



**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Elisa Vitale, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** July 23, 2013

**SUBJECT:** BZA Case 18597 - request for special exception relief under § 223 to construct an addition at the existing one-family detached dwelling at 1515 Jackson Street, NE.

**I. OFFICE OF PLANNING RECOMMENDATION**

With regards to this proposal to construct an addition, the Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 405.9, side yard (8 feet required; 4 feet existing; and 4 feet proposed).

**II. LOCATION AND SITE DESCRIPTION**

Address:	1515 Jackson Street, NE (See Attachment 1.)
Legal Description:	Square 4014, Lot 803
Ward/ANC:	5B
Lot Characteristics:	The property is rectangular in shape and abuts a 15-foot wide improved public alley at the southern property line.
Zoning:	R-1-B – one-family detached dwellings.
Existing Development:	One-family detached dwelling, which is permitted in this zone.
Adjacent Properties:	One-family detached dwellings.
Surrounding Neighborhood Character:	The surrounding neighborhood is residential in character and features one-family detached dwellings.

**III. PROJECT DESCRIPTION IN BRIEF**

Applicant:	John Fernandez on behalf of James Lesane, property owners
Proposal:	Construct a second floor addition on the eastern façade of the existing residence, which would not meet the required side yard setback (§ 405.9). The proposed construction would include enclosing an existing open porch that measures 8.67 feet in depth and 12.44 feet in width. The proposed construction would not increase the footprint of the existing one-family detached dwelling.



Relief Sought:	§ 223.1 – to reduce the required minimum side yard depth (§ 405.9) to permit the construction of a second floor addition.
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**IV. ZONING REQUIREMENTS**

R-1-B Zone	Regulation	Existing	Proposed <sup>1</sup>	Relief:
Lot Area (sq. ft.) § 401	5,000 sq. ft. min.	7,650 sq. ft.	No change	None required
Lot Width (ft.) § 401	50 ft. min.	60 ft.	No change	None required
Lot Occupancy § 403	40 % max.	22 %	No change	None required
Rear Yard (ft.) § 404	25 ft. min.	67.5 ft.	No change	None required
Side Yard (ft.) § 405	8 ft. min.	4 ft. (east) 9.33 ft. (west)	No change	4 ft.

**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.*

The proposed addition requires special exception review under § 223 from the requirements for minimum side yard depth (§ 405.9).

*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 not increase the footprint of the existing one-family detached dwelling. The proposed addition would not increase or extend the existing nonconforming side yard at the eastern property line. The property at 1517 Jackson Street NE features a full side yard and there are mature trees along the lot line between the two properties. Therefore, the proposed addition should not negatively impact the light and air available to the neighboring property.

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

Privacy of use and enjoyment of neighboring properties should not be unduly compromised. As stated above, the proposed addition would maintain the existing 4-foot side setback at the eastern property line and the subject property is separated from 1517 Jackson Street NE (to the east) by the side yard of the property and landscaping.

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

- (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 Jackson Street NE and the applicant has indicated that the elements of the new addition would match the existing structure and complement the scale, roofline and overall design of the existing dwelling. The proposed addition should not negatively impact the character, scale and pattern of houses as seen from Jackson Street NE.

- (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 submission provided sufficient information about this proposal.

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 22% is less than the maximum 50% permitted in the R-1-B 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.*

No special treatment is recommended.

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

No nonconforming use would be established under this proposal.

## **VI. COMMUNITY COMMENTS**

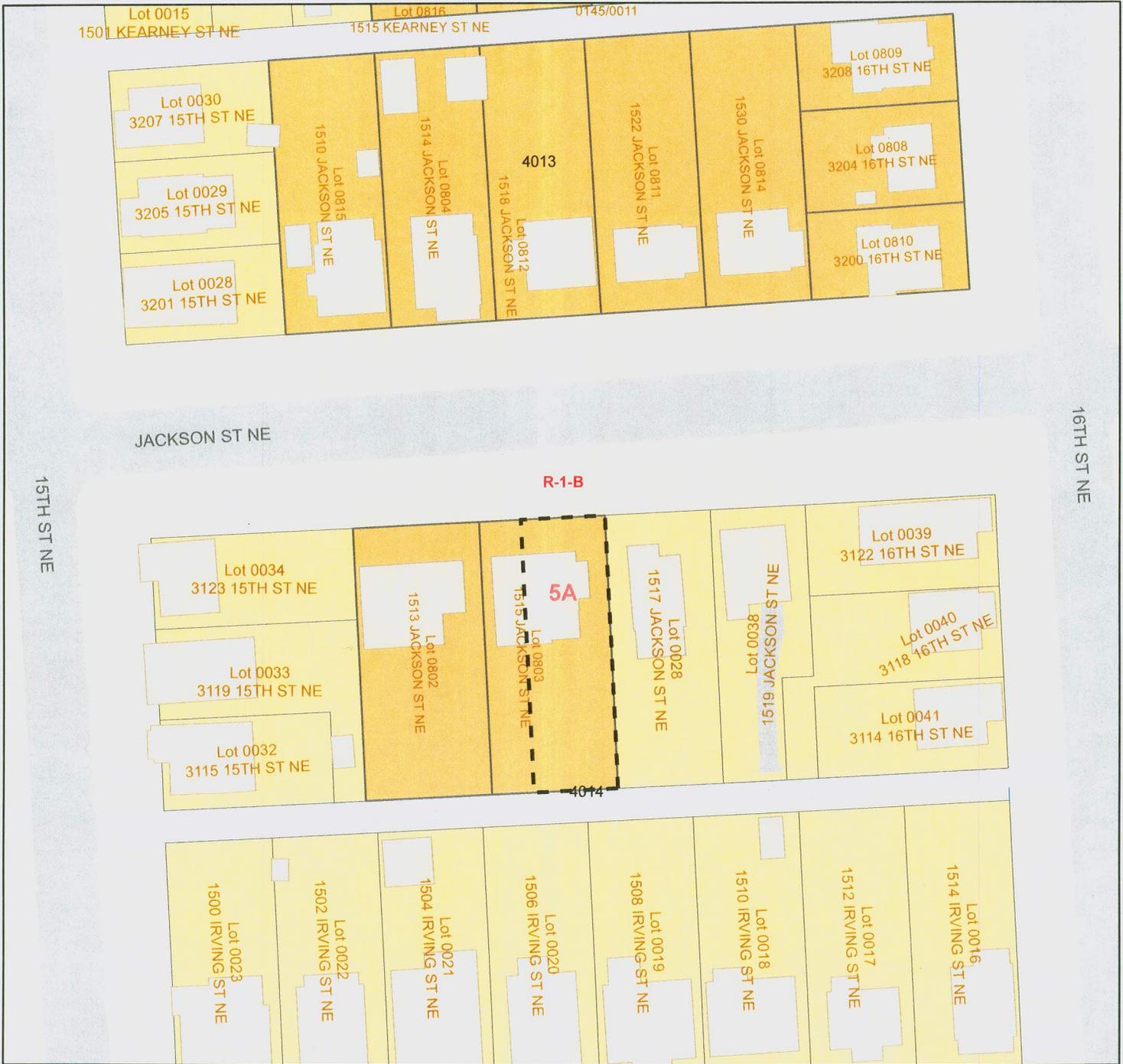
Information from ANC5B had not been received at the time this report was written.

## **VII. COMMENTS OF OTHER DISTRICT AGENCIES**

Information from other District agencies had not been received at the time this report was written.

Attachments:

1. Location map



OPID0023515

Feet



0 50 100



Government of the District of Columbia  
Office of Planning ~ July 12, 2013

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.

## Development Review

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