MEMORANDUM

TO: District Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: November 9, 2010

SUBJECT: BZA Case No. 18133 - Request for a special exception under § 223 to construct a two-story rear addition at 5009 Belt Road N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of § 223 special exception relief to permit a two-story rear addition to an existing semi-detached dwelling at 5009 Belt Road N.W. that does not comply with:

- § 401, minimum lot width (deficient by approximately 21')
- § 405, minimum side yard (deficient by 8' on the north side)
- § 2001.3, addition to an existing non-conforming structure

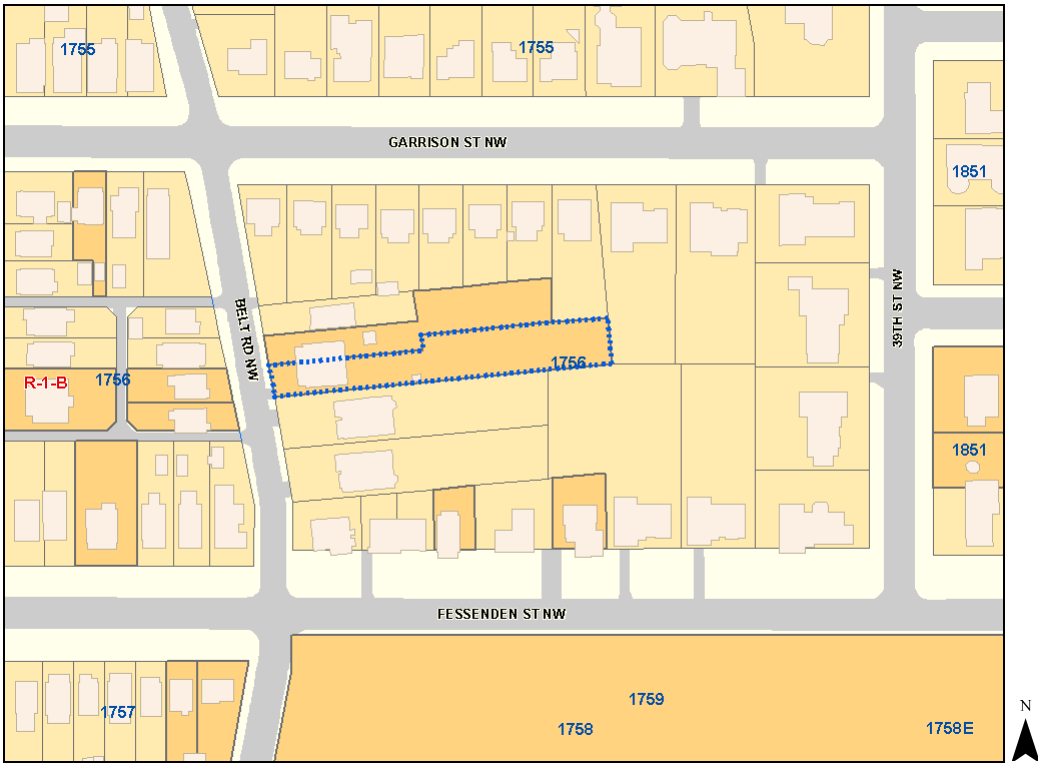
II. AREA AND SITE DESCRIPTION:

Address:	5009 Belt Road N.W.
Legal Description:	Square 1756, Lot 805 (the "Property")
Ward/ANC:	3/3E
Lot Characteristics:	The lot is irregular in shape and measures approximately 329' in length with a width ranging between approximately 29' and 44'. The Property totals 12,197 square feet in size. It fronts Belt Road to the west and has no alley access.
Zoning:	R-1-B: single family detached dwellings.
Existing Development:	There is a two-story semi-detached dwelling with a driveway used for off-street parking.
Historic District:	N/A
Adjacent Properties:	To the north is an adjoining two-story semi-detached dwelling. To the south is a detached dwelling (fronting Belt Road) and the rear yards of other detached dwellings. To the west (across Belt Road) and east are detached dwellings.
Surrounding Neighborhood Character:	The Square is mostly composed of detached dwellings. The neighborhood generally reflects a mix of low scale residential dwellings. Fort Reno is one block to the south.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Ari Zentner
Proposal:	The Applicant is seeking zoning relief for a two-story rear addition. The addition would extend the dwelling's existing non-conforming side yard along the property line for approximately 26'. The adjoining neighbor to the north has filed a coordinated proposal for a comparable rear addition for Board consideration in Case No. 18132.
Relief Sought:	§ 223 - addition to a single family dwelling.

IV. IMAGES AND MAPS



Aerial view of the site (subject Property outlined in blue)

View looking east across Belt Road (subject property identified)

V. ZONING REQUIREMENTS

The following table, which reflects information supplied by the Applicant, summarizes certain zoning requirements for the project and the relief requested.

R-1-B Zone	Regulation	Existing	Proposed	Relief:
Height (ft.) § 400	40' max.	25'	25'	None required
Lot width (ft.) § 401	50' max.	29'	29'	Existing non-conformity; no change proposed
Lot area (sq. ft.) § 401	5,000 sq. ft.	12,197 sq. ft.	12,197 sq. ft.	None required
Lot occupancy (building area/lot) § 403	60% max. 70% by special exception	8%	12%	None required
Rear yard (ft.) § 404	20' min.	258'	232'	None required
Side yard (ft.) § 405	8' min.	0' to the north 8' to the south	0' to the north 8' to the south	Relief needed: 8' deficient to the north

VI. OFFICE OF PLANNING ANALYSIS

Special Exception: § 223

§ 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.

The Applicant is requesting special exception relief under § 223 for a two-story rear addition to a one-family dwelling that does not comply with the requirements of lot width (§ 401), side yards (§ 405), and expansion of a non-conforming structure (§ 2001.3).

§ 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 should not be unduly affected by the proposal. The subject two-story addition would extend the existing non-conforming side yard on its north side. The neighbor to the north (5011 Belt Road), in coordination with the subject owner, is proposing a comparable rear addition along the shared lot line. The Applicant proposes to maintain the required 8' wide side yard on the subject dwelling's south side and, as such, the light and air available to the property to the south (5005 Belt Road) should not be unduly affected by the addition.

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

The addition should not cause an undue impact to the privacy of use and enjoyment of neighboring properties. The proposal has been coordinated with the adjoining neighbor to the north and therefore should not pose any privacy concerns. The addition also should not have any impact on the privacy of the neighbor to the south, where approximately 16' would separate the proposed addition from the neighboring dwelling.

(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.

There would be limited visibility of the addition from Belt Road. The addition should not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage.

(d) In demonstrating compliance with (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 view from public ways.

The Applicant has provided photos, elevation drawings, and a site plan showing the relationship of the addition to adjacent buildings and views from public ways.

VII. COMMUNITY COMMENTS

OP has not received any submission from ANC3E. OP also has not received any letters from adjacent neighbors, although the Applicant has indicated that neighbors are generally supportive.

VIII. RECOMMENDATION

The Office of Planning **recommends approval** of the special exception relief for a two-story rear addition.

JS/pg
Paul Goldstein, case manager