

D.C. BOARD OF ZONING ADJUSTMENT
Special Exception Application

Project Team

Applicant: Stephen and Kiearra Shorter
Architect/Designer: Sean Gray
Counsel: Sullivan & Barros, LLP

Property

Address: 5073 Sheriff Road, NE
Square/Lot: 5176, Lot 211
Zone: R-2
ANC: 7C

Requested Relief

Relief: D-5201 Special Exception from 10 ft. Rule (D-207.5) and the Front Setback Requirements (D-206.3) to allow a front addition and rear addition to the existing, two-story + cellar, semi-detached building.

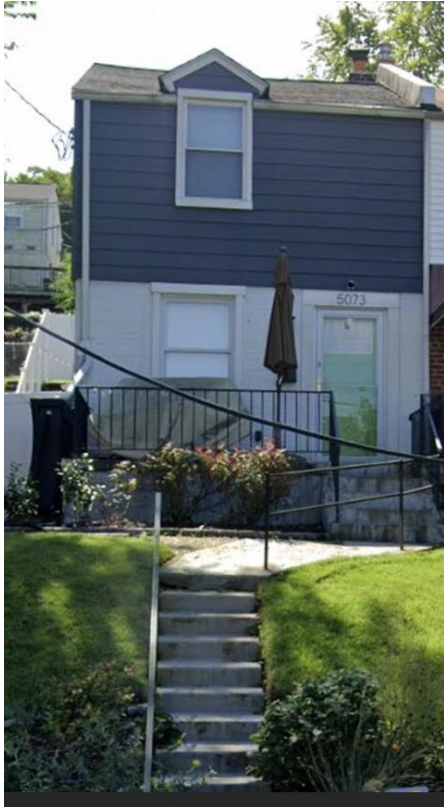
Applicant Information

Mr. and Mrs. Shorter (collectively, the “**Applicant**”) purchased their home at 5073 Sheriff Road, NE (the “**Property**”) in 2017. At that time, they did not have any children and the modest 1,200 square foot two-bedroom home (the “**Shorter Home**” or the “**Building**”) was perfect for the couple. Fast forward nine years and the Shorters now have three young kids, with one on the way, prompting the need to add space to their home. Having reviewed other additions on this block, consulting with their architect and attorney, and talking to next-door neighbor that they share a wall with, they decided to move forward with a home renovation to add about 440 total square feet to the second floor of their home through a rear addition (321 sq. ft.) and a small front addition (122.5 sq. ft.) (the “**Addition**”).

Property Description

The Property is an interior rectangular lot with 2,375 square feet of land area. The existing footprint is modest, only occupying about 17% of the lot where 40% is allowed (50% with a special exception). The house is a semi-detached house, sharing one wall with an adjacent neighbor to the west and having a 7 ft. 6 in. side yard to the east. The house has two stories, with a cellar level that is below grade in the front and back—although there is egress from the rear yard at the back of the cellar level.

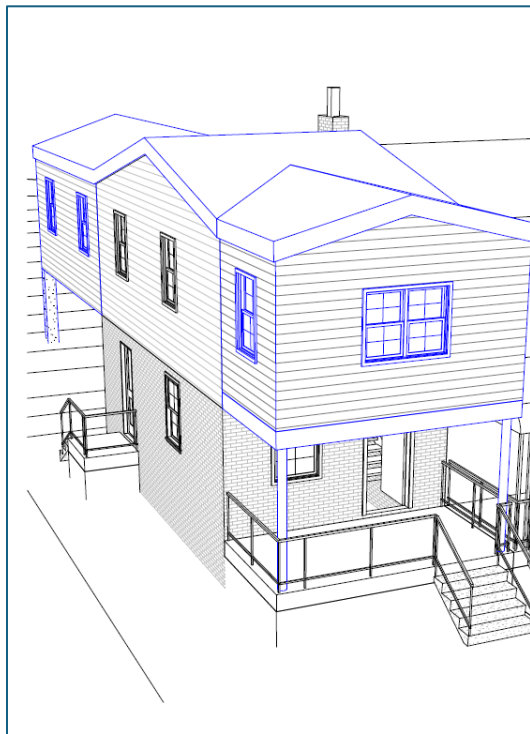
The front of the house faces north and fronts on Sheriff Road. The rear faces south and backs up to a public alley. There is a steep grade change from Sheriff Road to the alley, with the houses across the alley (with frontage on Just Street) being located at a higher elevation than the subject Property and House. The steep grade change is one of the reasons it made sense to limit a rear Addition to the second floor, as that permits covered recreation space under the Addition.



