

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Brandice Elliott, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** October 15, 2013

**SUBJECT:** BZA Case 18637 – special exception relief under § 223 to construct an addition to an existing row dwelling at 1315 T Street, N.W.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 403.2, Lot Occupancy (60% required, 70% proposed); and
- § 406.1, Courts (6 feet required, 3.8 feet proposed).
- § 2001.3, Addition to Nonconforming Structures

**II. LOCATION AND SITE DESCRIPTION:**

Address:	1315 T Street, N.W.
Legal Description:	Square 237, Lot 8
Ward:	1, 1B
Lot Characteristics:	The rectangular lot has 1,800 square feet of area, with a street frontage of 18 feet wide. The rear width of the lot is also 18 feet, and abuts a public alley that is 10.25 feet in width.
Zoning:	R-4 – row dwellings and flats.
Existing Development:	Row dwelling, permitted in this zone.
Historic District:	Greater U Street Historic District
Adjacent Properties:	The adjacent properties are predominantly developed as row dwellings, and are on lots of approximately the same area as the subject lot.

**III. PROJECT DESCRIPTION IN BRIEF**

Applicant	Will Teass
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Proposal:	The applicant requests relief that would permit the expansion of an existing flat, consisting of the construction of a partial third floor rear addition and a roof structure that would serve the proposed roof terrace.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

**IV. ZONING REQUIREMENTS**

R-4 Zone	Regulation	Existing	Proposed <sup>1</sup>	Relief:
Height (ft.) § 400	40 ft. max.	37.58 ft.	37.58 ft.	None required
Lot Width (ft.) § 401	18 ft. min.	18 ft.	18 ft.	None required
Lot Area (sq.ft.) § 401	1,800 sq.ft. min.	1,800 sq.ft.	1,800 sq.ft.	None required
Floor Area Ratio § 401	None prescribed	--	--	None required
Lot Occupancy § 403	60% max.	72.4%	70%	Required
Rear Yard (ft.) § 404	20 ft. min.	26.1 ft.	29.2 ft.	None required
Court § 406	6 ft. min.	3.8 ft.	3.8 ft.	Required

**V. OP ANALYSIS:**

**223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES**

*223.1 An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

Row dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §403, Lot Occupancy, § 406, Courts and § 2001, Addition to Nonconforming Structures.

The applicant is proposing to extend the third floor with a partial addition, moving the rear wall so that it would be in line with the existing rear walls of the first and second floor. The addition would accommodate two additional bedrooms and a laundry room. In addition, a roof terrace would be created, made accessible by a stair access tower that would extend above the third level. An existing deck attached to the rear of the dwelling would be removed, reducing the lot occupancy from 72.4% to 70%. The deck would be replaced by a metal deck in the existing nonconforming 3.8 foot wide court located along the east property line. These modifications would allow the dwelling to conform to a greater degree to the zoning regulations, as the lot occupancy would be reduced, and the required width of the court would be reduced given its increase in height.

The application was reviewed by the Historic Preservation Review Board in September, where concerns were noted in relation to the visibility of the stair access tower that would

<sup>1</sup> Information provided by applicant.

extend above the third floor. The Board recommended that the applicant continue to work with Historic Preservation staff on the redesign of the stair access tower so that it would not be visible from any public street.

223.2 *The addition or accessory structure shall not have a substantially adverse affect 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 available to neighboring properties would not be unduly affected. The third story addition would result in all levels of the dwelling sharing the same rear wall, and would not protrude further into the rear or side yards. The subject row dwelling is shallower and has a larger rear setback than both adjacent row dwellings, and a setback larger than required by the zoning regulations. In addition, the applicant has provided a shadow study that demonstrates that the additions, both the third floor expansion and stair access tower, will have minimal impact on light and air to adjacent properties.

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

The privacy of use and enjoyment of neighboring properties should not be unduly compromised. The dwelling would not be expanded further than the existing exterior rear wall on the first and second levels, so the building envelope would not increase. In fact, the demolition of the rear deck will ensure that recreation activities will have less impact on adjacent properties, including those on the north side of the public alley. The dwelling located east of the subject property does not have any windows on its west building elevation; therefore, the proposed metal deck would have no impact on that property. In summary, the increased rear setback and decreased lot occupancy improve the privacy of use and enjoyment of neighboring properties.

The applicant has contacted all adjacent properties and reviewed the proposed plans with some neighbors. Several letters of support have been provided in the application.

(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; and*

The third story addition would be located at the rear of the dwelling and visible only from the public alley. However, the addition would be in keeping with existing dwellings located along the same alley, as it would not extend further into the rear yard and would be flush with the first and second floor rear exterior wall.

The Historic Preservation Review Board approved the applicant's request for the proposed additions, subject to the applicant refining the design of the exterior stair tower above the third floor so that it is not visible from T Street. As a result, the proposed additions will be compatible with existing development and will have minimal visual impact along the street frontage.

