

5034 Nebraska Avenue, NW

BZA CASE NO. 21404

Zone: R-2

ANC: 3F

Applicant: 512 Taylor, LLC

APPLICANT'S TEAM

Ritesh Matta & Alper Akan | Owner Representatives

Dagmawi Gebrekidan | Project Architect (One Design Services)

Martin Sullivan | Applicant's Counsel (Sullivan & Barros, LLP)

Sullivan & Barros, LLP

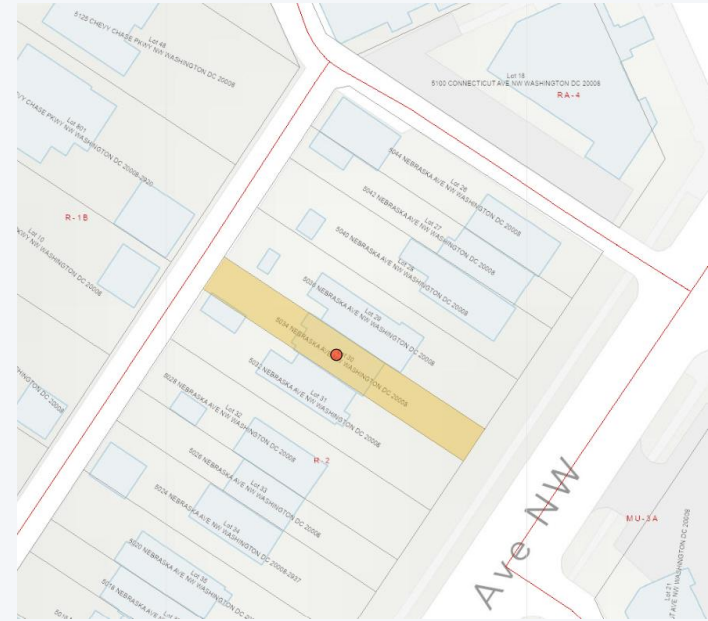


Board of Zoning Adjustment
District of Columbia
CASE NO. 21404
EXHIBIT NO. 50C
Subj. Property
5034 Nebraska Ave., NW

Project Introduction

5034 Nebraska Avenue, NW — R-2 Zone

Lot Area	2,932 sq. ft.
Existing Use	2-story, single-family row dwelling
Proposed Use	Single-family dwelling
Relief Sought	Side Yard (D-208.7) – for one 5 ft. side yard for the length of the addition. Only one such side yard is required.
Agency Support	OP recommending approval; DDOT has no objection
Proposed Project	The Applicant is proposing to construct a three-story rear addition that is set back from the front.



Groups of 3 is typical for this part of the block

One Area of Relief Requested

Relief sought pursuant to 11 DCMR Subtitle X § 901.2 and Subtitle D § 5201

1

Side Yard — 0 ft. Existing, 0 ft. Proposed

D § 208.7 | D § 5201

The Building is an existing row dwelling (no side yards) in an R-2 zone where buildings are required to have one, 8 ft. side yard. The Building is currently nonconforming with respect to the side yard requirements and, pursuant to D-208.7, in the case of a building with a nonconforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of 5 ft.. The proposal is requesting to maintain the existing condition—no side yards. Therefore, relief is requested from the requirement to provide one 5-foot side yard for the addition.

ANC & Community Engagement

Neighbors

Applicant's counsel has been in communication with oppositions counsel in an attempt to address concerns.

Applicant's counsel made suggestions to mitigate any privacy concerns.

Opposition's suggestion was to completely eliminate the 3rd story addition.

ANC 3F

The Applicant and the SMD spoke on the phone mid June to address questions and concerns.

The Applicant also attended ANC 3F's meeting on June 30th.



