

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown Roberts, Case Manager
JL Joel Lawson, Associate Director for Development Review

DATE: October 31, 2022

SUBJECT: **Supplemental BZA #20796** – 6801 32nd Street NW – Request for special exception relief to construct a one-story rear addition to an existing, detached, one-story with basement principal dwelling unit in the R-1-A zone.

This report supplements and replaces the Office of Planning Report filed on October 20, 2022 (Exhibit 23), which was a draft and uploaded in error. Please refer to this report.

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following requested special exceptions pursuant to Subtitle D § 5201.1(b) and Subtitle X § 901.2

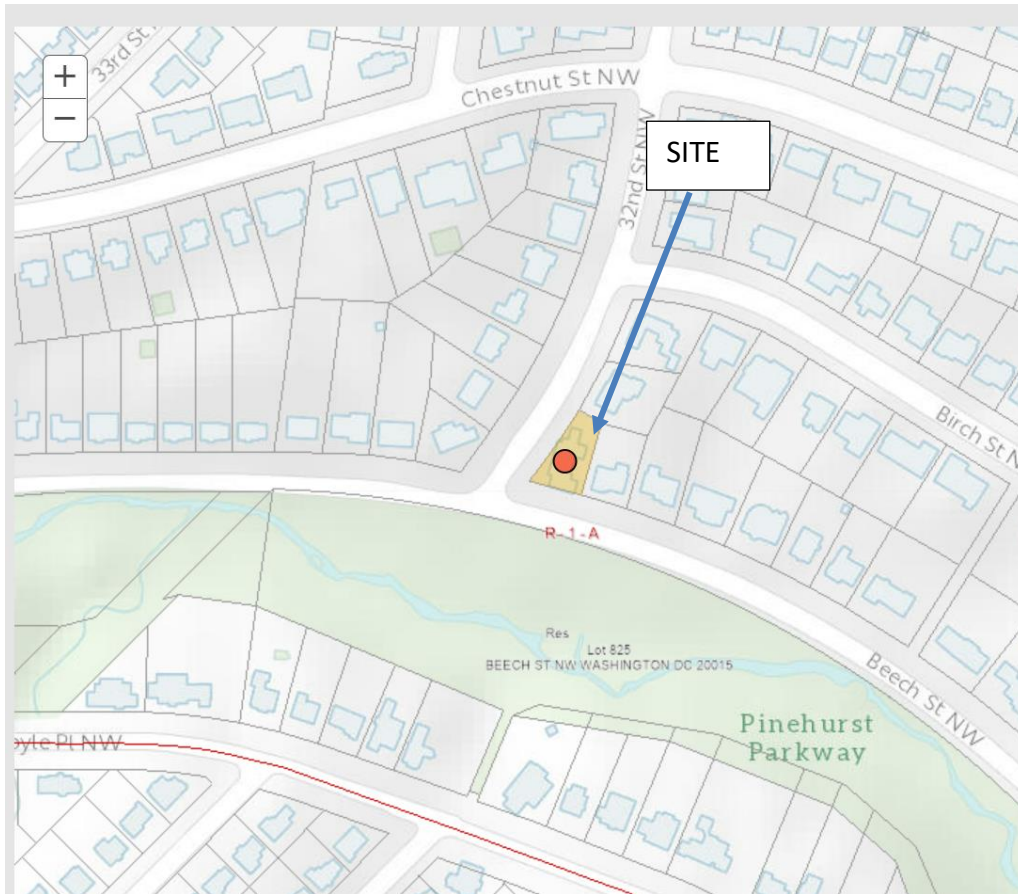
- Subtitle D § 306, Rear Yard (25 ft. required, existing 24.3 ft., 17.3 ft. proposed);
- Subtitle D § 304, Lot Occupancy (40% allowed, 40% existing. 42.7% proposed)

II. LOCATION AND SITE DESCRIPTION

Applicant	Alan Korn and Claudia Simons represented by Jeffery Haines
Address	6801 32 nd Street, NW
Legal Description	Square 2366, Lot 23
Ward / ANC	3/3G
Zone	R-1-A
Historic District or Resource	None
Lot Characteristics	The property is an irregularly shaped lot which fronts on 32 nd Street to the west and Beech Avenue, NW to the south.
Existing Development	The lot is developed with a two-story, single-family, detached house.

