

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: March 27, 2020
SUBJECT: BZA Case 20245 - request for special exception relief pursuant to Subtitle E § 5201.1 to allow a rear two-story addition to a single-family residential dwelling

I. RECOMMENDATION

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

- E § 304.1 (60 % max permitted, 59.1% existing; 64.9% proposed); and
- E § 205.4 (10 feet max permitted beyond rear wall of adjoining neighbor; 10 feet 2 inches proposed)

II. LOCATION AND SITE DESCRIPTION

Address:	216 14 th Place NE
Applicant:	Christopher Astilla
Legal Description:	Square 1055 Lot 0031
Ward / ANC:	6/ANC6A04
Zone:	RF-1
Lot Characteristics:	The lot is a small rectangular narrow lot with uneven grade from the front to the rear.
Existing Development:	A lot is developed with a two-story principal row dwelling with cellar.
Adjacent Properties:	The adjacent properties are also residential row homes.
Surrounding Neighborhood Character:	The neighborhood is primarily developed with two and three-story row homes and some small apartment buildings.
Proposed Development:	The applicant proposes to construct a two-story rear addition extending 10 feet two inches beyond the adjoining property to the south of the subject principal dwelling unit.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed ¹	Relief:
Height E § 303	35 ft. max.	33ft. 2 stories	No change	None required
Lot Width E § 201	18 ft. min.	16 ft.	16 ft.	Existing nonconforming
Lot Area E § 201	1,800 sq. ft. min.	1,392 sf	1,392 sf	Existing nonconforming
Lot Occupancy E § 304	60% max.	59.1%	64.9 %	Relief requested
Rear Yard E § 306	20 ft. min.	29.5 ft.	23.08ft.	Conforming
Parking C §	1 space	1 space	1 space	Conforming
Rear Wall E § 205.4 Additions beyond the farthest rear wall of any adjoining principal residential building	Ten feet (10 ft.) (max.)	0 ft	10 ft. 2 ins.	Relief requested

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 project requires relief from the maximum permitted lot occupancy proposed at 64.9%. The rear wall projection is proposed at 10 feet 2 inches beyond the rear wall of an adjoining property.

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 project proposes an addition to a principal dwelling.

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 diminished significantly beyond what currently exists.

The property to the north at 218 14th Place is already developed further than 10 feet beyond the applicant's existing structure and the proposed 2-story addition would not exceed the rear wall of this neighbor. Additionally, the existing stoop and area way between the applicant's home and to the north would remain as is, which would maintain air flow and light between properties.

The existing areaway between the subject property and the dwelling to the south, 214 14th Place, would not be reduced. The proposed addition would extend 10 feet 2 inches beyond this neighbor's wall. However, this neighbor also proposes an addition in the future, such that the applicant's proposed addition would only extend 5 feet 9 inches beyond the neighbor's future rear wall (See Site Plan of Exhibit 7). The light and air to this property to the south should not be significantly diminished beyond what currently exists between properties.

Both neighbors, north and south of the subject property submitted letters in support at Exhibits 8 and 9 of the record.

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

Windows are not proposed on either the north or south facing elevations to unduly affect the neighbor's privacy. Privacy fences on either property line would be retained to maintain privacy among neighbors.

(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 addition is standard to other rear additions in the neighborhood and should not create a visual intrusion for properties as viewed from the rear.

(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's submissions are provided in Exhibits 2, 4, and 7.

(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 project's proposed lot occupancy is stated as 64.9%.

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 to protect 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 use is and would remain residential as anticipated for this 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 height of the addition would remain within the maximum permitted height.

V. OTHER DISTRICT AGENCIES

A DDOT report noting no objection to this application is provided at Exhibit 28. At the writing of this report other agency comments were not included in the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

At the writing of this report, ANC 6A comments had not been filed to the record.

VII. COMMUNITY COMMENTS TO DATE

Abutting neighbors, as well as neighbors at 214 14th Place and 220 14th Place, submitted letters in support at Exhibits 8, 9, 26 and 27 respectively.

Attachment: Location Map

Figure 1: Location Map