Front of 5073 Sheriff Road, NE



Rear of 5073 Sheriff Road, NE



3D Model of Proposed Addition



Grade change in subject back yard, facing the alley

Relationship to Adjacent Property

The Shorter Home shares a wall with the neighboring house to the west, at 5071 Sheriff Road. The Shorter Home generally matches the footprint of the adjacent neighbor's building. The primary difference between the homes is that the adjacent neighbor has a large porch roof, or awning, over the entryway porch at the ground level.

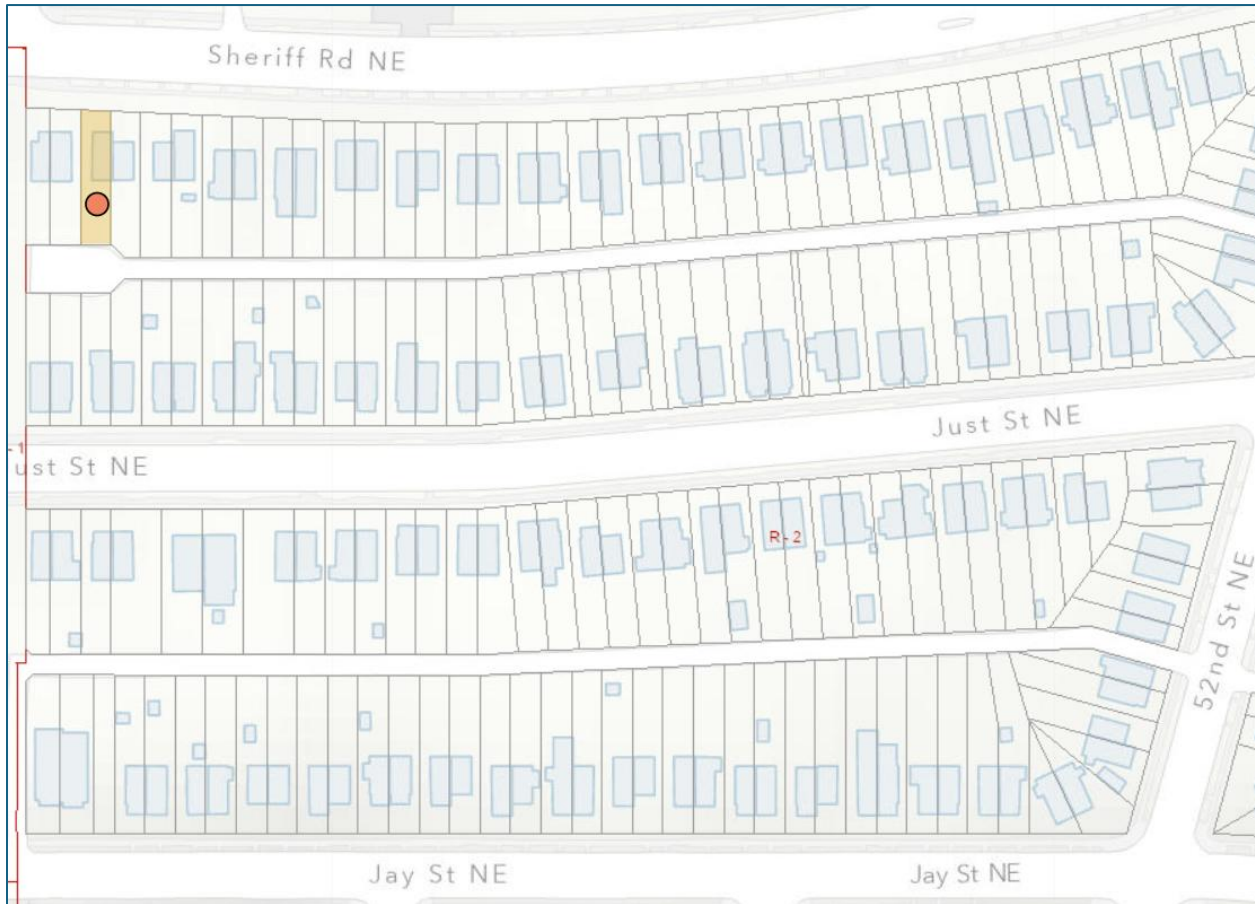


5073 Sheriff Road

5071 Sheriff Road

Development in the Surrounding Area

This block of Sheriff Road and several blocks directly south are characterized by pairs of semi-detached homes, many of whom have constructed additions—some far exceeding the modest ones proposed by the Applicant.



