



2928 Ellicott Street, NW

BZA APPLICATION NO. 20220

PAUL AND MARILYN PEARLSTEIN

MARCH 11 , 2020

Board of Zoning Adjustment
District of Columbia
CASE NO.20220
EXHIBIT NO.31

Overview

- Subject Property is currently improved with a single-family detached building
- There is also a small one-story accessory building in the western side yard
- Applicant is proposing to construct a small one-story addition at the rear of the building in order to provide an additional bedroom and bathroom
- The Applicant is requesting special exception relief from the following requirements:
 1. Side Yard (D § 507.1)
 2. Accessory Building Side Yard (D § 5005.1)
 3. Extending a Non-Conformity (C § 202.2)

Side Yard (D § 507.1)

- Pursuant to D § 507.1, “the minimum side yard requirement for all buildings, accessory buildings, or additions to buildings in the R-8, R-9, and R-10 zones shall be 24 ft. in the aggregate, with no single side yard having a width of less than 8 ft.”
- The existing Building has a western side-yard measuring 12 ft. and an eastern-side yard measuring 7 ft.
- The Accessory Building has a side yard of 2 ft.
- The proposed Addition is on the eastern side of the Subject Property and will have an 8 ft. side yard setback; however, the aggregate of the proposed side yards will still be less than the required 24 ft.

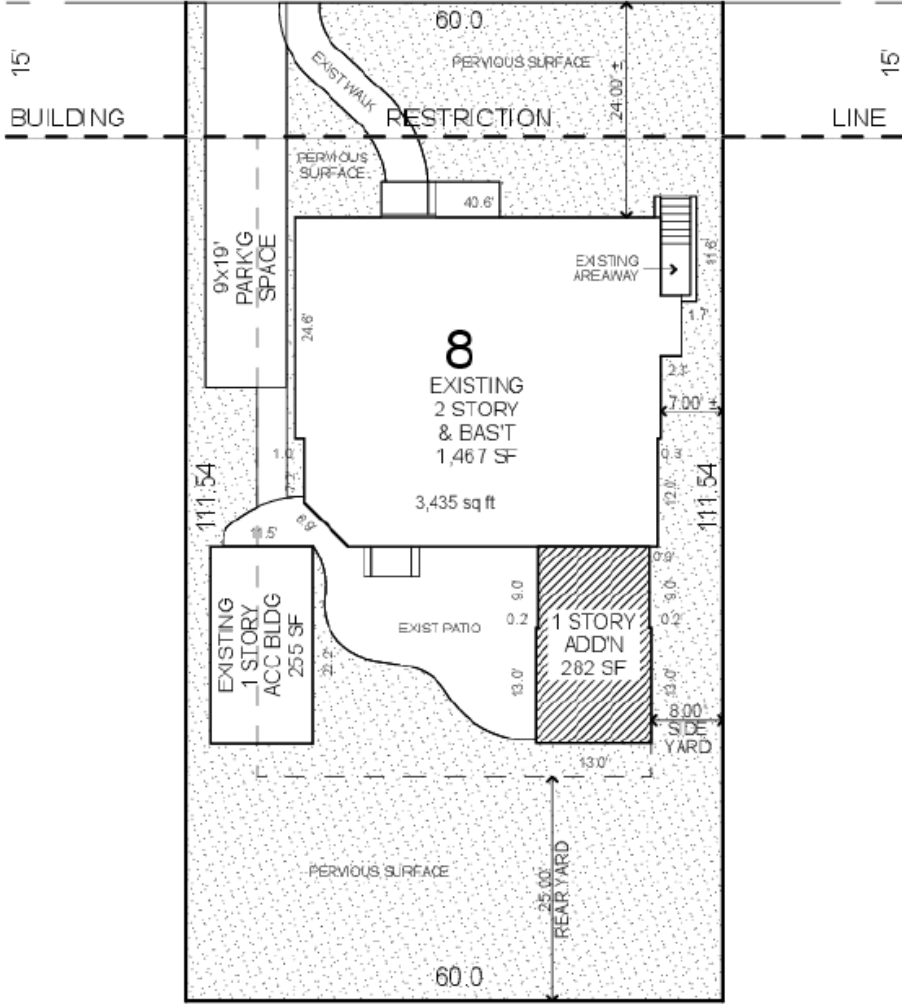
Accessory Building Side Yard (D § 5005.1)

