



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Arthur Jackson, Case Manager
Joel Lawson, Associate Director Development Review

DATE: December 31, 2012

SUBJECT: **BZA Case 18478** - request for special exception relief under § 2300.8 to locate a detached carport in the rear yard of an existing two-story one-family dwelling at 1502 Irving Street NE

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the requested special exception.

II. LOCATION AND SITE DESCRIPTION:

Address:	1502 Irving Street NE
Legal Description:	Square 4014, Lot 0022
Ward:	5
Lot Characteristics:	Rectangular interior lot with an area of 6,375 square feet (0.15 acre) and frontages along Irving Street NE and public alley 15-foot wide.
Zoning:	<i>R-1-B</i> – detached one-family dwellings are allowed as a matter of right and detached carports are allowed by special exception.
Existing Development:	The property is developed with a two-story detached one-family dwelling (refer to Figure 1). The grassy rear yard and the concrete parking pad within are surrounded by a gated wooden stockade fence approximately 6-feet tall. Vehicles access the adjacent alley through the gates in this fence (refer to Figure 2).
Historic District:	None
Adjacent Properties:	Similar two- and two-and-one-half story dwellings.
Surrounding Neighborhood Character:	Moderate density residential.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Rene D. McCray, the owner of record
Proposal:	To construct a one-story rear detached carport in the rear yard. The proposed 16 x 20-foot accessory structure would be erected over the existing parking pad in the rear yard. The submitted plan indicates that the sloping carport would be approximately 10 feet tall at its highest point with a roll-up door that would face the gated fence and alley.



	<p>In response to a request from the Office of Planning (OP) the applicant provided a revised annotated plat which clarified that the carport would set back 5 feet from the rear property boundary and 9.5 feet from the eastern (side) boundary.</p> <p>When construction plans were originally submitted for approval by the Department of Consumer and Regulatory Affairs, the Zoning Administrator responded in a letter dated August 15, 2012, that the proposed accessory structure required special exception approval by the Board of Zoning Adjustment in accordance with § 2300.8.</p> <p>The applicant then submitted this application for the required relief.</p>
Relief Sought:	§2300.8 – for a detached carport.

III. OP ANALYSIS:

Consistency with §§ 2116.5-2116.9 and 2300.8

2300.8 *A carport shall be attached to the main building and shall not be located along the side of the building that faces a building line except, if approved by the Board of Zoning Adjustment as a special exception under § 3104, a carport may be located subject to the conditions for accessory open parking spaces in §§ 2116.5 through 2116.9. ...*

2116.2 *Parking spaces, including car-sharing spaces, shall be located in one (1) of the following ways:*

- (a) *Within a permitted garage or carport, subject to the special provisions of chapter 23 and § 2116. 12; or*
- (b) *On an open area of the lot except as provided in § 2116.4.*

The proposed carport would be located in the rear yard of the subject property. ...

2116.4 *Parking spaces shall not be located in the following areas:*

- (a) *Between a building restriction line and a lot line abutting a street; or*
- (b) *Except in an Industrial District or a building used solely as a parking attendant shelter, between a lot line abutting a street and the more restrictive of either a building façade or a line extending from and parallel to a building façade.*

Neither circumstance is applicable in this case.

2116.5 *Except as provided in § 2117.9, if approved by the Board of Zoning Adjustment pursuant to § 3104 for special exceptions, open parking spaces accessory to any building or structure may be located anywhere on the lot upon which the building or structure is located, or elsewhere, except in the case of a one-family dwelling, in accordance with §§ 2116.6 through 2116.9.*

The proposed accessory carport would be located in the rear yard of the subject property.



2116.6 *The Board shall determine that it is not practical to locate the spaces in accordance with § 2116.2 for the following reasons:*

Not necessary in this case because the proposed accessory carport would be located in the rear yard of the subject property.

2116.7 *When the accessory parking spaces are to be located elsewhere than on the lot upon which the building or structure they are intended to serve is located, the parking on adjacent lots or lots separated only by an alley from the lot upon which the building or structure is located, shall be preferred.*

Not applicable in this case.

2116.8 *The accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structures that they are designed to serve.*

The proposed carport placement over the existing parking pad location in the rear yard would increase the convenience of this onsite parking facility (see below).

2116.9 *The Board may impose conditions on any accessory or non-accessory parking spaces as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provision and maintenance of the spaces.*

The carport would be set back 5-feet from the rear boundary, 12-feet from the alley centerline and 8.5 feet from the eastern (side) property boundary.

Because the rear yard would continue to be surrounded by 6-foot tall wooden stockade fence, no additional screening is recommended.

Based on this assessment, OP determined that this application meets the standards for approval by the Board of Zoning Adjustment.

IV. COMMUNITY COMMENTS

On November 14, 2012, Advisory Neighborhood Commission (ANC) 5A voted unanimously to support this application. The ANC also asked that this recommendation be given “great weight” even though new ANC boundaries that become effective January 1, 2013 will place the subject property within the jurisdiction of ANC 5B.

Figure 2