Subject Property highlighted top left. Variety among building lengths, even within pairs.

While the area is characterized by semi-detached pairs of buildings the style dissipates directly across the street and to the west of the subject Property, resulting in a mix of uses and building styles on this block.



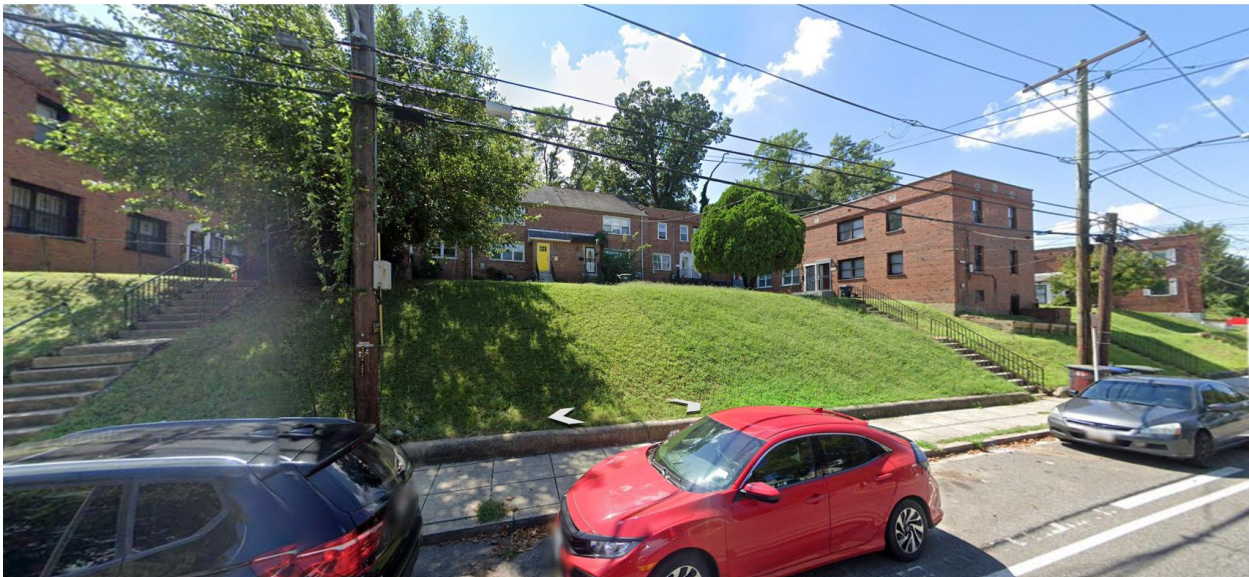
Shorter Property highlighted bottom right. Apartment buildings and religious uses in the immediate area.



Across Sheriff Road from the Shorter's Property.



Facing west down Sheriff Road from the Shorter's Property.



Further west down Sheriff Road from the Shorter's Property.

