

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
JL Joel Lawson, Associate Director for Development Review

DATE: October 4, 2019

SUBJECT: BZA #20125 – 1216 Decatur Street, NW – Request for special exception relief to construct a detached accessory garage

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following requested special exceptions:

- D § 304 Lot Occupancy, pursuant to D § 5201 (32% existing, 40% permitted as a matter of right, 50% permitted by special exception, 41% proposed);
- D § 5006 Maximum Building Area for accessory structure, pursuant to D §§ 5007 and 5201 (384 sf existing, 450 sf maximum, 886 sf proposed).

II. LOCATION AND SITE DESCRIPTION

Applicant	Christopher Green, owner
Address	1216 Decatur Street, NW
Legal Description	Square 2921, Lot 26
Ward / ANC	4C
Zone	R-1-B (Single family detached homes)
Historic District or Resource	None
Lot Characteristics	Rectangular lot with a 20' alley to the south.
Existing Development	Single family home with single car garage and parking pad at the rear.
Adjacent Properties and Neighborhood Character	Adjacent properties are also single family detached houses. The surrounding neighborhood is primarily detached homes, many of which have detached garages.
Proposal	Construct a new accessory garage with two fully enclosed bays and one carport.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

Item	Regulation	Existing	Proposed	Relief
Lot Width D 302	50	40'	No change	Existing Nonconforming
Lot Depth	n/a	139.35'	No change	Conforming
Lot Area D 302	5,000 sf	5,574 sf	No change	Conforming
Lot Occupancy D 304	40% 50% by spec. ex.	32%	41%	Requested
Height of Acc. Structure D 5002	20', 2 stories	1 story	20', no. of stories not provided	Assumed Conforming
Rear Yard / Alley CL Setback D 5004	12' setback from alley centerline	Not provided for existing garage	12'	Conforming
Side Yard for Acc. Structure D 5005	No side yard required for acc. building in the rear yard of the house	2' – East 22'4" – West	Approx. 2.2' on each side	Conforming
Max. Building Area for Acc. Building D 5006	450 sf	384 sf (Estimated by OP)	886 sf (Estimated by OP)	Requested

IV. ANALYSIS

Relief from lot occupancy can be granted pursuant to D § 5201, and relief to the size of accessory structures can be made pursuant to D §§ 5007 and 5201. The application is reviewed below against § 5201.

SUBTITLE D § 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 seeks special exceptions for lot occupancy and the size of an accessory structure.

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 application is to allow the construction of a new accessory structure.

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 amount of new shadow cast by the proposed one-story garage on the adjacent properties to the east and west should not result in an undue impact, given the depth of the subject properties, and the limited times of day in which the new shadow would be cast. The amount of air available to the neighboring properties should not be impacted.

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

The privacy of neighboring properties should not be compromised. The accessory structure would be used only for the housing of vehicles, and the properties are already separated by fences that appear to be about six feet tall.

- (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 accessory structure should have very limited visibility from Decatur Street, as it is located to the rear of the existing house. From the alley, the architectural style of the new garage, with gables, shingles and siding should complement the homes in the area. While larger than the existing garage on the site, the new garage would not be out of character with other garages in the alley, which are built to a variety of sizes.

- (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 existing and proposed conditions.

- (e) *The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot as specified in the following table:*

TABLE D § 5201.3: MAXIMUM PERMITTED LOT OCCUPANCY

<i>Zone</i>	<i>Maximum Lot Occupancy</i>
<i>R-3</i>	<i>70%</i>
<i>R-13</i>	
<i>R-17</i>	
<i>R-20 – attached dwellings only</i>	<i>70%</i>
<i>R-20 – detached and semi-detached dwellings</i>	<i>50%</i>
<i>All Other R zones</i>	

The new accessory structure would result in a lot occupancy of 41%.

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 recommends no special treatments.

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

The permitted use as a single family dwelling would continue.

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 accessory structure would not exceed the 20' height permitted.

V. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT has submitted a report at Exhibit 27 stating no objection to the application.

VI. COMMUNITY COMMENTS

The record includes several letters in support of the application, including the immediately adjacent neighbors, as well as a letter of support from the ANC at Exhibit 26.

Location Plan

