


## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Crystal Myers, Case Manager  
 Joel Lawson, Associate Director Development Review

**DATE:** February 9, 2018

**SUBJECT:** BZA #19680 – 1948 ST. NW – Request for special exception relief under Subtitle E § 5201 and to construct a two-story rear addition to create a flat.

### **I. RECOMMENDATION**

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

- Rear Extension (10 ft. maximum; 23 ft. proposed)

### **II. LOCATION AND SITE DESCRIPTION**

Applicant	George R. Keys Jr. on behalf of Quentin Ventures, LLC
Address	1948 2nd ST, NW
Legal Description	Square 3088, Lot 50
Ward / ANC	Ward 1; ANC 1B
Zone	RF-1
Historic District or Resource	LeDroit Park
Lot Characteristics	Rectangular lot 17.25' X 144.81' lot on 2nd ST. NE. A 15' public alley ends at the rear of the lot.
Existing Development	Rowhouse
Adjacent Properties	Rowhouses
Surrounding Neighborhood Character	The surrounding neighborhood is predominantly single-family rowhouses.
Proposed Development	Proposal is a rear addition to a rowhouse to convert the house into a flat. The proposal includes a garage and a rooftop deck.

### III. ZONING REQUIREMENTS AND RELIEF REQUESTED

RF-1 Zone	Regulation	Existing <sup>1</sup>	Proposed	Relief
Lot Area E § 201	1,800 sq.ft. min.	2,494 sq.ft.	2,494 sq.ft.	Conforming
Lot Width E § 201	18' min.	17.25'	17.25'	Existing Non-Conforming
Pervious Surface E § 204	20% min.	Not provided	39%	Conforming
Rear Yard-Extension E § 205	10' max.	5'	23'	<b>Special Exception Requested</b>
Height E § 303	35' max.	23'8"	23'8"	Conforming
Lot Occupancy E § 304	60% max. (70% max per SE)	31%	58.2%	Conforming
Rear Yard E § 306	20'	99.5'	42'	Conforming

### IV. ANALYSIS

#### Subtitle D Chapter 5201, special exception relief for lot occupancy and rear yard addition

*5201.1 The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:*

- (a) Lot occupancy;*
- (b) Yards;*
- (c) Courts;*
- (d) Minimum lot dimensions;*
- (e) Pervious surface; and*
- (f) The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.*

The proposal would require relief from the 10-foot rear extension requirements to construct an addition to the rear of the house. An addition of 23 feet beyond the adjacent neighbor's rear wall is proposed.

*5201.2 Special exception relief under this section is applicable only to the following:*

- (a) An addition to a residential building;*
- (b) A new or enlarged accessory structure that is accessory to such a building; or*
- (c) A reduction in the minimum setback requirements of an alley lot.*

The proposal is for an addition to a residential building.

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<sup>1</sup> "Existing" and "Proposed" information provided by the applicant

5201.3 *An applicant for special exception under this section shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

*(a) The light and air available to neighboring properties shall not be unduly affected;*

The proposed addition should not unduly impact the light and air of the neighboring properties. The proposed addition's size and design would be almost identical to the adjacent house to the south's rear addition. Therefore, it should not have an undue impact on that property's light and air. The adjacent neighbor to the north's lighting may be impacted but this impact should not be undue.

The site would have more than double the required amount of rear yard so air flow to both neighbors should be maintained.

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

The proposed addition should not unduly impact the privacy of use and enjoyment of the neighboring properties. The Applicant owns the adjacent property to the south, which is a single-family residence. The property to the south has a rear addition and garage that are almost identical to the ones being proposed for this project so the proposal's impact on this side should be minimal. The neighbor to the north should also not experience an undue impact. No windows would exist on the side walls and the neighbor submitted a letter in support of the project.

*(c) The addition or 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 subject street frontage;*

The proposed addition would not have an impact on 2<sup>nd</sup> street NW because it would not be visible from the street. The proposed rooftop deck would be set back far enough to not be seen from the street. In the rear along the public alley the rooftop deck and second story of the rear addition would be visible, but it should not visually intrude on the character of the public alley.

*(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; and*

The application includes plans, elevations and photographs to represent the proposed addition. The addition and the rooftop deck would be visible from the rear alley.

*(e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%).*

The proposed lot occupancy would be 58.2%.

5201.4 *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.*

Balcony railings must comply with the zoning regulations.

5201.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The proposal would not introduce or expand a nonconforming use on the site.

5201.6 *This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.*

The proposed addition would not impact the height of the rowhouse.

