

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Jonathan Kirschenbaum, AICP, Development Review Specialist
JL Joel Lawson, Associate Director Development Review

DATE: March 5, 2021

SUBJECT: BZA Case 20415 (515 10th Street, SE) to permit a second-floor addition to an existing accessory building.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Lot Occupancy, Subtitle E § 304.1, pursuant to Subtitle D § 5201.1 (60% maximum permitted; 63.4 % existing; 64.7% proposed).

II. LOCATION AND SITE DESCRIPTION

Address	515 10 th Street, SE
Applicants	James Smyth
Legal Description	Square 949, Lot 821
Ward, ANC	6/6B
Zone	RF-1
Historic Districts	Capitol Hill Historic District
Lot Characteristics	Rectangular interior lot measuring 19 ft. by 100 ft. The lot is bounded by 10 th Street, SE to the east, a public alley to the west, and residential buildings to the north and south.
Existing Development	Single household row dwelling.
Adjacent Properties	Residential buildings.
Surrounding Neighborhood Character	Single household dwellings, flats, and apartment houses.
Proposed Development	The applicant proposes to construct a second-floor addition to an existing one-story accessory building. The first floor would continue to be used as a garage and the second floor would be used as a recreation room with a bathroom.

III. ACCESSORY BUILDING ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief
Height E § 5002.1	20 ft. max/ 2 stories	10.33 ft./ 1 story	17.41 ft./ 2 stories	None required
Lot Width E § 202.1	18 ft.	19 ft.	No change	None required
Lot Area E § 202.1	1,800 sq. ft.	1,916 sq. ft.	No change	None required
Lot Occupancy E § 304.1	60% max.	63.4%	64.7%	Special Exception Relief
Rear Yard E § 5004.1	Accessory buildings shall be set back 12 ft. from the centerline of an alley	15 ft.	No change	None required
Side Yard D § 1207	Side yards are not required for accessory buildings	N/A	N/A	None required
Parking C § 701.5	1 space per principal dwelling unit	1 space	No change	None required

IV. OP ANALYSIS

Subtitle E § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.2 *For a new or enlarged accessory structure to a residential building with one (1) principal dwelling unit on a non-alley lot, the Board of Zoning Adjustment may grant relief from the following development standards as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:*

*(a) **Lot occupancy** under Subtitle E § 5003 up to a maximum of seventy percent (70%) for all new and existing structures on the lot;*

The applicant is requesting special exception relief from the lot occupancy requirements.

5201.4 *An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:*

*(a) **The light and air available to neighboring properties shall not be unduly affected;***

The proposed addition should not have an undue impact on light and air available to neighboring properties as it would be set back approximately 30 feet from the rear of the principal buildings fronting 10th Street, SE. To the north is an existing accessory building that is more than double the area of subject accessory building and to the west is a substantially wide 30-foot public alley. The height and number of stories would be conforming. As a result, any increase in shadowing should be minimal and the neighboring properties should not be unduly affected. The adjacent property owners to the south and north filed letter of supports to the record (Exhibits 29 and 27).

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

The accessory building should not have an undue impact on privacy of use and enjoyment of neighboring properties as it would be set back approximately 30 feet from the principal buildings fronting 10 Street, SE. It further would be separated from the rear of properties fronting 9th Street, SE by a 30-foot public alley. The proposed windows on the addition would only face the public alley and the rear of the subject property.

(c) The proposed addition or accessory structure, together with the original building, or the new principal 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 street or alley frontage; and

There are other existing accessory buildings located throughout the square. The applicant states that the proposed second floor addition would be finished with brick on all four sides at the request of the Historic Preservation Office and the proposed windows would be designed to respect the historic architecture of the garage.

(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.

The applicant submitted a survey, architectural plans, and photographs to illustrate the front vestibule.

5201.5 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.

No special treatment of the front vestibule is recommended.

5201.6 This section shall not be used to permit the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized in this section, height, or number of stories as a special exception.

The number of stories and total height created by the addition would be conforming.

V. OTHER DISTRICT AGENCIES

Report from other agencies had not been filed to the record as the date this report was completed.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 6B voted to recommend approval of the requested relief (Exhibit 30).

VII. COMMUNITY COMMENTS TO DATE

The adjacent property owners to the north (Exhibit 27) and east (Exhibit 29) filed letters of support to the record. Three additional letters of support were filed to the record (Exhibits 25, 26, and 28).

Location Map:

