



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: November 26, 2013
SUBJECT: BZA Case 18666, 5236 Loughboro Road, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the special exception requested pursuant to § 202.10 to establish a 515 square foot apartment in the basement of an existing dwelling located at 5236 Loughboro Road, N.W.

II. LOCATION AND SITE DESCRIPTION

Address	5236 Loughboro Road, N.W.
Legal Description	Square 1448, Lot 13
Ward	3, 3F
Lot Characteristics	The rectangular lot is 5025 square feet in area with 54 feet of frontage along Loughboro Road. The rear of the lot is 54.81 feet wide. The property does not have rear yard access by way of an alley.
Zoning	R-1-B – detached and semi detached single family dwellings.
Existing Development	Detached single family dwelling, permitted in this zone.
Adjacent Properties	Adjacent properties are generally of a similar area and width as the subject lot. The lots are developed with detached single family dwellings.
Surrounding Neighborhood Character	The surrounding neighborhood character is generally residential, developed with detached single family homes. Sibley Hospital is located north of the property, along the north side of Loughboro Road.



III. APPLICATION IN BRIEF

The applicant proposes to establish an accessory apartment of 515 square feet in area in the basement of the existing single family detached dwelling. Exterior modifications to the dwelling are not proposed with this application. The accessory apartment would consist of one habitable room, kitchen and restroom, and would be accessed through an existing entrance located along the south building elevation, at the rear of the dwelling.

The accessory apartment would comply with all provisions noted in § 202.10 and would not require any waivers.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

R-2 Zone	Regulation	Existing	Proposed	Relief
Single-Family Residence § 202.10	One-family detached	One-family detached	One-family detached	None required
Lot Area § 202.10(a)	5,000 sf min.	5,025 sf	5,025 sf	None required
House Gross Floor Area	2,000 sf min	2,700 sf	2,700 sf	None required
Accessory Apartment Gross Floor Area	25% of House GFA	--	19% of House GFA	None required
Lot Occupancy § 403	40% max.	20%	20%	None required

V. OFFICE OF PLANNING ANALYSIS

Special Exception Relief pursuant to § 202.10

Compliance with § 202.10

An accessory apartment may be added within an existing one-family detached dwelling if approved by the Board of Zoning Adjustment as a special exception under § 3104, subject to the following provisions:

(a) The lot shall have a minimum lot area for the following zone Districts: ...

(3) Five thousand square feet (5,000 sf) for R-1-B.

The lot size is 5,025 square feet, which exceeds the minimum requirement of 5,000 square feet.

(b) The house shall have at least two thousand square feet (2,000 sf) of gross floor area, exclusive of garage space.

The house is 2,700 square feet in area, and will not be modified with this request.

(c) The accessory apartment unit may not occupy more than twenty-five percent (25%) of the gross floor area of the house.

The proposed accessory apartment would occupy 515 square feet, which is 19% of the gross floor area of the house.

- (d) *The new apartment may be created only through internal conversion of the house, without any additional lot occupancy or gross floor area; garage space may not be converted.*

The proposed apartment would be created through internal conversion of the existing basement, and lot occupancy and gross floor area would not be added.

- (e) *If an additional entrance to the house is created, it shall not be located on a wall of the house that faces a street.*

There is an existing entrance to the basement located along the south building elevation that is accessible from the rear yard. Given that it is located in the rear yard, the entrance would not be visible from the street.

- (f) *Either the principal dwelling or accessory apartment unit must be owner-occupied.*

The applicant has indicated that the principal dwelling will continue to be occupied by the owner.

- (g) *The aggregate number of persons that may occupy the house, including the principal dwelling and the accessory apartment combined, shall not exceed six (6).*

The applicant has indicated that there will not be more than six persons occupying the house at any given time.

- (h) *An accessory apartment may not be added where a home occupation is already located on the premises.*

The homeowner does not have a home occupation and has no plans to have one at the subject property.

- (i) *The Board may modify or waive not more than two (2) of the requirements specified in paragraphs (a) through (b) of the subsection; provided, that the following occurs...*

The applicant has demonstrated that the requested accessory apartment would comply with the provisions of § 202.10, and does not require waivers.

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal is in harmony with the general purpose and intent of the regulations and map, as the requested accessory apartment complies with all provisions in § 202.10 of the Zoning Regulations and would not require any waivers. The accessory apartment would not change the principal use as a single-family residential structure as permitted in the R-1-B District.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposal would not adversely impact the use of the neighboring property. The accessory apartment would not alter the character of the neighborhood, as its primary use would still be that of a single family dwelling, and no exterior alterations would be made to the dwelling. As a result, the light, air or privacy of adjacent neighbors would not be compromised.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of this writing, no other District Agencies have provided comments to OP.

VII. COMMUNITY COMMENTS

At its regularly scheduled meeting on November 6, 2013, ANC 3F voted 9-1-0 in favor of supporting the application. OP spoke with the dissenting ANC member, who expressed concern that the applicant may allow tenants with short term leases to occupy the apartment. OP has confirmed with the applicant that the apartment would not operate as a boarding house or bed and breakfast, and intends to comply with all regulatory requirements for the operation of an accessory apartment.

The applicant has discussed the proposed accessory apartment with the neighbors located east and west of the property. A letter indicating no opposition to the request has been submitted to the file from the property owner located west of the subject property, at 5240 Loughboro Road, N.W.

Attachment: Location Map

Location Map