Property Context

Subj. Property
5034 Nebraska Ave., NW



Property Context

Subj. Property
5034 Nebraska Ave., NW

Property Context

5036 Nebraska Ave., NW

Subj. Property
5034 Nebraska Ave., NW

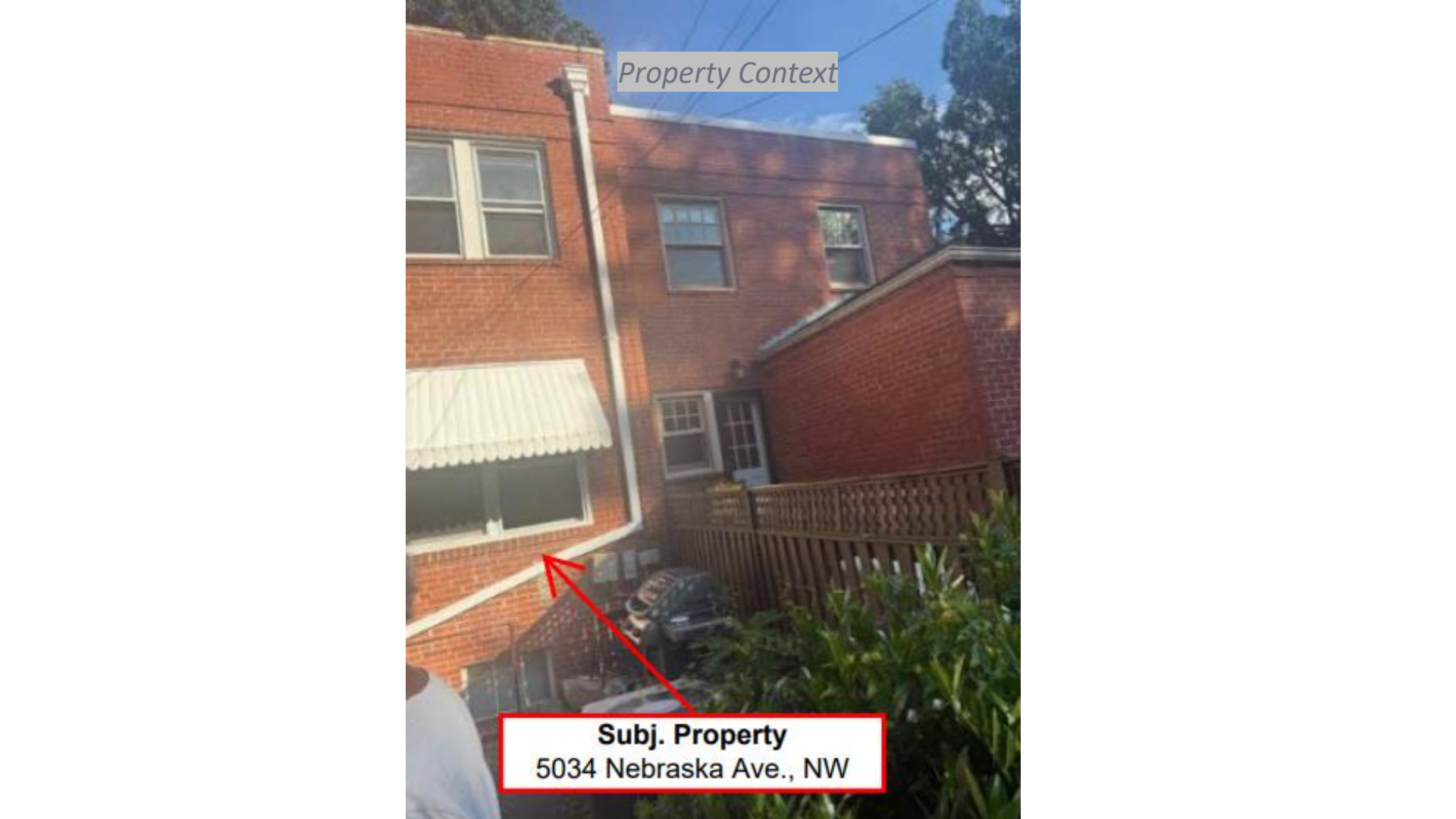
5032 Nebraska Ave., NW



Property Context



Subj. Property
5034 Nebraska Ave., NW



Property Context

Subj. Property
5034 Nebraska Ave., NW

Office of Planning Recommendation

Office of Planning recommends approval; DDOT has no objection

✓ OP RECOMMENDS APPROVAL of the requested special exception

Light & Air

The application complies with all R-2 bulk standards except the side yard requirement. A matter-of-right addition could be constructed with a 5-foot side setback, and the applicant's shadow study compares that scenario with the proposed addition. Although the proposed design would create a small amount of additional shadow on adjacent properties, the difference is limited and not undue, per BZA practice, compared to what could be built as a matter of right.

Privacy

No windows are proposed on the building sides. The open decks will be located at the rear of and on top of the dwelling. The placement of these features is logical as to not create undue privacy concerns to any neighboring property.

