

114 3rd Street SE

Summary of Zoning Relief

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Summary of Relief

Letitia H. White, Trustee (the "Applicant"), is the owner of the property located at 114 3rd Street SE (Square 0788, Lot 0057) (the "Subject Property"). The Applicant seeks special exception relief pursuant to Subtitle E § 5201 to expand and enlarge an existing one-story structure by adding a second story containing a second dwelling unit (the "Project") on the Subject Property.

Background

The Subject Property is located at 114 3rd Street SE (Square 0788, Lot 0057) within the Capitol Hill Historic District and the boundaries of ANC 6B. The property is currently zoned RF-1/CAP. The lot is 32.3 feet wide and 86.7 feet deep, with a total lot area of 2,803 square feet.

The Subject Property contains a principal three-story single-family dwelling, an open courtyard, and a detached one-story accessory structure at the rear of the lot. The principal dwelling was originally constructed between 1754 and 1857, and the detached accessory structure was subsequently constructed between 1919 and 1959. The accessory structure is currently used for storage and as a carport providing one off-street parking space. The principal dwelling has a building area of 1,059 square feet, while the accessory structure has a building area of 572 square feet. Accordingly, the total existing building area on the Subject Property is 1,631 square feet, resulting in an existing lot occupancy of 58.1%.

The existing non-conforming accessory structure will be demolished, and a new two-story accessory apartment will be constructed in place. The new accessory structure will be 27.7' wide and 22' deep with a new building area of 610 square feet, an increase of 38 square feet. The increased total building area, when combined with the principal structure is 1,669 sf resulting in an existing lot occupancy of 59.5%. The ground floor level will accommodate an enclosed two car garage, plus storage, and the second floor will accommodate an additional dwelling unit.

The existing nonconforming accessory structure encroaches into the required rear yard setback (20 feet required; 8.3 feet existing). The proposed accessory structure will also encroach into the required rear yard setback (20 feet required; 7.5 feet proposed).

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The existing nonconforming accessory structure exceeds the maximum permitted building area for an accessory structure (550 square feet maximum; 572 square feet existing). The proposed accessory structure will likewise exceed the maximum permitted building area (550 square feet maximum; 610 square feet proposed).

In addition, the Project is subject to design review by the **D.C. Historic Preservation Office** and the **U.S. Commission of Fine Arts** pursuant to the **Shipstead-Luce Act**. A parallel application to demonstrate compliance with the applicable preservation and design guidelines is currently under review.

Application Requirement for Special Exception Approval

Pursuant to 11 DCMR Subtitle X, Chapter 9, and subject to Subtitle E § 5201.2 (a) (b), an application for special exception relief under this section shall demonstrate that the proposed 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;

Response: The proposed accessory structure will have minimal impact on light and air to the neighboring properties due to orientation of the properties.

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

Response: The proposed accessory structure will be 20.7 ft tall and will be offset 4.7' from the north property line. No windows are proposed on the north and south facing facades.

- c) The proposed 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 street and alley frontage;

Response: the proposed accessory structure is in harmony with the scale and development pattern of the houses on the alley frontage. The proposed accessory structure is at the rear of the property and will have minimal visibility from 3rd Street given the existing principal house and street trees are within the line of sight of public way.

- d) In demonstrating compliance with paragraphs (a) (b) (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevations and section drawings sufficient to represent the relationship of the proposed accessory structure to adjacent buildings and views from public way;

Response: The applicant has provided plans, photographs, elevations, and shadow studies sufficient to represent the relationship between of the proposed accessory structure to the adjacent buildings.

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

Response: The Subject Property is located within the RF-1/CAP Zone, which is intended to provide for areas developed primarily with row dwellings and one- and two-story accessory structures. The proposed Project is consistent with the purpose and development pattern of the zone.

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

Response: As described above, the proposed accessory structure will not unduly affect access to light and air for, or the use and enjoyment of, neighboring properties. The relief requested is substantially similar to relief previously granted by the Board of Zoning Adjustment in comparable cases, including BZA No. 21366 (307 15th Street SE), BZA No. 21359 (524 Taylor Street NW), BZA No. 21163 (627 A Street NE), BZA No. 21074 (1362 K Street SE), and BZA No. 20866 (367 A Street NE).

- g) Will meet such special conditions as may be specified in this title.

Response: The Board of Zoning Adjustment may impose conditions pertaining to design, appearance, size, signage, screening, landscaping, lighting, building materials, or other matters it deems necessary to protect adjacent or nearby properties and to ensure compliance with the intent and purpose of the Zoning Regulations. The Applicant is willing to accept any conditions or requirements that the Board determines are necessary and appropriate.

Conclusion

For the reasons stated above, this application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested relief.