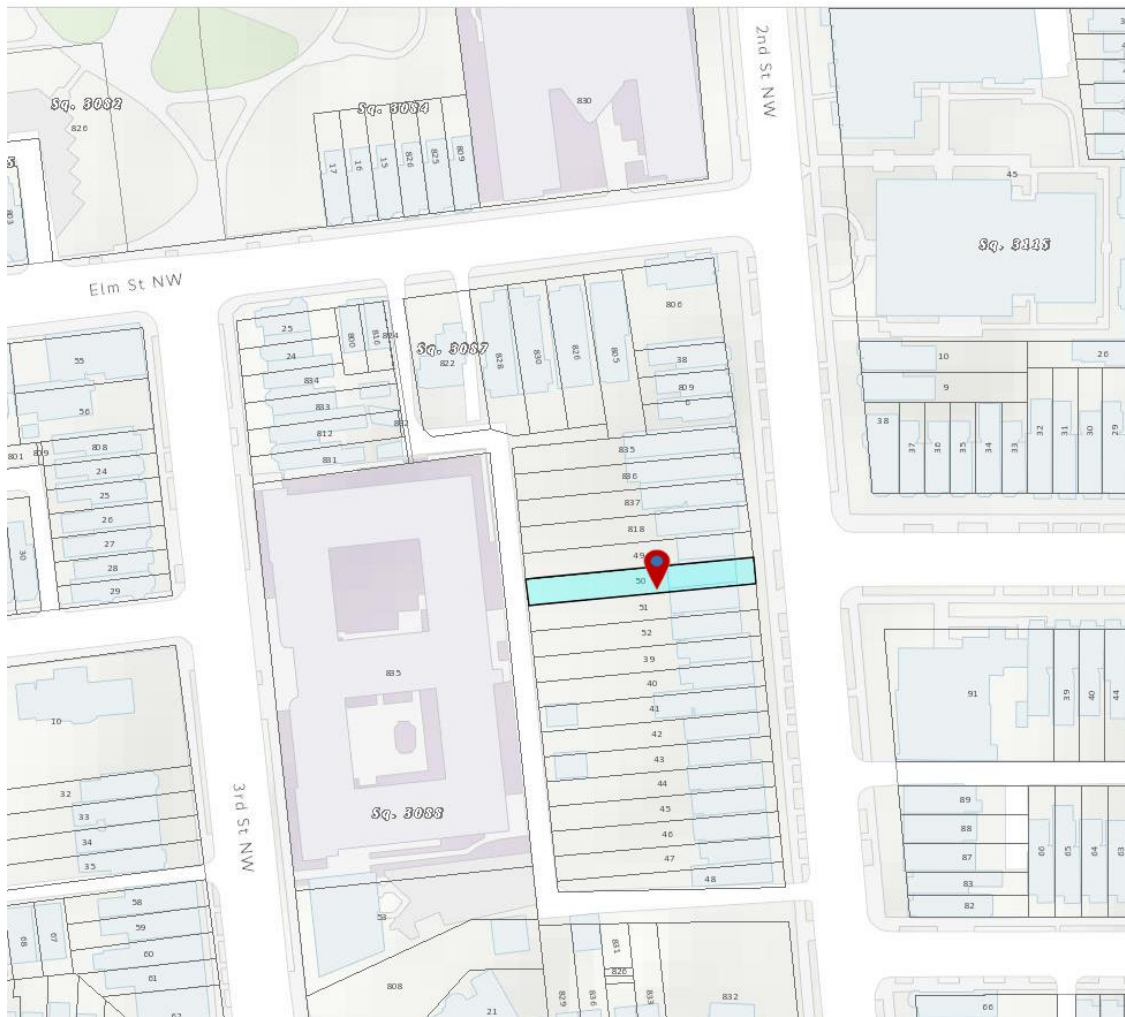
## **V. COMMENTS OF OTHER DISTRICT AGENCIES**

DDOT submitted a report with no objection to the proposal (Exhibit 33). As of the writing of this report, no other District Agencies have provided comments. OP's Historic Preservation division has indicated that the proposal will need to be reviewed by HPRB.

## **VI. COMMUNITY COMMENTS**

The adjacent neighbors to the north submitted a letter in support of the project (included in Exhibit 37). Two letters have been submitted from others community members. One is in support of the project (Exhibit 36) and one is in opposition to the project (Exhibit 34). As of the writing of this report, no report from ANC 1B has been submitted into the record, but the Applicant has informed Staff that the ANC voted against the project.

## VII. LOCATION MAP



**1948 2nd ST NW Location Map**