Character/Scale/Pattern

The proposed addition will be visible from the public alley but will not extend more than 10 feet beyond the furthest adjacent rear walls and will be partially screened by site features and neighboring structures. The proposed decks and balconies are typical residential elements. Although the third-story addition occupies the existing footprint, the front deck setback, substantial front yard, vegetation, and surrounding buildings will minimize visibility from the street. Therefore, the proposal will not be visually intrusive from public rights-of-way.

Side Yard — Meeting the Standards

Subtitle D § 208.7 and § 5201.4 — Criteria Analysis

§ 901.2(a) Harmony

The Applicant proposes to expand an existing nonconforming structure that has occupied the undersized lot for approximately 85 years. The proposed improvements are consistent with the purpose and intent of the Zoning Regulations and will not increase density beyond what is permitted or introduce any prohibited uses.

§ 901.2(b) Will not Tend to affect, adversely, the use of neighboring property

The Applicant does not propose side-facing windows. The 3rd story addition is set back from the front façade, and the proposed roof deck and rear decks are typical features for row dwellings. Aside from the requested side yard relief resulting from the existing nonconforming conditions, the proposal complies with all other applicable development standards. The impact on light and air and privacy is minimal and clearly does not impact the *use* of neighboring property.

§ 5201.4(a) Light & Air

As shown in the shadow studies, the additional shadow is limited and is not considered undue.

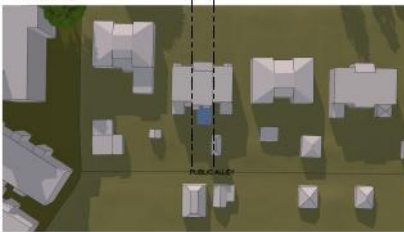
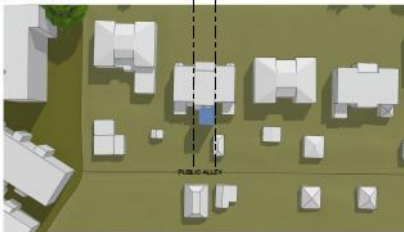
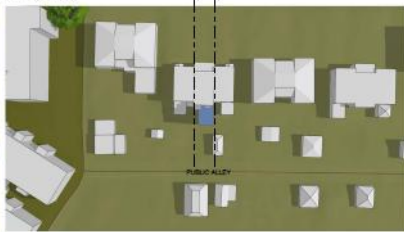
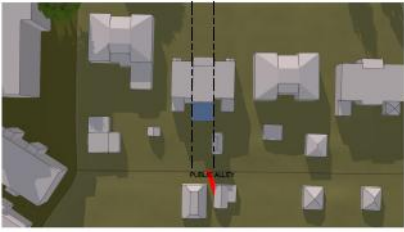
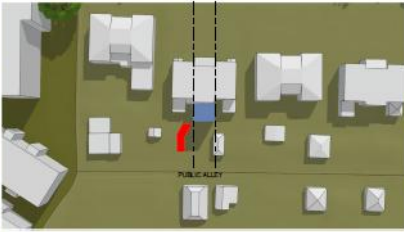
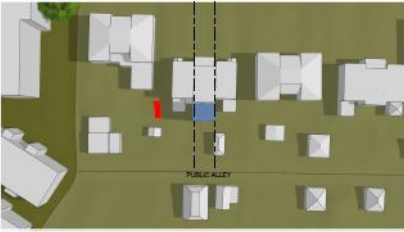
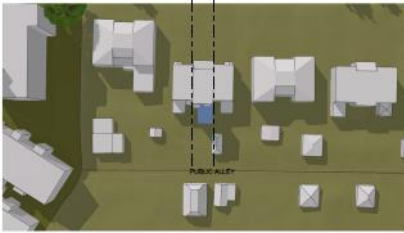
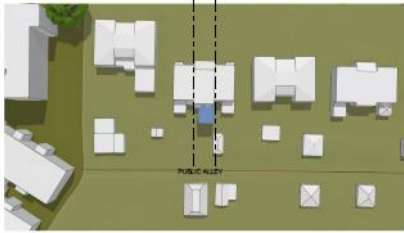
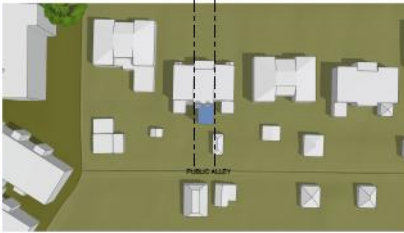
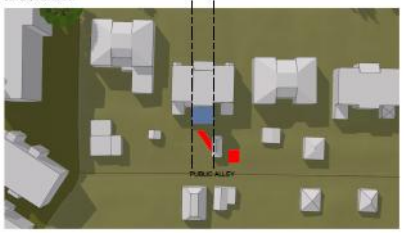
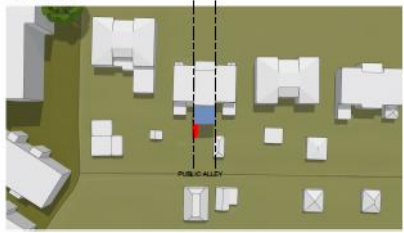
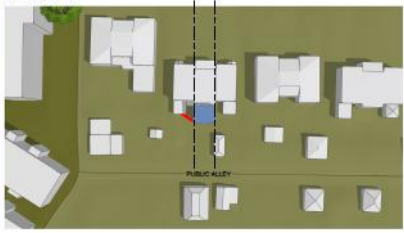
§ 5201.4(b) Privacy

The Applicant is not providing any north-facing or south-facing windows. The proposed open decks will be located at the rear and above the dwelling, consistent with typical residential design. Their placement minimizes potential privacy impacts and will not create undue privacy concerns for neighboring properties.

§ 5201.4(c) Visual Character

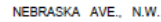
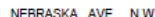
There is no substantial visual intrusion on character scale and pattern on houses that is viewed from the street or alley. The applicant is proposing a significant setback from the front building line and the building itself is already set back substantially from the front property line. As viewed from the rear alley, filling in what would otherwise be a 5-foot court, Does not substantially visually intrude on the character scale and pattern of views from the alley. The rear yard setback is well over the minimum rear yard required and no relief is required from the 10-foot rule.

Shadow Studies

	9:00 AM	12:00 PM NOON	3:00 PM
VERNAL EQUINOX MATTER OF RIGHT	Mar 20, 09:00 AM 	Mar 20, 12:00 PM 	Mar 20, 03:00 PM 
VERNAL EQUINOX PROPOSED	Mar 20, 09:00 AM 	Mar 20, 12:00 PM 	Mar 20, 03:00 PM 
SUMMER SOLSTICE MATTER OF RIGHT	Jun 21, 09:00 AM 	Jun 21, 12:00 PM 	Jun 21, 03:00 PM 
SUMMER SOLSTICE PROPOSED	Jun 21, 09:00 AM 	Jun 21, 12:00 PM 	Jun 21, 03:00 PM 

