

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Bryan Golden, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: December 8th, 2017

SUBJECT: BZA Case 19655 (508 7th Street SE), to construct a rear addition to an existing house

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to Subtitle G § 409:

- G § 404.1 *Lot Occupancy* (60% maximum, 70% proposed);
- G § 405.2 *Rear Yard* (15 ft. required, 9.2 ft. proposed)
- G § 406 *Side Yard* (8 ft. minimum, 1.5 ft, 7.9 ft. & 4.4 ft. proposed); and
- C § 202 *Non-conforming structure*

II. LOCATION AND SITE DESCRIPTION

Address	508 7 th Street SE
Applicant:	Michael Fowler (on behalf of owner)
Legal Description	Square 903, Lot 29
Ward / ANC	Ward 6; ANC 6B
Zone	MU-4
Historic District or Resource	Capitol Hill Historic District
Lot Characteristics	Rectangular lot, approximately 16.67' in width and 64' in depth with frontage along 7 th Street SE.
Existing Development	Single unit semi-detached house.
Adjacent Properties	Two story semi-detached rowhomes lay to the immediate east and west of the property.
Surrounding Neighborhood Character	The block is predominately residential in nature with some mix of uses, including offices and a large church. To the immediate east is the 8 th St. SE commercial corridor. Buildings are predominately two-story attached and semi-detached rowhomes.
Proposed Development	Removal of an existing rear addition, and construction of a new two-story addition to the rear of an existing semi-detached home.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – MU-4	Regulation	Existing	Proposed	Relief
Height G § 403	50 ft. max.	20.33 ft.	20.33 ft.	None required
Lot Width § 401	None	16.67 ft.	16.67 ft.	None required
Lot Area § 401	None	1068 sq. ft.	1068 sq. ft.	None required
Floor Area Ratio G § 402	2.5 max.	1.3	1.4	None required
Lot Occupancy G § 404	60% max.	70.7%	70%	Relief requested
Rear Yard G § 405	15 ft. min.	8.6 ft.	9.2 ft.	Relief requested
Side Yard G § 406	8 ft. min.	1.5 ft. min.	1.5 ft. min; 4.4’ for addition	Relief requested

IV. OFFICE OF PLANNING ANALYSIS

A. Special Exception Relief pursuant to Subtitle G § 900

409.1 Exceptions to the development standards of this chapter shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the provisions and limitations of Subtitle G, Chapter 12.

Subtitle G:

1200.4 Relief may be granted as a special exception by the Board of Zoning Adjustment to the development standards and regulations of this subtitle where, in the judgment of the Board, the special exception:

(a) Will be in harmony with the general purpose and intent of the MU zone, the Zoning Regulations, and Zoning Maps;

The expansion of a single unit existing residential use falls well within the MU-4 zone’s intended intensities of low to moderate density residential / mixed use development. A side yard in this zone is not required, but the proposed side addition would match the existing 4.4 ft. side yard for the existing house at the location of the addition. An adequate rear yard would be maintained, and would be slightly larger than the current rear yard, bringing the house closer to conformity. There is no alley access to the property to parking in the rear yard is not possible.

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

The proposed addition to the existing home would increase the rear yard from what it is currently, slightly decrease the lot occupancy, and maintain the existing side yard. The proposed rear yard would extend less than 10 feet beyond the rear yard of adjacent houses. The proposed addition is limited in scale, and is unlikely to result in undue or significant impacts to the availability of light and air to neighbors.

(c) Is subject in each case to any applicable conditions specified in this chapter.

As the applicant is requesting rear yard setback relief, the criteria of G § 1201 are applicable, although these conditions relate more to multi-family or commercial development.

i. Subtitle G § 1201 Special Exception Criteria Rear Yard Relief

- (a) *No apartment window shall be located within forty feet (40 ft.) directly in front of another building;*

The proposed addition is for a single dwelling unit detached row home, and the closest apartment building has no direct sightlines into this building. Directly behind the subject property is a parking lot for commercial uses fronting 8th Street SE.

- (b) *No office window shall be located within thirty feet (30 ft.) directly in front of another office window, nor eighteen feet (18 ft.) in front of a blank wall;*

No office uses are proposed or located within 30 feet of the proposed windows.

- (c) *In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards; Subtitle G-45*

The corner of the nearest non-parallel building to the proposed project, is a small apartment building located roughly 20' away at closest point. No windows would directly face the windows of this building, nor would the apartment windows directly face the proposed addition. With at least 20' distance, the provision of a privacy fence, and no direct sightlines into habitable spaces, it is not expected that rear yard relief would restrict privacy of use of either building.

- (d) *Provision shall be included for service functions, including parking and loading access and adequate loading areas; and*

There are no loading or service requirements for this property and no parking is provided or required.

- (e) *Upon receiving an application to waive rear yard requirements in the subject zone, the Board of Zoning Adjustment shall submit the application to the Office of Planning for coordination, review, report, and impact assessment, along with reviews in writing from all relevant District of Columbia departments and agencies, including the Department of Transportation, the District of Columbia Housing Authority and, if a historic district or historic landmark is involved, the Historic Preservation Office.*

This provision is intended to address potential comments of agencies regarding larger multi-family or commercial buildings permitted in this zone. The site is within the Capitol Hill Historic District – the applicant has indicated discussions with Historic Preservation staff and note that it is scheduled for HPRB's December consent calendar. OP would encourage the applicant to continue to work with HP staff regarding the HPRB review of this proposal.

V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from DDOT indicated that there was no objection to the proposed relief (Exhibit 32).

VI. COMMUNITY COMMENTS

Letters of support from both adjacent neighbors have been submitted to the record (Exhibit 33 and 34).

No comments had been received the ANC at the submitting of this report.

Attachment: Location Map