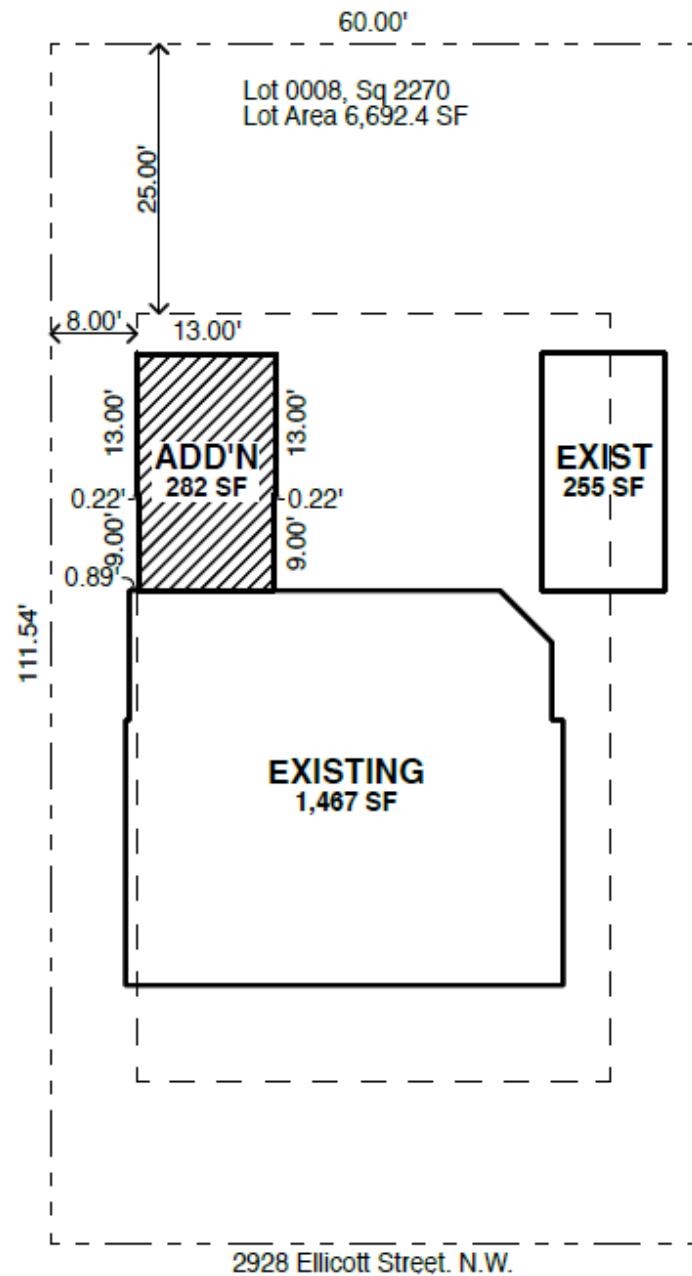
- Subtitle D § 5005.1 states that “no minimum side yard is required for an accessory building in a R zone, unless the accessory building is located beside the principal building, whereby it shall be removed from the side lot line a distance equal to the required side yard and from the principal building a minimum of 10 ft.”
- While the Applicant is not modifying the Accessory Building, the extension of the Principal Building results in the Accessory Building being “located beside the principal building” and is therefore now subject to a side-yard requirement