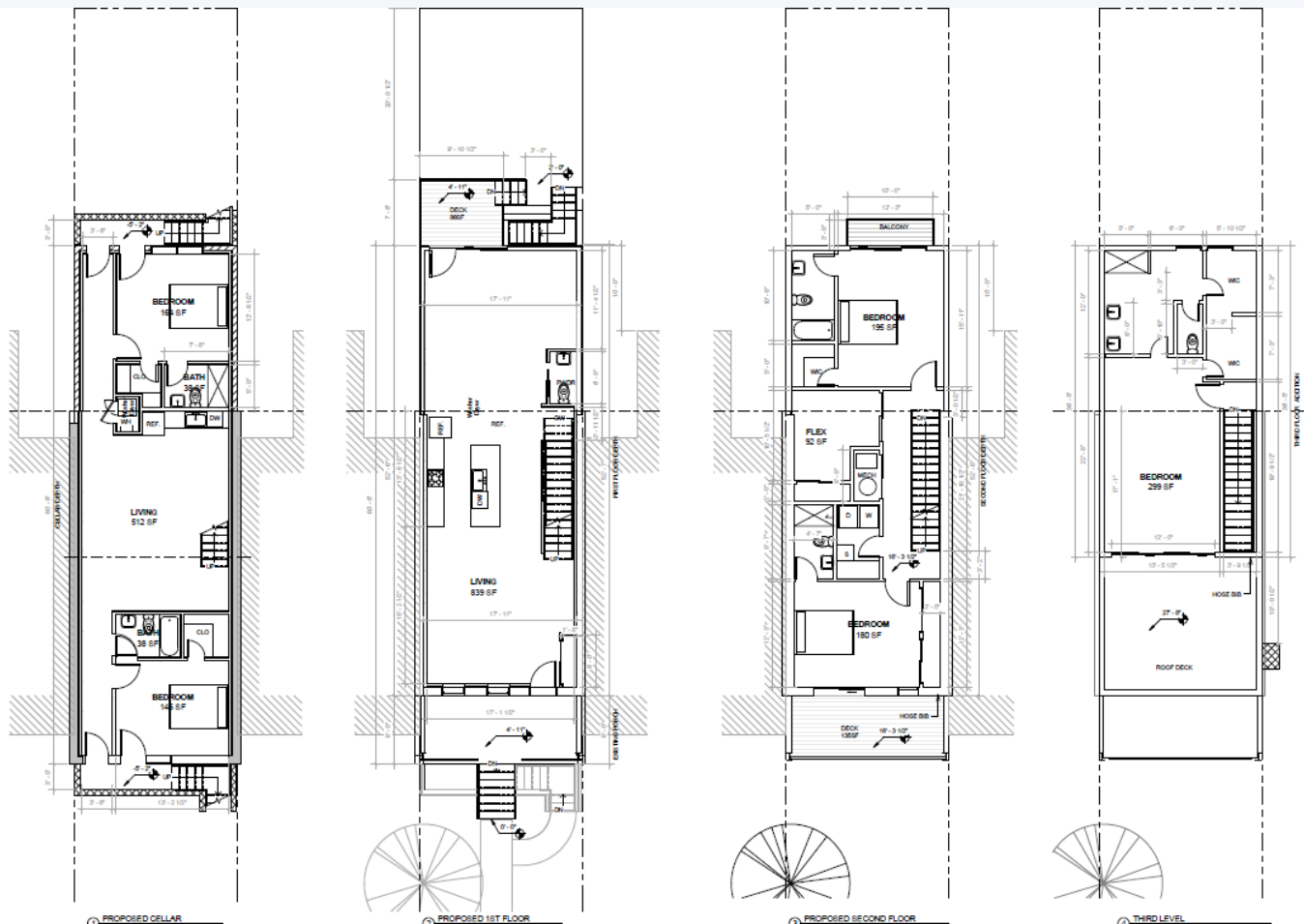
		9.00 AM	12.00 PM NOON	3.00 PM
	AUTUMNAL EQUINOX MATTER OF RIGHT	Sep 23, 09:00 AM	Sep 23, 12:00 PM	Sep 23, 03:00 PM
	AUTUMNAL EQUINOX PROPOSED	Sep 23, 09:00 AM	Sep 23, 12:00 PM	Sep 23, 03:00 PM
	WINTER SOLSTICE MATTER OF RIGHT	Dec 21, 09:00 AM	Dec 21, 12:00 PM	Dec 21, 03:00 PM
	WINTER SOLSTICE PROPOSED	Dec 21, 09:00 AM	Dec 21, 12:00 PM	Dec 21, 03:00 PM

