

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Crystal Myers, Development Review Specialist  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** March 11, 2022

**SUBJECT:** BZA Case 20653 to permit a second-story addition to a one-story house at 1500 D Street SE.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to Subtitle X § 900 and G§1201:

- Subtitle G§ 404 Lot Occupancy (60% permitted; 100% existing; 100% proposed)
- Subtitle G§ 405 Rear Yard (15ft. min., 0 proposed)

**II. LOCATION AND SITE DESCRIPTION**

Address	1500 D ST SE
Applicant	Myron Ward on behalf of Brad Gentile
Legal Description	Lot 40, Square 1074
Ward, ANC	Ward 7, ANC 6B
Zone	MU-4
Historic District	N/A
Lot Characteristics	18.68 ft. x 75 ft. rectangular corner lot
Existing Development	Two story single dwelling house with a 1-story portion in the rear on 15 <sup>th</sup> St. SE.
Adjacent Properties	Attached single-dwelling houses
Surrounding Neighborhood Character	Residential neighborhood with attached Single-family houses. Payne Elementary School and playground are across 15 <sup>th</sup> St. SE from the property
Proposed Development	The proposal is for a second-story addition to the one-story rear portion of the house.

**III. LOCATION**



**IV. ZONING REQUIREMENTS and RELIEF REQUESTED<sup>1</sup>**

<b>Zone: MU-4</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Lot Area	N/A	1, 401 sq.ft.	1, 401 sq.ft.	Conforms
FAR G§ 403	2.5	1.7	2.0	Conforms
Height G§ 403	50 ft. max	28 ft.	28 ft.	Conforms
Lot Occupancy G§ 404	60% max	100%	100%	<b>Special Exception Requested</b>
Rear Yard G§ 405	15ft min.	0	0	<b>Special Exception Requested</b>

**V. OFFICE OF PLANNING ANALYSIS**

**X § 901 Special Exception Relief**

*Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The proposed addition would be in harmony with the general purpose and intent of the MU-4 zone. The MU-4 zone allows for low to moderate density residential developments in mixed use

<sup>1</sup> Information provided by Applicant

neighborhoods. The proposal would be consistent with this since; it would not change the use of the property but would allow more living space for an existing residential development.

*Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;*

The proposed second-story addition should not adversely impact the neighboring properties. The privacy, light and air of the adjacent neighbor to the north should not be impacted because the addition would abut this neighbor's side wall, which is brick and has no windows. (Exhibit 25-27)

On the eastern side, the addition would have no windows so it should not impact the privacy of the neighbor to the east, which is 1502 D St. (lot 39). Also, the light and air of this neighbor should not be substantially impacted because this neighbor's rear yard is under significant tree coverage, as shown in the photo below. Their yard is next to a special tree on 1504 D St. (lot 38), which cannot be removed without a permit. The tree coverage keeps 1502 D St.'s rear yard shaded throughout most of the day. The applicant's shadow study also shows that the addition would have minimal impact on the sunlight to this neighbor. Both adjacent neighbors submitted letters in support (Exhibit 16), although some other neighbors on this street have indicated concern regarding the potential impact of the proposal (Exhibits 22 ad 24).

The proposed addition should not be visible from D Street SE, and should not be detrimental to the visual character of 15<sup>th</sup> St. SE; it would bring the height of the building more in line with the other houses along this street. The addition would also be designed to appear similar to the existing building.



## **G §1201 Special Exception Criteria for Rear Yard Relief**

*The Board of Zoning Adjustment may grant relief to the rear yard requirements of this subtitle as a special exception pursuant to Subtitle X, provided:*

- (a) *No apartment window shall be located within forty feet (40 ft.) directly in front of another building;*

Not Applicable. The proposed addition would be to a single dwelling house. The window would face 15<sup>th</sup> St. SE, with a playground across the street.

- (b) *No office window shall be located within thirty feet (30 ft.) directly in front of another office window, nor eighteen feet (18 ft.) in front of a blank wall;*

Not Applicable. The proposed addition is not for an office. The new windows would face a playground and street.

- (c) *In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards;*

The proposed addition does not include windows facing a habitable room or neighboring rear yards – the plans do not indicate any new windows on the east elevation facing towards the rear yard of adjacent properties.

- (d) *Provision shall be included for service functions, including parking and loading access and adequate loading areas; and*

The proposal is for a second story on a portion of the building. The existing building has no rear yard, and has no loading or parking on this property.

## **VI. OTHER DISTRICT AGENCIES**

As of the writing of this report, there are no comments in the record from other District agencies.

## **VII. ADVISORY NEIGHBORHOOD COMMISSION**

As of the writing of this report, there is no report from ANC 6B in the record.

## **VIII. COMMUNITY COMMENTS TO DATE**

The adjacent neighbors and a nearby neighbor submitted letters in support, (Exhibit 16). The neighbor at 1504 D St. SE submitted a letter in opposition, (Exhibit 22); another neighbor a few doors down from the site also submitted a letter in opposition (Exhibit 24). The Capitol Hill Restoration Society submitted a letter in support with the condition that a light study be completed to address the concerns of the neighbor in opposition, (Exhibit 23). A light study has been added to the record at Exhibit 25-27.