Adjacent Properties and Neighborhood Character	The properties directly adjacent to the lot on the north, east and west are developed with single-family detached houses. To the south, across Beech Street is the Pinehurst Parkway. Similarly, the wider neighborhood is developed with single-family detached houses.
Proposal	Demolish the existing sunroom and bedroom and replace it with an office, bedroom and bathroom.

III. SITE LOCATION AND VICINITY MAP



IV. ZONING REQUIREMENTS AND RELIEF REQUESTED

Item	Regulation	Existing	Proposed	Relief
Lot Width D 302	375 ft.	189 ft.	No change	Conforming
Lot Area D 302	7,500 sf	6,5562 sf	No change	Existing Non-Conforming
Height D 303	40 ft./3 stories	14.5 ft.	No change	Conforming

Item	Regulation	Existing	Proposed	Relief
Lot Occupancy D 304	40% 50% by spec. ex.	40%	42.7%	Requested
Rear Yard D 306	25 ft.	24.3 ft.	17.3 ft.	Requested
Side Yard D 206.3	8 ft.	8+ ft.– North 2.5 ft. – South	No change	Existing non-conforming

V. ANALYSIS

As shown on the table in Section IV above, and Exhibit 2, the property is non-conforming to lot area, rear yard, and side yards. The applicant has requested relief from the lot occupancy and rear yard requirements pursuant to Subtitle D § 5201.1(b) and Subtitle X § 901.2. The criteria are reviewed below.

SUBTITLE D § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

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 subject to the following table;

TABLE D § 5201.1(a): MAXIMUM PERMITTED LOT OCCUPANCY BY SPECIAL EXCEPTION

<i>Zone</i>	<i>Maximum Lot Occupancy</i>
<i>R-3, R-13, R-17 R-20 – Row dwellings</i>	<i>70%</i>
<i>R-20 – detached and semi-detached dwellings All Other R zones</i>	<i>50%</i>

(b) Yards, including alley centerline setback; and

(c) Pervious surface.

The property is a non-alley lot, and the proposal is for an addition the increases the lot occupancy to 43% and reduces the rear yard to 17.3 ft.

5201.2 N/A

5201.3 N/A

5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new 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 existing one-story sun-room/bedroom would be demolished and replaced with a one-story bedroom, den and bathroom addition with a slightly larger footprint. The addition would also intrude further into the rear yard. However, at a height of 14 feet, shadows should be minimal, and are likely to fall on the Applicant's rear yard. In addition, there are existing tall trees in the rear yard of the property that would cast shadows. Therefore, the addition should not unduly affect the light and air of the adjacent properties.

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

The addition would have a number of windows, but views from them would be of the side yard of the adjacent property, and similar to the existing situation. There is also a line of trees along the rear property line of the subject property that would help to screen direct views into the adjacent property. Therefore, the privacy of the adjacent property should not be unduly compromised.

- (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 not be visible from 32nd Street or Beech Drive and does not abut an alley.

- (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 and photographs to represent the existing and proposed conditions.

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 house will continue to be used as a single-family residence, a conforming use. The proposal is below the maximum height and number of stories allowed by Subtitle D § 303.1.

5201.7 N/A

General Special Exception Requirements of Subtitle X § 901.2

Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps

The small, one-story addition would not result in a building form, mass, or site coverage that would be inconsistent with the intent of the zone. The rear yard and lot occupancy requirements are intended to ensure adequate light, air and privacy to adjacent neighbors. As demonstrated above, the proposal would not significantly affect that intent.

Would the proposal appear to tend to affect adversely, the use of neighboring property?

As demonstrated above, the proposal would not significantly impact the use of neighboring property.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

At Exhibit 24 is a report from DDOT noting no objection to this proposal. As of this writing the record contains no comments from other District agencies.

VII. ANC COMMENTS

The property is within ANC 3G. As of this writing of this report, the record contains no comments from the ANC.

VIII. COMMUNITY COMMENTS

At Exhibit 7, the Applicant provided a petition in support, signed by seven neighbors.