Existing

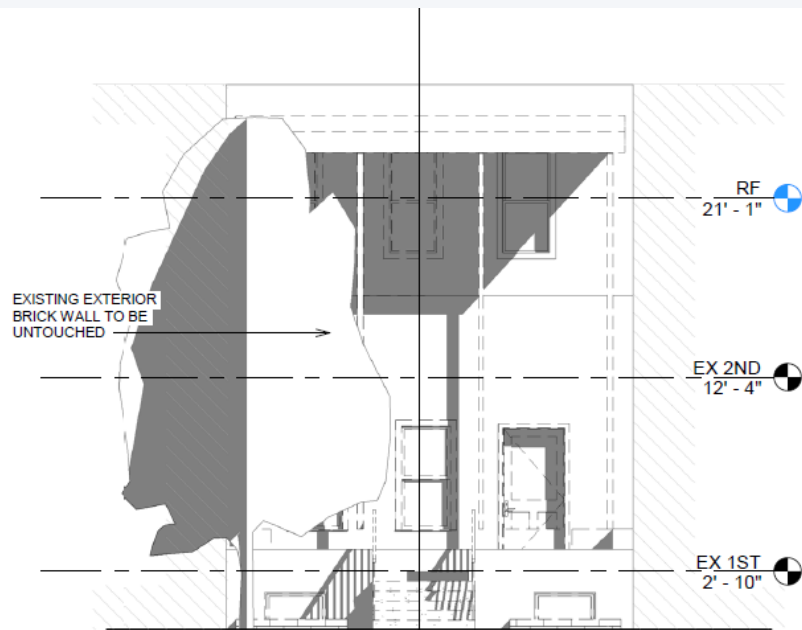


Proposed

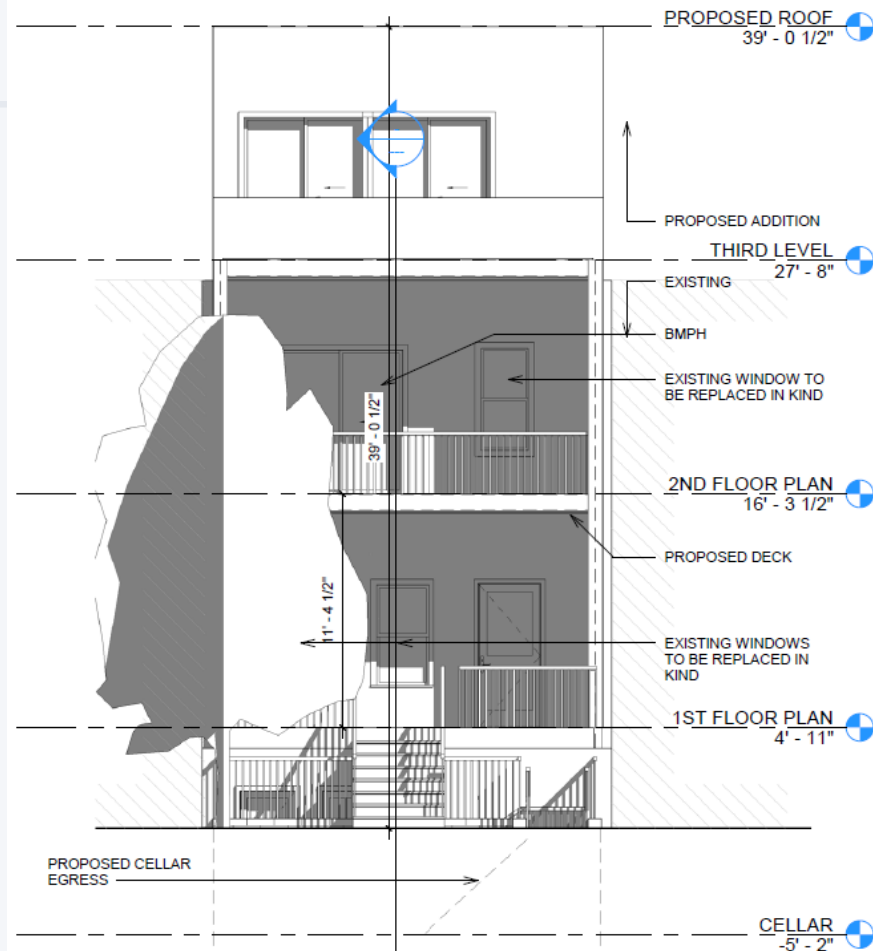
Proposed Floor Plans