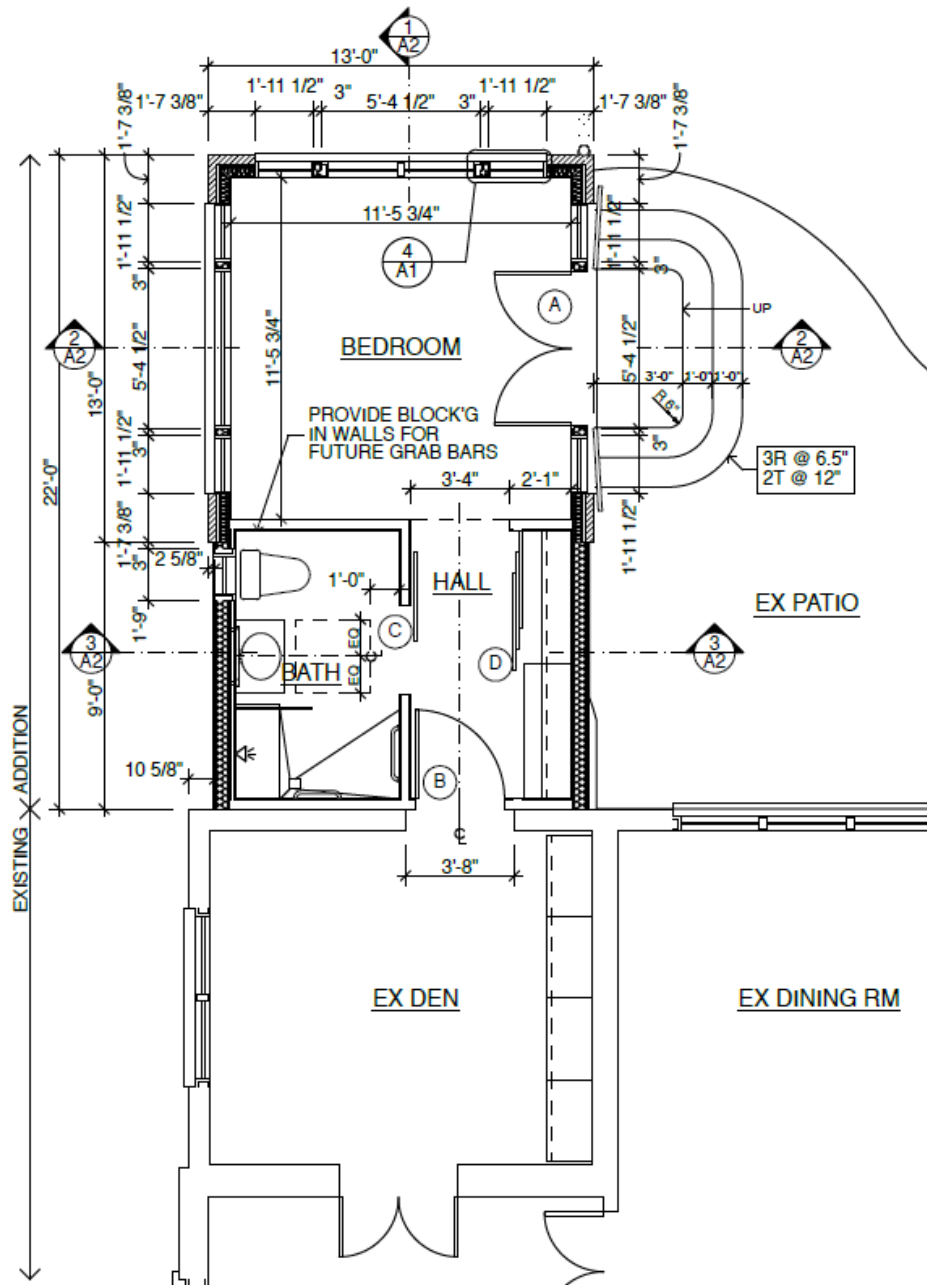
Extending a Non-Conformity (C § 202.2)