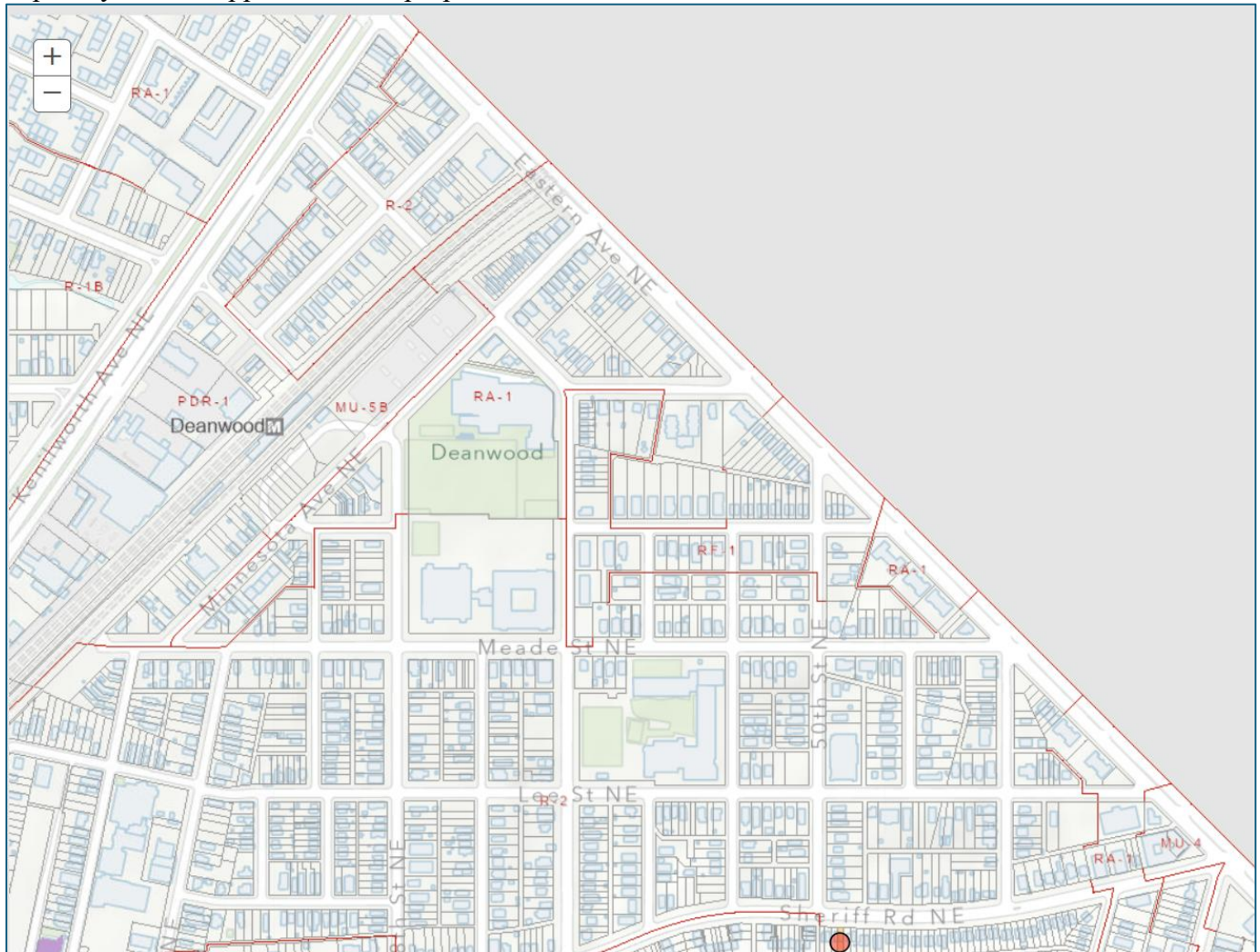


Shorter Property has the red arrow – context of neighboring apartment buildings.

Broader Community and Proposed Outreach

In terms of location within the District, the Property is located in the Deanwood Area, although it is some distance from the Metro. The Property is also located near Eastern Avenue, NE, which serves as the border between the District and Maryland. In general, the area is primarily residential with some institutional uses. This is consistent with what is proposed, a modest addition so that a long-time family can stay in the neighborhood.

