

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: August 31, 2017
SUBJECT: BZA Case 19794 (744 Hobart Place, N.W.) – request for special exception relief pursuant to Subtitle E § 5201.1 to allow a two-story rear addition to an existing row dwelling.

I. RECOMMENDATION

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

- E § 205.4, Rear Wall extending farther than ten feet beyond the farthest rear wall of adjoining principal residential building (10 feet maximum; 11 feet proposed on second floor);
- E § 304.1, Lot Occupancy (60% maximum; 57% existing; 68% proposed);
- E § 306.1, Rear Yard (20 feet required; 9.7 feet existing; 4.5 feet proposed); and
- C § 202.2, Addition to a Nonconforming Structure.

II. LOCATION AND SITE DESCRIPTION

Address:	744 Hobart Place, N.W.
Applicant:	Joel Heisey for Scott Giering
Legal Description:	Square 2888, Lot 117
Ward / ANC:	Ward 1, ANC 1B
Zone:	RF-1 is to provide for areas predominantly developed with attached row houses on small lots within which no more than two dwellings units are permitted by right.
Lot Characteristics:	The rectangular lot is 960 square feet in area, with 16 feet of frontage along Hobart Place. The rear of the lot, also 16 feet in width, abuts a 15-foot wide public alley.
Existing Development:	The lot is currently improved with a two-story, 30-foot high row dwelling that is used as a single-family dwelling. The existing structure is nonconforming to development requirements, including rear yard.

Adjacent Properties:	To the north, across Hobart Place, are existing two-story row dwellings. To the east and west are existing two-story row dwellings. To the south, across the public alley, are existing two-story row dwellings. The property is approximately 400 feet west of Georgia Avenue, zoned MU-4 (moderate-density mixed-use development).
Surrounding Neighborhood Character:	The surrounding neighborhood character is moderate density residential, consisting predominantly of row dwellings.
Proposed Development:	The applicant proposes to construct a 336-square foot two-story addition to the rear of an existing row dwelling. The addition would be 11-feet in depth on the first and second floors, cantilevering over the cellar.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed ¹	Relief:
Lot Width (ft.) E § 201	18 ft. min.	16 ft.	No change	Existing nonconforming
Lot Area (sq.ft.) E § 201	1,800 sq. ft. min.	960 sq. ft.	No change	Existing nonconforming
Pervious Surface E § 204	0%	Not provided	Not provided	None required
Rear Yard Additions E § 205	Rear wall of an attached building may not extend farther than 10 ft. beyond farthest wall of adjoining building		11 ft. beyond adjoining building wall on second floor	Requested
Roof Top or Upper Floor Additions E § 206	Shall not be removed or significantly altered		No change	None required
Height (ft.) E § 303	35 ft. max.	30 feet	No change	None required
Lot Occupancy E § 304	60% max.	57%	68%	Requested
Rear Yard (ft.) E § 306	20 ft. min.	9.7 feet	4.5 feet	Requested
Side Yard (ft.) E § 307	None required, but 5 ft. min. if provided	None provided	No change	None required
Parking C § 701	1 per principal dwelling	None provided	No change	Existing nonconforming

IV. ANALYSIS

Subtitle E Chapter 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

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 applicant has requested relief from lot occupancy and yard requirements, permitted by this section.

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 requested relief applies to a two-story rear addition, consistent with this section.

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 two-story addition should not unduly affect the light and air available to neighboring properties. The addition is consistent with other additions that have been made along the alley and should not result in shadows that would be detrimental to the use of adjacent properties. The height of the addition would be 19.45 feet, which is significantly lower than the maximum permitted height of 35 feet. The reduced rear yard depth would be consistent with structures on either side of the property, with the proposed addition extending 3.5 feet past an addition to the east.

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

The proposed rear addition should not unduly compromise the use and enjoyment of neighboring properties. The addition would be fully enclosed, having windows only on the south building elevation, which would not directly overlook neighboring properties. The addition would cantilever over the basement, providing space for one off-street parking space. Several letters of support have been provided to the record, including neighbors to the east and south.

- (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 be entirely at the rear of the row dwelling, and should not be visible from the street. The existing development pattern along the public alley is varied, consisting of a

variety of additions of different sizes and materials. The proposed addition would be consistent with the character that has been established along the alley, and would not visually intrude upon its character, scale, or pattern of houses.

(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 applicant has provided graphical representations, including plans, photographs, elevations, and sections sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways (Exhibits 6 and 10).

(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 rear addition would increase the lot occupancy to 68%, which is less than the maximum permitted by this section.

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.

OP does not recommend special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent properties.

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

The requested special exception would allow an addition to a residential use, which is a permitted use in the RF-1 zone.

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 have a height of 19.45 feet and two stories, which is permitted in the RF-1 zone.

V. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) has filed a report noting that it has no objection to the application (Exhibit 33).

VI. COMMUNITY COMMENTS

At its regularly scheduled meeting on June 7, 2018, ANC 1B voted to recommend approval of the requested relief (Exhibit 17). In addition, several letters of support from neighbors on Hobart Place and Harvard Street have been provided to the record (Exhibits 13 through 16).

Location Map