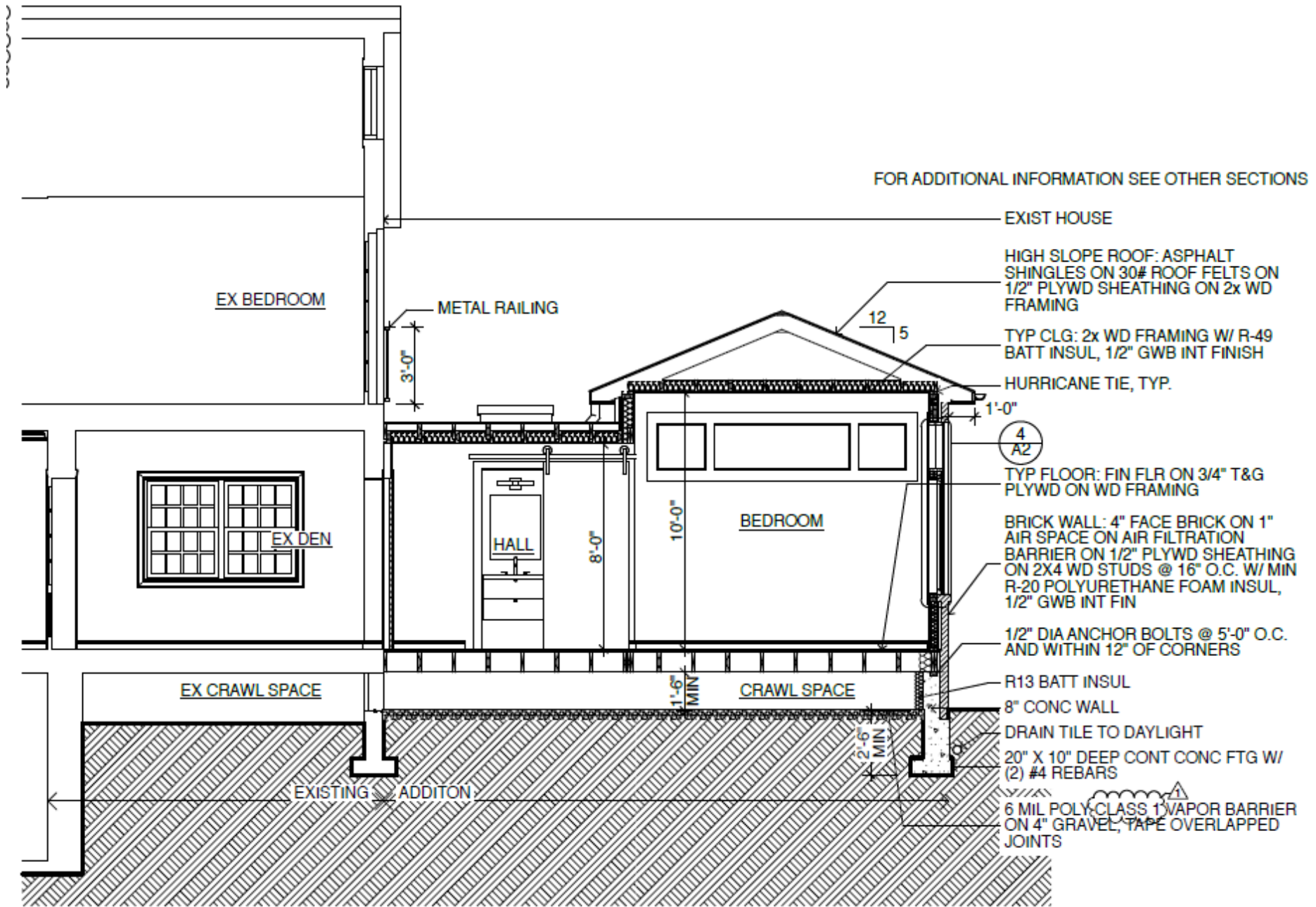
- The Subject Property currently has existing non-conforming side yards
- As the proposed side yards will still be non-conforming, the Applicant must request relief from C § 202.2

ELLICOTT STREET, N.W.

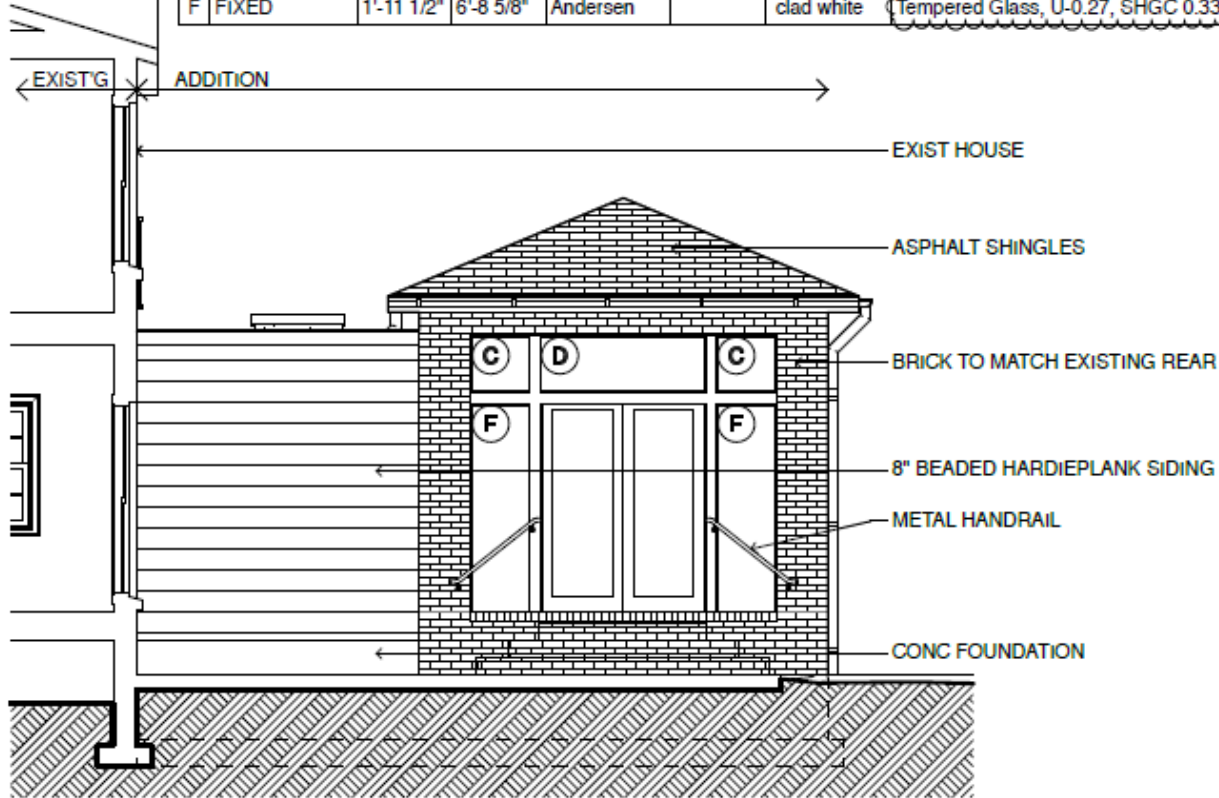




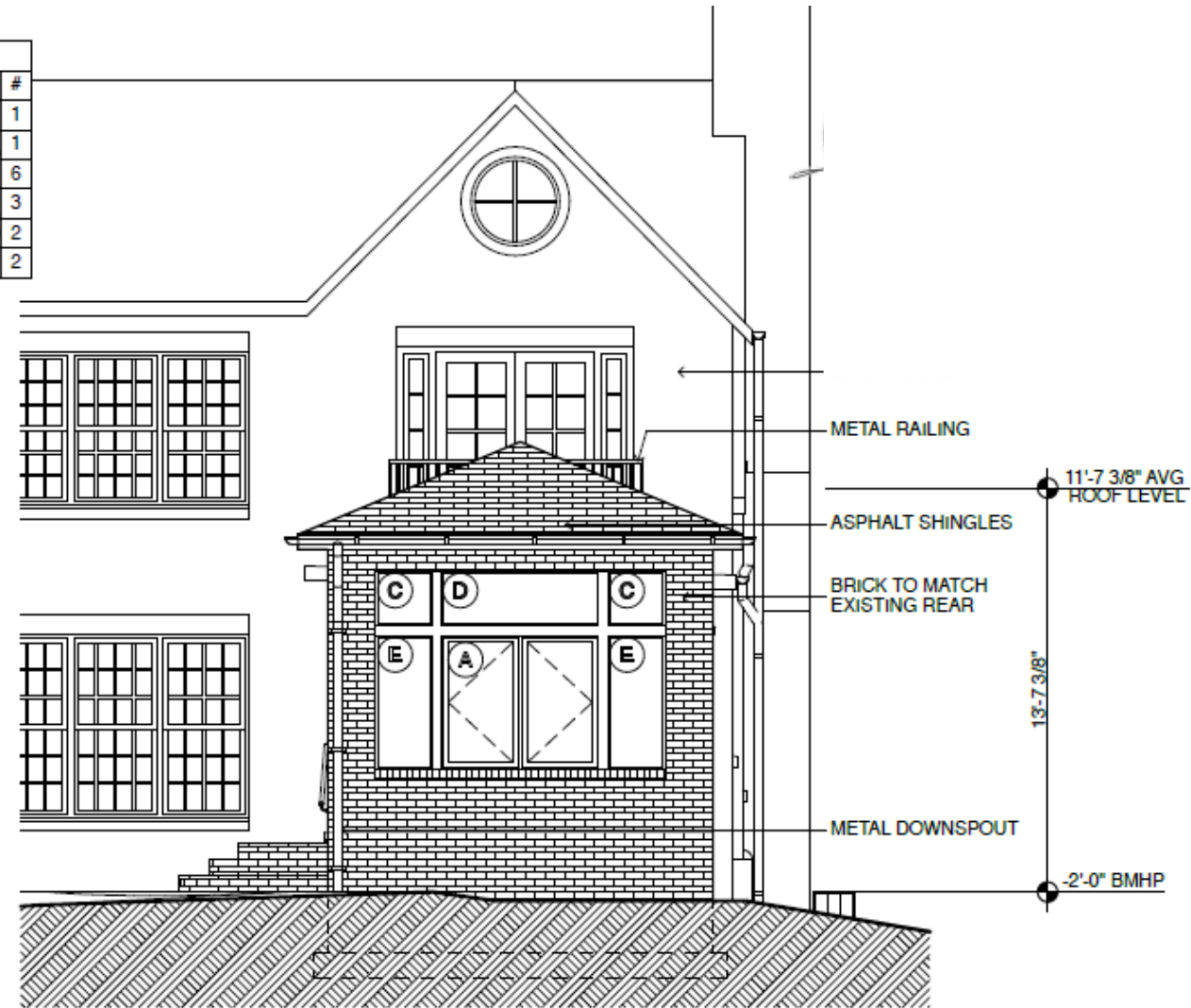




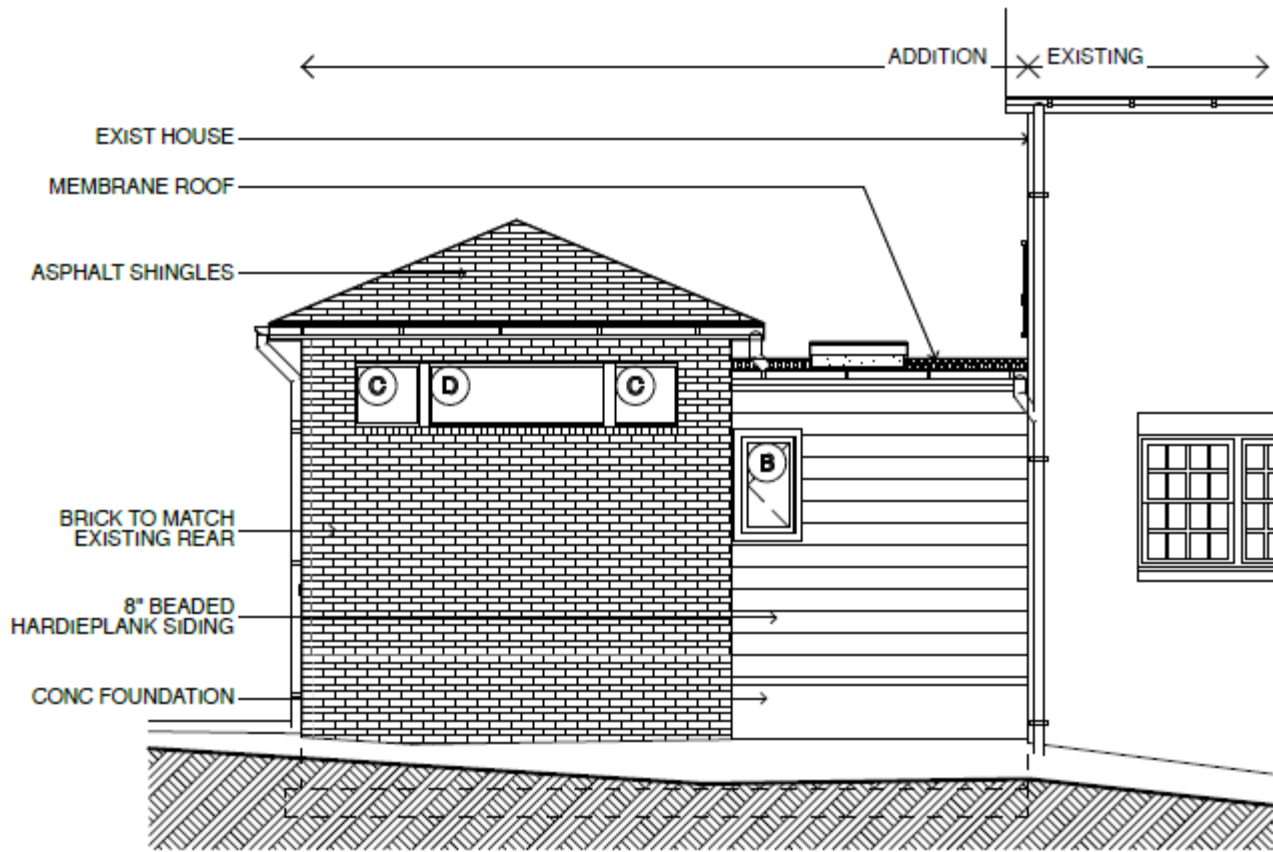
| WINDOW SCHEDULE | | | | | | | | |
|-----------------|----------|------------|------------|----------|-------|------------|-----------------------------------|---|
| ID | TYPE | WIDTH | HEIGHT | MANUF | MODEL | MAT'L | REMARKS | # |
| A | CASEMENT | 5'-4 3/8" | 4'-6 1/2" | Andersen | | clad white | U-0.29, SHGC 0.32 | 1 |
| B | CASEMENT | 1'-9" | 3'-1/2" | Andersen | | clad white | Tempered Glass, U-0.29, SHGC 0.32 | 1 |
| C | FIXED | 1'-11 1/2" | 1'-10 5/8" | Andersen | | clad white | U-0.27, SHGC 0.33 | 6 |
| D | FIXED | 5'-4 1/2" | 1'-10 5/8" | Andersen | | clad white | U-0.27, SHGC 0.33 | 3 |
| E | FIXED | 1'-11 1/2" | 4'-6 5/8" | Andersen | | clad white | U-0.27, SHGC 0.33 | 2 |
| F | FIXED | 1'-11 1/2" | 6'-8 5/8" | Andersen | | clad white | Tempered Glass, U-0.27, SHGC 0.33 | 2 |



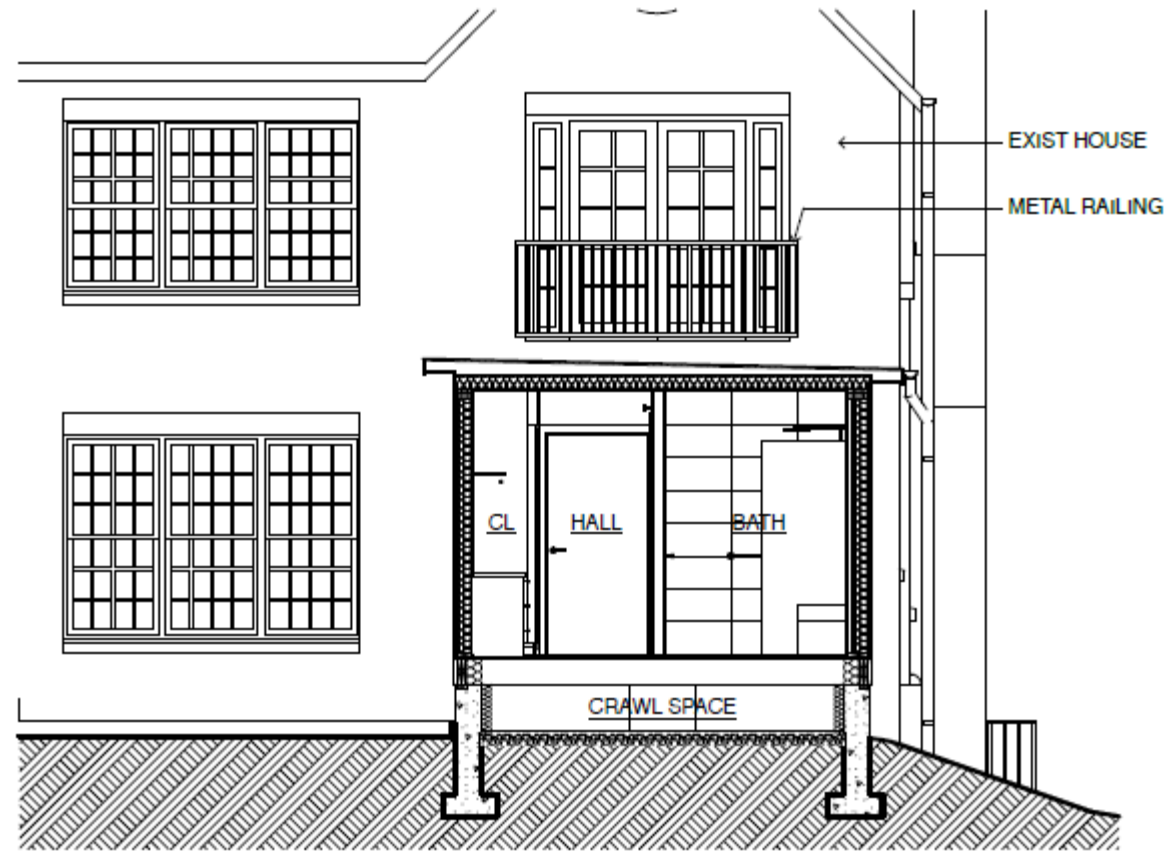
2 WEST (SIDE) ELEVATION
1/4" = 1'-0"



