

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Crystal Myers, Case Manager  
*JL* Joel Lawson, Associate Director for Development Review

**DATE:** April 1, 2022

**SUBJECT:** BZA #20670 – 344 14<sup>th</sup> St SE – Relief to construct a 3-story rear addition to a house

**I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following requested special exception, pursuant to E § 5201:

- E § 304, Lot Occupancy (60% max; 53% existing; 69.5% proposed).
- E § 306, Rear Yard (20 ft. min.; 28.2 ft. existing; 18.3 ft. proposed).

**II. LOCATION AND SITE DESCRIPTION**

Applicant	Myron Ward on behalf of Katherine Steel
Address	344 14 <sup>th</sup> St. SE
Legal Description	Square 1061, Lot 71
Ward / ANC	Ward 6 / ANC 6B
Zone	RF-1
Historic District or Resource	None
Lot Characteristics and Existing Development	17.67 ft. x 60.33 ft. corner lot with a single-dwelling rowhouse. The property does not have alley access.
Adjacent Properties and Neighborhood Character	Both adjacent properties are single dwelling rowhouses
Proposal	Construct a three-story rear addition to a single dwelling rowhouse.

### III. LOCATION MAP



### IV. ZONING REQUIREMENTS AND RELIEF REQUESTED

Item	Regulation	Existing	Proposed	Relief
Lot Width E 201.1	18 ft. min.	17.67 ft.	17.67 ft.	Existing Non-Conforming
Lot Area E 201.1	1,800 sq.ft. min.	1,066 sq.ft.	1,066 sq.ft.	Existing Nonconforming
Height E 303	35 ft. max. 3 stories	26.75 ft. 2 stories& cellar	No change	Conforming
Lot Occupancy E 304	60% max. 70% max. by S.E.	53%	69.5%	<b>Special Exception Requested</b>
Rear Yard E 306	20 ft. min.	28.2 ft.	18.3 ft.	<b>Special Exception Requested</b>

## V. ANALYSIS

### **Subtitle X § 901, Special Exception Review Standards**

- (a) *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 purpose and intent of the Zoning Regulations. The RF-1 zone permits attached one or two dwelling housing, and the proposed addition is for a one-dwelling attached house. The Regulations allow for special exception relief if the E§ 5201 criteria is met. OP believes the proposal satisfies the criteria.

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

As demonstrated below, the proposed addition should not result in an undue impact on neighbor's light, air, privacy or use of their property.

### **Special Exception Relief –Lot Occupancy and Rear Yard Relief Pursuant to E § 5201**

5201.1 *For an addition to a principal residential building on a non-alley lot or for a new principal residential building on a substandard non-alley record lot as described by Subtitle C § 301.1, the Board of Zoning Adjustment may grant relief from the following development standards of this subtitle 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 up to a maximum of seventy percent (70%) for all new and existing structures on the lot;*  
(b) *Yards, including alley centerline setback;*  
(c) *Courts; and*  
(d) *Pervious surface.*

The request is for lot occupancy and rear yard special exception relief for an addition to a principal residential building on a non-alley lot.

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 light and air to the adjacent properties should not be unduly affected. The proposed addition would not extend beyond the adjacent house to the north so there should be no significant light and air impact to this neighbor. The adjacent house to the east has no windows along their side wall and

no side yard on this side so this property should also not experience an undue impact to their light and air.

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

The privacy of use and enjoyment of the neighboring properties should not be unduly compromised. The adjacent neighbor to the north should not be impacted because there would be no windows on the northern side of the addition. The adjacent neighbor to the east should not be unduly impacted because they have no side yard and they have no windows on their side wall that faces the Applicant's rear yard.

(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*

The proposed addition would be visible from both 14<sup>th</sup> ST SE and D St SE but it should not have a substantial negative impact on the visual character of these streets. The addition's third story would be set back from the front, on 14<sup>th</sup> Street SE, and the existing mansard/cornice would be maintained. The mansard/cornice is a consistent feature on all the houses in this row, so preserving it should help the house maintain compatibility with the neighboring houses. The house two houses to the north also have a third-story addition. The addition is similar in appearance to other additions in this area so it should not visually intrude on the character of D ST. NE. Furthermore, in the summer and spring time the street trees adjacent to the property would largely screen the addition from view on D St. NE.

(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 application includes plans, elevations, a plat, and photos.

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.*

OP recommends no special treatments.

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 existing permitted use would continue on the property.

## **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

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

## **VII. ANC COMMENTS**

At Exhibit 19 is a memo in support from ANC 6B.

## **VIII. COMMUNITY COMMENTS**

The adjacent neighbor to the north at 342 14<sup>th</sup> St. SE and three other neighbors submitted letters in support, (Exhibit 16).