Elevations - Front

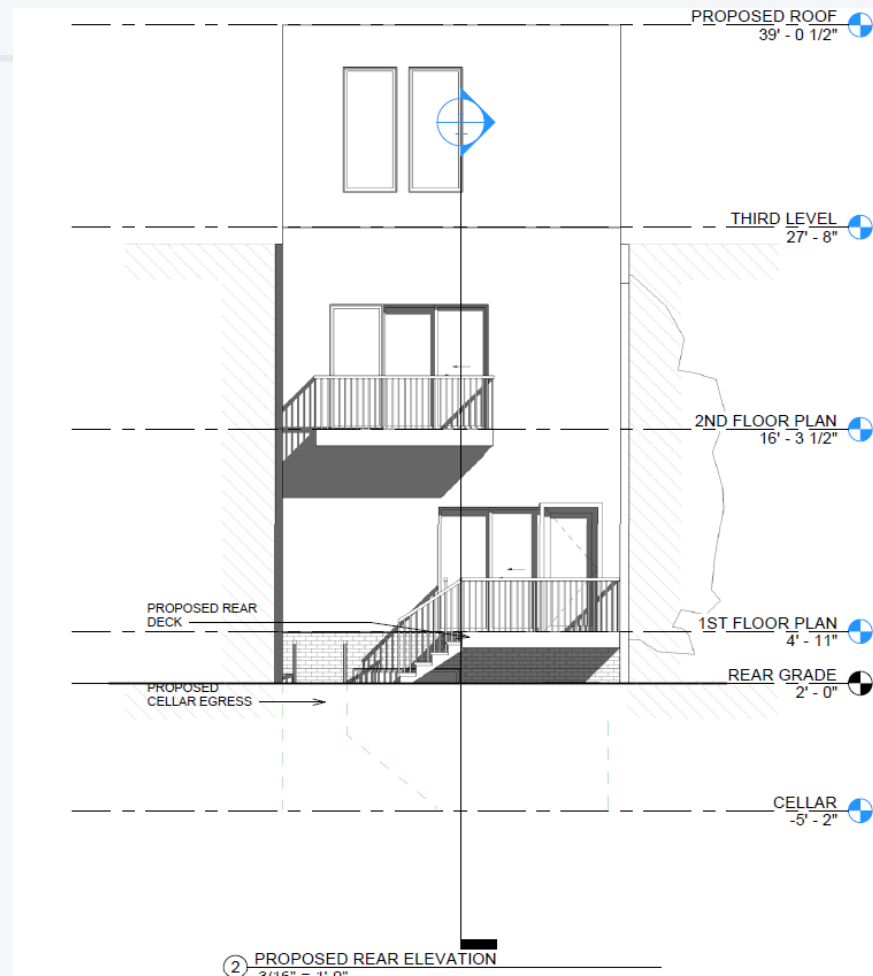
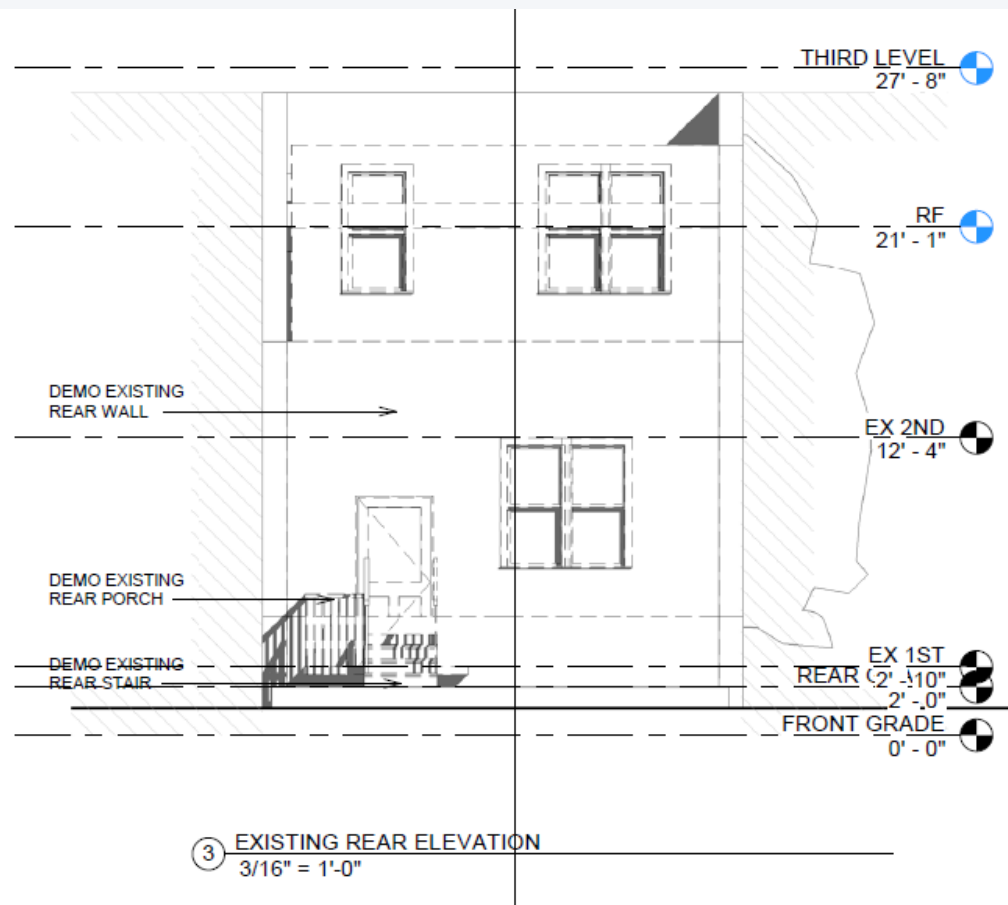


① EXISTING FRONT ELEVATION
3/16" = 1'-0"