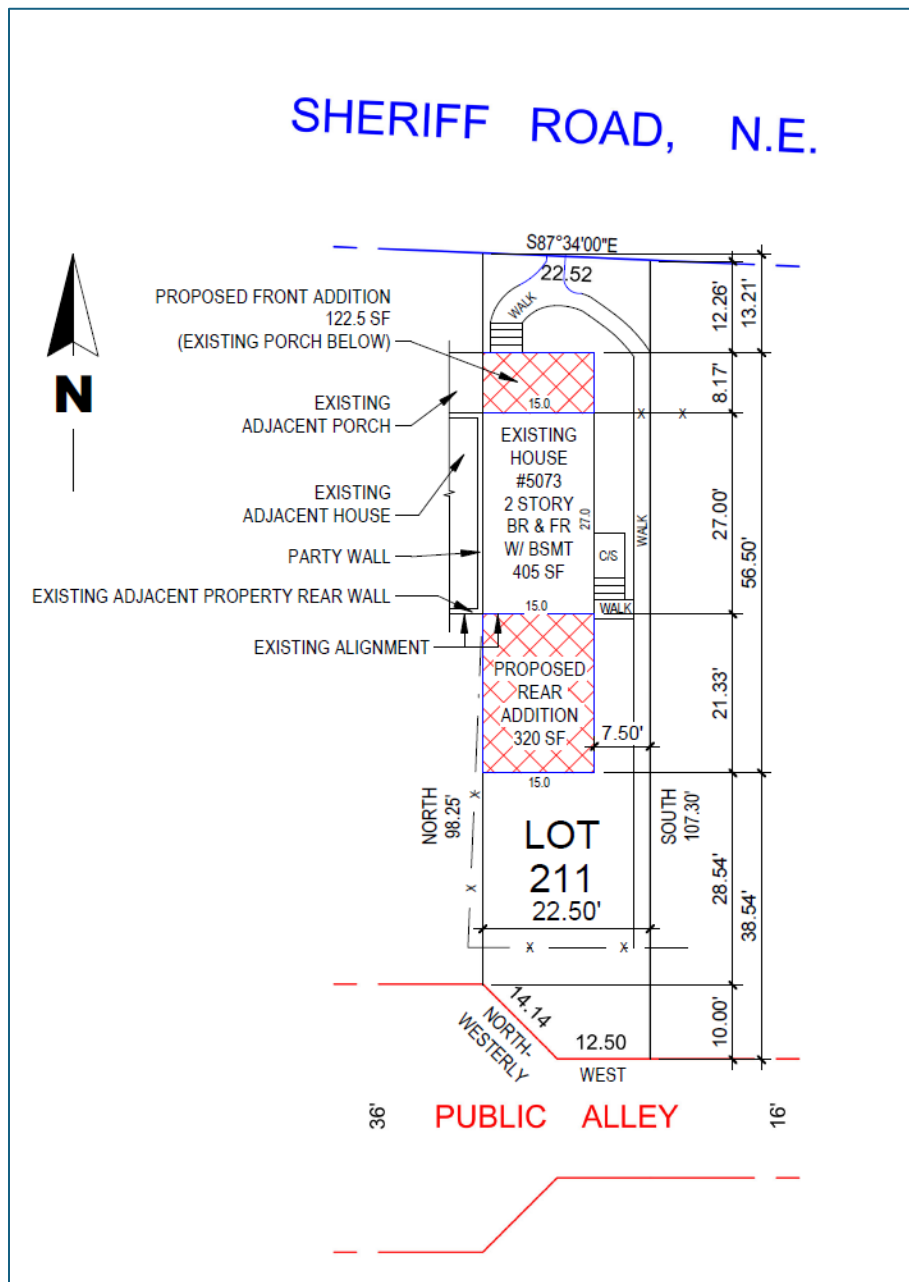
As the Property is located in Deanwood, in addition to ANC outreach, the Applicants and their representatives will reach out to the Deanwood Civic Association to present the proposal and hopefully obtain support from the proposal.



Map of the Surrounding Area

The Proposal

Rather than move out of a neighborhood they love and have invested in, the Shorters are asking for the Board to approve a small rear addition and a small front addition. The respective Additions are limited to the second story only and add about 440 square feet in total. This results in a total lot occupancy of 35% which is within the by-right limit (40% or 50% with special exception) and a rear yard ranging from 30-40 feet, exceeding the requirement (20 ft.). The height, 26 feet, is also limited to well below the 40 ft. allowance. Except for the requested items below, all area development standards are met as noted in the self-certification form (Form 135).