1 SOUTH (REAR) ELEVATION
1/4" = 1'-0"



4 EAST (SIDE) ELEVATION
 1/4" = 1'-0"



3 SOUTH (REAR) ELEVATION @ EX HOUSE
 1/4" = 1'-0"

General Special Exception Requirements of Subtitle X § 901.2

1) Addition will be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps.

2) Addition will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps.

- The Addition is a small one-story Addition meeting the 8 ft. side yard requirement, the 25 ft. rear yard requirement, and is separated by at least 50 ft. from the building to the east
- The Applicant is not proposing to change the use of the Building
- The Addition will not be visible from Ellicott Street, NW

Requirements of 11-E DCMR § 5201.3

“An Application for special exception under this section shall demonstrate that the addition or accessory structure shall not have a substantially adverse affect on the use of 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 Addition is a small, one-story Addition and will be located at the rear of the Subject Property and only on the eastside of the Subject Property
- The Addition is separated from the building to the east by at least 50 ft. and from the building to the south by at least 80 ft.
- The Accessory Building already exists, and the Applicant is not proposing to alter it
- Accordingly, any shadow created by the small one-story Addition will not rise to the level of undue

Requirements of 11-E DCMR § 5201.3

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

- The Applicant is proposing some windows, but they have been located to protect the privacy of the residents of the Subject Property and neighboring properties
- The windows on the west-side face the interior of the lot and are located approximately 50 ft. from the Building to the west (That view is also blocked by the existing Accessory Building on the westside of the Subject Property)
- There are a few, small windows proposed on the eastside, located at the very top of the east façade in order to maintain privacy, and their purpose is to let light and air into the Addition
- Accordingly, the privacy of both neighboring properties shall not be unduly compromised

Requirements of 11-E DCMR § 5201.3

(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; and

- The Applicant is not altering the front façade in any way, nor is he proposing to increase the height of the Building
- The Addition will not be visible at all from Ellicott Street and there is no alley behind the Subject Property

Requirements of 11-E DCMR § 5201.3

(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 plans, photographs, elevations and section drawings sufficient to represent the relationship of the proposed Building to the adjacent buildings and views from 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 fifty percent (50%);

- The lot occupancy of all new and existing structures will have a total lot occupancy of 30%

Requirements of 11-E DCMR § § 5201.4-5201.6

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.”*

- The Applicant will comply with Board directives for protection of adjacent and nearby properties

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

- The Applicant is not requesting to introduce or expand a nonconforming use

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

- The Applicant is not requesting to introduce or expand nonconforming height or number of stories

Conclusion

- Office of Planning is recommending approval
- ANC 3F unanimously supports