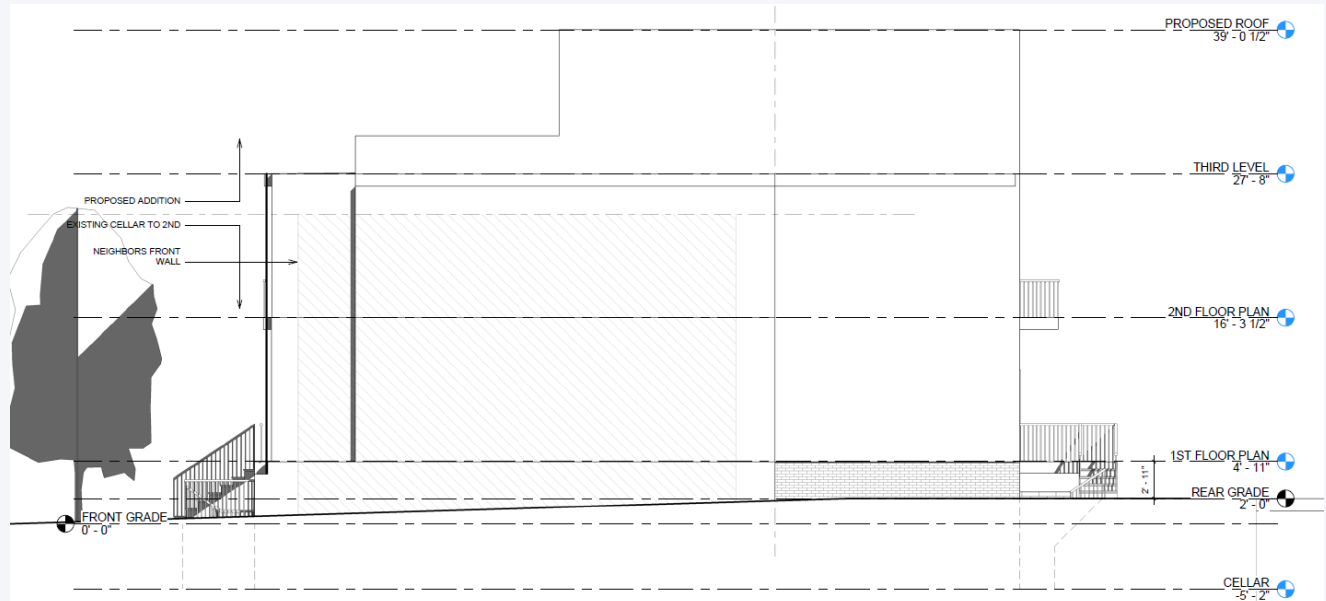
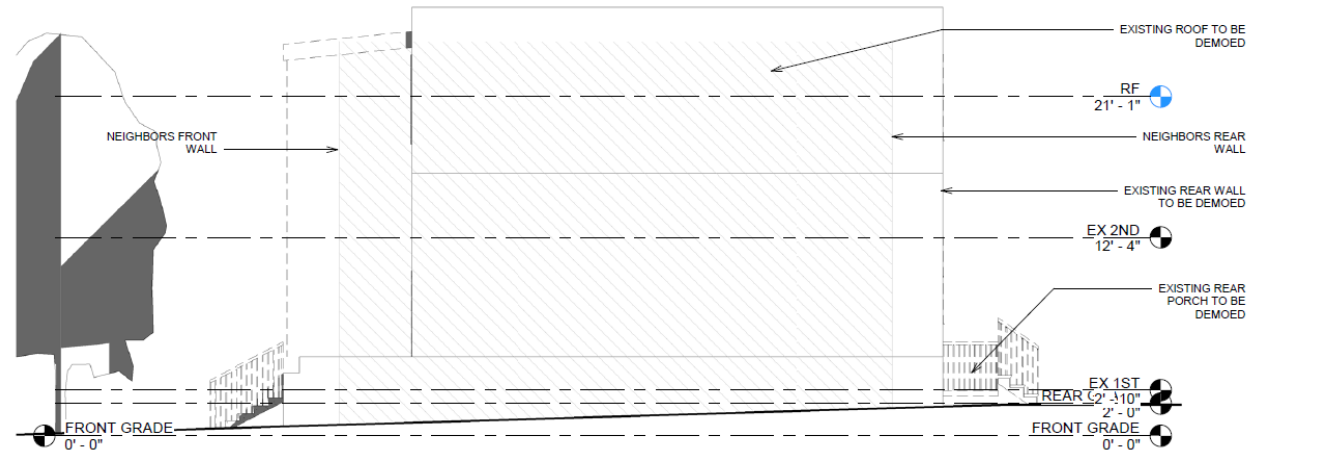


① PROPOSED FRONT ELEVATION
3/16" = 1'-0"

Elevations - Rear



Elevations Right Side



Elevations

Left Side