- (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 has provided sufficient materials, including plans, photographs, elevations and section drawings to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

- 223.3 *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The proposed lot occupancy of all new and existing structures on the lot is 70%, which is permitted with the approval of a special exception.

- 223.4 *The Board 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.*

The Office of Planning does not recommend any special treatments for the proposed addition.

- 223.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

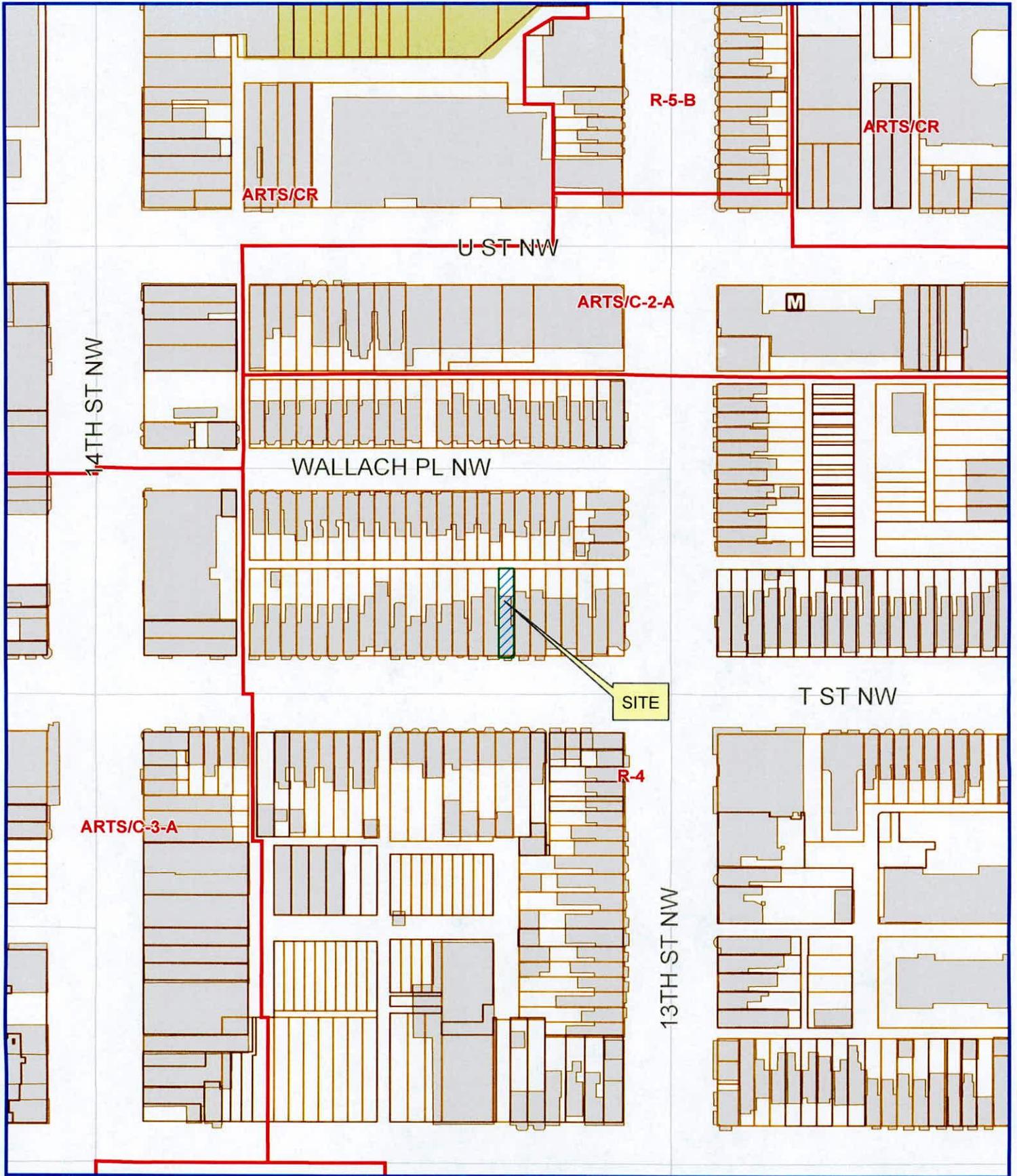
The proposed addition would be in conformance with the prescribed use of a flat in the R-4 district.

## **VI. COMMUNITY COMMENTS**

The applicant has provided several letters from adjacent neighbors in support of the proposed addition. The homeowners have also received a letter of support from the Wallach Place Neighborhood Association, which generally reviews large scale development.

ANC 1B voted to recommend approval of the proposed request at its regularly scheduled meeting, held October 3, 2013.

Attachment: Location Map



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DC Office of Planning

### BZA 18637 - 1315 T Street, N.W.

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