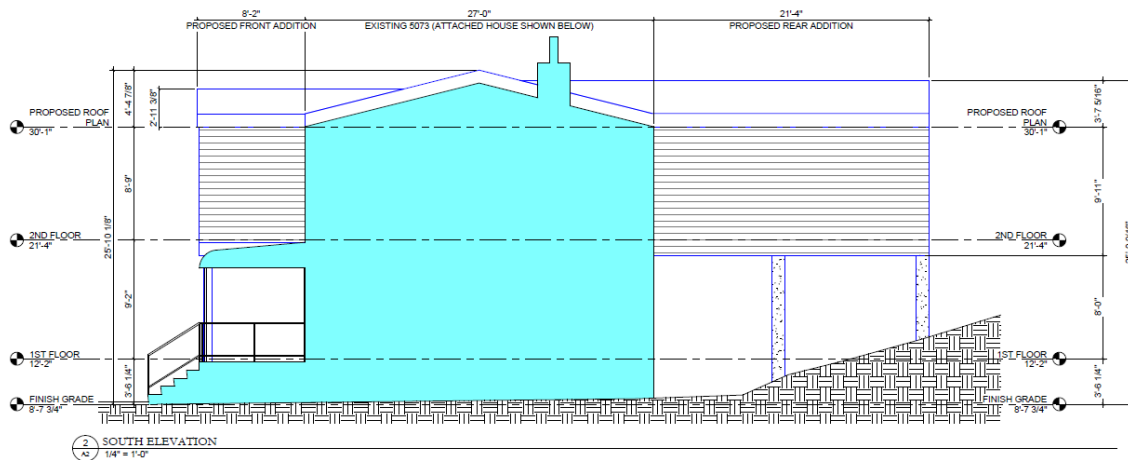
Building Plat/Site Plan

Relief Needed

The rear Addition will add 321 sq. ft. to the rear, but as the Building is only 15 feet in width, that square footage must exceed more than 10 feet in depth, resulting in a 21 ft. 4 in. Addition. The back wall of the only attached neighbor is currently flush with the Shorter's rear wall, meaning the Addition will also go 21 ft. 4 in. past the only adjoining neighbor's rear wall. This results in the need for relief from the 10 ft. rule.

- 207.5 A rear wall of a row or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on any adjacent property if approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X, Chapter 9, and subject to Subtitle D § 5201 if applicable.

Similarly, the fronts of the subject Building and adjacent building are currently in line (albeit the neighbor has a large awning). The Zoning Regulations do not account for awning length when determining the front setback, only physical building wall. And the physical Building wall at the front of the Shorter's home will be extended on the second story, going 8 feet and 2 inches forward from the neighbor's front wall. The extension matches the location of the neighbor's existing awning.



Outline of Attached/Adjoining Building (5071 Sheriff) shown in Blue.

This results in the need for relief from the front setback requirement in this zone.

- 206.3 For an interior-lot row or semi-detached building, a front setback shall be provided that is no further forward or further back than the building façade of one (1) of the immediately adjoining buildings.

The Special Exception Test

Subtitle D-5201 permits special exception approval from the requirements of the 10 ft. rule and the front setback regulation, also subject to the special exception review standards of X-901.2.

Subtitle X-901.2 (Special Exception Review Standards)

X-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;

As detailed below in the D-5201.4 analysis, the modest scale of the Additions, limited to the second story, resulting in one additional bedroom and an entryway area, is in harmony with the general purpose and intent of the Zoning Regulations. Additionally, the Building will continue to be used as a single-family home.

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

For the same reasons, the Addition will not tend to affect adversely the use of the neighboring property.

(c) Will meet such special conditions as may be specified in this title.

See below.

Subtitle D-5201.4 (Specific Requirements for Relief)

D-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;

Regarding the front Addition, the adjoining neighbor's front porch is already shaded by the existing awning on that Property.

Regarding the rear Addition, the additional 10 feet and 4 inches of building length beyond what is permitted by right is unlikely to result in an undue—or substantial—increase in shade to the only adjoining property given the existing improvements on that property (as demonstrated in the photographs). This includes the existing fence, foliage, and property orientation. Given that the

properties are oriented north to south, with the sun moving east to west, any additional shade will be limited to the morning time and gone by noon.

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

Neither the front Addition nor the rear Addition contain any windows facing the directly adjoining property. While there are two windows proposed on the east side, facing the other neighbor at 5075 Sheriff, the subject Property and the 5075 property each have a side yard and the side yards abut one another. The subject Property's side yard is 7 ft. 6 in. and will be maintained at that width even with the Addition. And the property at 5075 Sheriff has a side yard that appears to be between 10-12 feet, resulting in about 18 ft. between the buildings. There are currently windows on the Shorter's Home facing that property, too. Accordingly, two additional windows will not create new privacy impacts.

(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

As demonstrated through the maps, plans, and photos, the conditions on this block are not uniform. The houses are already set back quite far from the street and have a steep grade change. Visual impacts are lessened by these factors. The context of the neighborhood comes into play, too. There are a variety of building types on this block, and even the other semi-detached pairs in this area have varying additions—some much larger than the modest expansion proposed for this house.

Additionally, the steep drop in grade towards the front of the home means that there will be no substantial visual impacts from the alley.

Conclusion

In conclusion, the Application satisfies the applicable criteria for zoning relief and the Applicant looks forward to presenting the Application to the Board of Zoning Adjustment.

Respectfully Submitted,

Alexandra Wilson

Alexandra Wilson
Sullivan & Barros, LLP