



**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Elisa Vitale, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** September 3, 2013

**SUBJECT:** BZA Case 18616 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing one-family dwelling at 1177 3<sup>rd</sup> Street NE.

**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% permitted, 69% proposed); and
- § 404.1, rear yard (20 feet required, 17 feet proposed).

OP staff notes that the lot is nonconforming with respect to lot width (18 feet required; 14.75 feet provided) and lot area (1,800 square feet required; 809 square feet provided) (§ 401.3).

**II. LOCATION AND SITE DESCRIPTION:**

Address:	1177 3 <sup>rd</sup> Street NE
Legal Description:	0773, 0276
Ward:	6
Lot Characteristics:	Rectangular lot bounded on the west by 3 <sup>rd</sup> Street NE and on the east by a 15-foot wide public alley.
Zoning:	R-4 – detached, attached, semi-detached, single family dwellings and flats.
Existing Development:	One-family attached row dwelling, permitted in this zone.
Adjacent Properties:	One-family attached row dwellings to the south, a corner store to the north, the Uline Arena in the C-M-1 zone to the west across 3 <sup>rd</sup> Street, and Central Armature Works to the north and west in the C-M-3 zone.

**III. PROJECT DESCRIPTION IN BRIEF**

Applicant	Emily Hirst, on behalf of MRC Investors, LLC
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Proposal:	The applicant is proposing a two-story rear addition that does not comply with the maximum lot occupancy and minimum required rear yard.
Relief Sought:	§223 - Addition to a One-Family Dwelling or Flat

**IV. ZONING REQUIREMENTS**

R-4 Zone	Regulation	Existing	Proposed <sup>1</sup>	Relief:
Lot Width (ft.) § 401	18 ft. min.	14.75 ft.	14.75 ft.	None required
Lot Area (sq. ft.) § 401	1,800 sq. ft. min.	809 sq. ft.	809 sq. ft.	None required
Floor Area Ratio § 401	None prescribed			None required
Lot Occupancy § 403	60 % max.	53 %	69 %	9 %
Rear Yard (ft.) § 404	20 ft. min.	26 ft.	17 ft.	3 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.*

One-family attached row dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §§ 403 and 404 to construct a two-story addition.

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 property to the south at 1175 3<sup>rd</sup> Street NE is deeper than the subject property (14-foot rear yard) and the rear wall of the proposed addition should not extend beyond the rear wall of the adjoining property. The property to the north at 1179 3<sup>rd</sup> Street NE is a liquor store that extends the full depth of the lot. There are no at risk windows at either of the adjoining properties. The proposed addition should not adversely affect the light and air available to neighboring properties.

(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 not extend beyond the rear walls of the

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

adjoining properties and the height of the proposed addition would match that of the existing row 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; and*

The proposed addition would not be visible from 3<sup>rd</sup> Street NE but would be visible from the alley to the east of the subject property. The proposed addition would be clad in vinyl siding and would be similar in scale, massing and materials to existing dwellings in the surrounding neighborhood. The proposed addition should not negatively impact the character, scale and pattern of houses as seen from the alley.

- (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 69% is less than the maximum 70% 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.*

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**

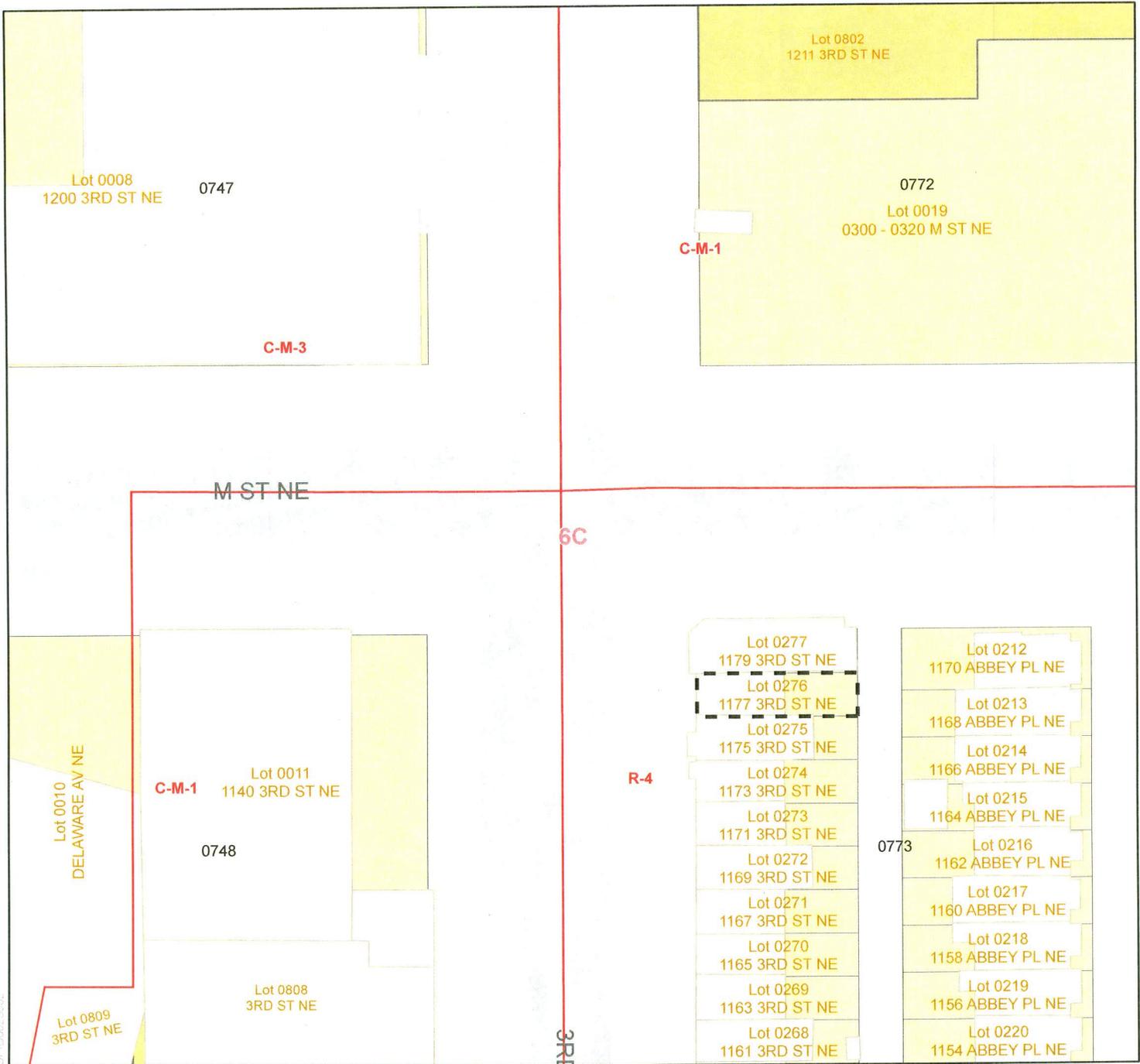
The Applicant provided letters of support from the adjoining property owners at 1175 and 1179 3<sup>rd</sup> Street NE. The Applicant indicated that Advisory Neighborhood Commission (ANC) 6C supported the requested relief; however, the official ANC position had not been received at the time this report was written.

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

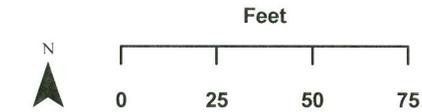
Comments from other District agencies had not been received at the time this report was written.

Attachments:

1. Location map



OPID00012637



**Government of the District of Columbia**  
**Office of Planning ~ August 20, 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

- Zoning Districts
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