback; and*
(c) *Pervious surface.*

The request is for side yard relief, because the western side yard is less than the 5-ft requirement for an existing side yard.

5201.2 & 5201.3 not relevant to this application

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 requested relief should not result in an undue impact on the light and air of the neighboring

properties. The addition is proposed on the north side of the house, so shadows would primarily be cast on the street. There would continue to be ample distance between this house and the neighboring houses so air should not be impacted.

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

The requested relief should not result in an addition that would unduly compromise the privacy of use and enjoyment of the neighboring properties. The adjacent house to the west is on a corner lot and it is oriented with its rear yard adjacent to the subject property's side yard. The neighbor has a one-story garage in their rear yard and the proposed addition would be approximately 20 feet from this garage.

Currently the subject property's front entrance faces this neighbor's rear yard. The proposed addition would improve privacy between these neighbors because it would allow for the front entrance to be relocated to the street.

Additionally, there are existing privacy fences between the properties, which help to maintain privacy between the 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 addition would be visible from the street. It would not be significantly visible from the alley because the property does not have direct alley access and there is ample vegetation between the property and the alley. The relief should not result in an addition that would substantially visually intrude on the character of the houses along Alton Place NW.

The addition would consist of a similar brick material as the main house and other houses in the neighborhood so it should not be out of character with the neighborhood. Furthermore, the front yard portion of the addition, which would create a front entrance on the street, would result in the house being more in character with Alton Pl. NW.

(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 has submitted sufficient graphical representation, including renderings, site plans and elevations.

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 recommend special treatment of the addition for the protection of adjacent properties.

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.

Approval of the special exception relief should not result in the expansion of a nonconforming use and development standards beyond what is authorized by special exception.

VI. OTHER DISTRICT AGENCIES

As of the writing of this report, no other agencies have provided comments to the record.

VII. ADVISORY NEIGHBORHOOD COMMISSION

At Exhibit 28 is a [Resolution in Support](#) from ANC 3E.

VIII. COMMUNITY COMMENTS

At Exhibit 30 is a letter in support from a neighbor.