


MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM:  Elisa Vitale, Case Manager
 Joël Lawson, Associate Director Development Review
DATE: May 6, 2014

SUBJECT: BZA Case 18755 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing flat at 504 12th 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% required, 65.7% proposed); and
- § 406.1, courts, (6 feet required, 4.7 feet proposed).

OP notes that the property is nonconforming with respect to lot width and lot area.

II. LOCATION AND SITE DESCRIPTION:

Address:	504 12 th Street NE
Legal Description:	Square 0984, Lot 0034
Ward:	6
Lot Characteristics:	Rectangular lot bounded on the north and south by row dwellings, on the east by 12 th Street NE, and the west by a 10-foot public alley.
Zoning:	R-4 – detached, attached, semi-detached, single family dwellings and flats.
Existing Development:	Two-story, two-family residential row dwelling (flat), which is permitted in this zone.
Historic District:	Not applicable.
Adjacent Properties:	The surrounding neighborhood is residential in character, with a mix of row dwellings and small apartment buildings.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Gay Hardwick, architect, on behalf of Frank and Liz Craddock, property owners.
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Proposal:	Construct a two-story addition at the rear of the existing two-family dwelling.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats

IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	31 ft.	31 ft.	None required
Lot Width (ft.) § 401	18 ft. min.	16 ft.	16 ft.	None required
Lot Area (sq.ft.) § 401	1,800 sq. ft. min.	1,440 sq. ft.	1,440 sq. ft.	None required
Lot Occupancy § 403	60 % max.	62.39 %	65.7 %	5.7 %
Rear Yard (ft.) § 404	20 ft. min.	27.79 ft.	23.05 ft.	None required
Side Yard (ft.) § 405	0 ft. min.	0 ft.	0 ft.	None required
Court § 406	6 ft. min.	4.7 ft.	4.7 ft.	1.3 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.

A two-family dwelling, or flat, is a permitted use in this zone. The proposed addition requires special exception review under § 223 from the requirements for lot occupancy (§ 403.2) and court width (§ 406.1).

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 applicant is proposing to maintain the nonconforming court along the southern property line and is proposing to set the addition back an additional .3 feet from the southern property line. The height of the proposed addition would match the existing dwelling. Therefore, the light and air available to the neighboring properties should not be unduly compromised.

¹ Information provided by applicant.

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

The privacy of use and enjoyment of neighboring properties should not be unduly compromised because no new windows are proposed for the north and south elevations of the addition. The adjacent neighbors have submitted letters indicating that they have no objection to the proposed addition.

- (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 should conform to the character, scale, and pattern of the existing dwelling and other dwellings in the square. The proposed addition would not be visible from 12th Street NE but would be visible from the 10-foot public alley. The applicant is proposing to maintain the dogleg, or nonconforming court, which is characteristic of row dwellings in the square. The window and door openings would mimic the configuration of existing openings and the roof would follow the slope of the existing roof. The proposed material for the addition, painted or stained wood siding, would be in keeping with the character of the neighborhood.

- (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 65.7 percent is less than the maximum 70 percent permitted within 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. COMMENTS OF OTHER DISTRICT AGENCIES

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

VII. COMMUNITY COMMENTS

Adjacent neighbors have indicated no objection to the proposed addition.

ANC 6A had not provided comments at the time this report was draft.

ATTACHMENT: Location Map

