

**MEMORANDUM**

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

**FROM:** Anne Fothergill, Case Manager  
*JL* Joel Lawson, Associate Director Development Review

**DATE:** April 12, 2019

**SUBJECT:** BZA Case 19991 - request for Special Exception relief to construct a rear addition at 318 Seaton Place, N.E.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- Subtitle E § 304.1 Lot Occupancy (60% maximum allowed, 67% proposed)
- Subtitle E § 306.1 Rear Yard (20 feet minimum required; 17 feet proposed)

**II. LOCATION AND SITE DESCRIPTION**

Address:	318 Seaton Place, N.E.
Legal Description:	3567 0042
Ward / ANC:	Ward 5/ ANC 5E
Zone:	RF-1
Historic District:	N/A
Lot Characteristics:	1541 SF rectangular lot
Existing Development:	Row dwelling
Adjacent Properties:	There are row dwellings to the east and west and to the south across the street and to the north across the alley.
Surrounding Neighborhood Character:	The surrounding neighborhood is generally residential in character and the subject square has row dwellings and apartment buildings. The subject property is in a residential zone that abuts an industrial zone and there is a warehouse across Seaton Place at the corner.



**III. PROJECT DESCRIPTION IN BRIEF**

The Applicant proposes to construct a two-story addition at the rear of the house. The rear addition would extend 10 feet beyond the adjacent property, which is permitted as a matter-of-right by the zoning regulations. The addition would be clad in vinyl siding and would have three windows and a sliding glass door on the rear.

**IV. ZONING REQUIREMENTS and RELIEF REQUESTED**

RF-1 Zone (Subtitle E)	Regulation	Existing	Proposed	Relief
Rear Yard	20 feet min.	Not provided	17 feet	<b>Relief requested</b>
Lot Occupancy	60% max.	59%	67%	<b>Relief requested</b>

## V. OP ANALYSIS

### SUBTITLE E § 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 special exception relief from the lot occupancy and rear yard provisions.

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

*(a) An addition to a building with only one (1) principal dwelling unit; or*

*(b) A new or enlarged accessory structure that is accessory to such a building.*

The proposal is for an addition to a building with only one principal dwelling unit on the lot.

*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 light and air to neighboring properties should not be unduly affected by the proposed addition to the house. The new addition would be located at the rear of the house, which is the north side of the property. Behind the subject property to the north is an alley separating the rear yard from the rowhouses that front onto T Street, N.E.. The proposed addition should not have an adverse impact on light and air to the adjacent rowhouses since the addition will be on the north side of that house.

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

The privacy or use of neighboring properties should not be compromised by the proposed addition. The proposed addition would not have windows on the sides and the plans show that an existing window on the left side of the first floor would be removed. As such, the privacy of the neighbors should not be adversely impacted.

*(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 rear addition would not be visible from the street but would be visible from the rear alley. Several other buildings on the block also have rear additions that are visible from the alley. The proposed addition is two stories and it should not visually intrude on the character and scale of the house and the pattern of houses along the 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 applicant provided adequate photos and plans to represent the relationship of the addition to adjacent buildings and public ways.

- (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 70%, which is permitted by special exception.

*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 any special treatment.

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

The use of the property would continue to be as a single-family residence, which is a conforming use, and no nonconforming use would be introduced.

*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 two-story addition is within the maximum height and number of stories permitted as a matter-of-right in this zone.

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

No other comments from District agencies had been filed at the time of this report.

## **VII. COMMUNITY COMMENTS**

A letter of support from the Eckington Civic Association is in Exhibit 34.