

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: March 26, 2013
SUBJECT: BZA Case 18536 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing semi-detached dwelling at 1610 E Street, S.E.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403, Lot Occupancy (40 percent permitted, 49.4 percent proposed); and
- § 404, Rear Yard (20 feet required, 16 feet proposed).

OP notes that the subject property is nonconforming for lot width and lot area.

II. LOCATION AND SITE DESCRIPTION

Address	1610 E Street, S.E.
Legal Description	Square 1090, Lot 805
Ward	6
Lot Characteristics	Rectangular lot with no alley access
Zoning	R-4 – Row houses
Existing Development	Semi-detached dwelling, permitted in this zone
Historic District	None
Adjacent Properties	Predominantly row houses

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Pamela Maxwell
Proposal	Construction of second floor rear addition and infill of open court
Relief Sought	§ 223 - Additions to One-Family Dwellings or Flats



IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max.	21.75 ft.	23.5 ft.	None required
Lot Width § 401	30 ft. min.	23 ft.	23 ft.	None required
Lot Area § 401	3,000 SF min.	1,389 SF	1,389 SF	None required
Floor Area Ratio § 402	None prescribed	0.82	0.92	None required
Lot Occupancy § 403	40% max.	49.4%	49.4%	Required
Rear Yard § 404	20 ft. min.	16 ft.	16 ft.	Required
Side Yard § 405	8 ft. min.	8.1 ft.	8.1 ft.	None 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.*

Semi-detached dwellings are a permitted use in this zone. The applicant is requesting special exception relief under § 223 from the requirements of §§ 403 and 404.

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 proposed addition would be constructed atop an existing one-story portion of the building, while also filling in an existing open court, extending the height of the rear of the building to 23.5 feet, less than the maximum 35 feet permitted. Although the addition would adjoin a storage shed on the adjacent property to the east, it would not adjoin any dwellings, minimizing the impact this proposal would have on the circulation of light and air.

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

The proposed addition would maintain the existing sixteen-foot rear yard to the north, minimizing any impact on that property. Minimum required side yards would be provided on both sides, with no windows proposed along the common lot line with the property to the east.

(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 proposed addition would be visible from a public alley, but would be similar in character, scale and pattern of existing houses within the square.

- (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.*

Graphical representations, including plans, photographs and elevation drawings were submitted as a part of the application.

- 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 is 49.4 percent, less than the maximum 70 percent permitted in the R-4 district.

- 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.*

OP makes no recommendations for special treatment.

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

The subject application would not result in the introduction or expansion of a nonconforming use.

VI. COMMUNITY COMMENTS

Adjacent neighbors to the east and west submitted letters to file in support of the application.

ANC 6B, at its regularly scheduled meeting of March 12, 2013, voted to support the application.

Attachment: Location Map

