

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, AICP, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** December 9, 2014

**SUBJECT:** BZA Case 18882 - request for special exception relief under § 223 to 650  
 Massachusetts Avenue, N.E.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to § 223:

- § 403, Percentage of Lot Occupancy (60 percent permitted, 66.1 percent proposed); and
- § 406, Open Court (6-foot width required, 0.7 feet proposed).

**II. LOCATION AND SITE DESCRIPTION**

Address	650 Massachusetts Avenue, N.E.
Legal Description	Square 865, Lot 90
Ward	6C
Lot Characteristics	Rectangular lot with rear alley access
Zoning	R-4 – moderate density residential
Existing Development	Row house, permitted in this zone
Historic District	Capitol Hill
Adjacent Properties	Row houses
Surrounding Neighborhood Character	Moderate density residential

**III. PROJECT DESCRIPTION IN BRIEF**

Applicant	Dana and Walt Lukken
Proposal	Construction of a rear one-story room addition on the main floor of the dwelling with enclosed storage below
Relief Sought	§ 223 - Additions to One-Family Dwellings or Flats

**IV. ZONING REQUIREMENTS**

<b>R-4 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Height § 400	40-foot max.	38 feet	38 feet	None required
Lot Width § 401	18-foot min.	20.78 feet	20.78 feet	None required
Lot Area § 401	1,800 SF min.	1,891SF	1,891SF	None required
Floor Area Ratio § 402	None prescribed	--	--	None required
Lot Occupancy § 403	60% max.(70% by SE	56.6%	66.1%	<b>Required</b>
Rear Yard § 404	20-foot min.	42.8 feet	42.8 feet	None required
Open Court Width § 406	6-foot min.	N/A	0.7 feet	<b>Required</b>

**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.*

Row dwellings are a permitted use in this zone. The Applicants are requesting special exception relief under § 223 from the requirements of § 403, Percentage of Lot Occupancy, and § 406, Courts.

223.2 *The addition or accessory structure shall not have a substantially adverse effect 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 room would be of the same dimensions as the existing deck. Therefore light and air to neighboring properties should not be unduly affected.

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

The subject property and the adjacent row houses on either side are each improved with similar rear decks. The applicants propose to replace their deck with an enclosed room of the same size. As the existing open deck would be replaced with an open room, use and enjoyment of neighboring properties would not be unduly compromised.

- (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 enclosed room would be the same size as the existing deck, the same size as the decks at the rear of the adjoining dwellings, and similar in size to an existing screened porch within this row of houses. Therefore, it would not visually intrude upon the character, scale and pattern of houses along 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 applicant submitted plans and photographs sufficient to represent the relationship of the proposed addition.

- 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 66.1 percent is less than the maximum seventy percent permitted in the R-4 by special exception.

- 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.*

OP makes no special treatment recommendations.

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

The subject application would not result in the introduction or expansion of a nonconforming use.

The Historic Preservation Office indicated that the subject application requires review by the Historic Preservation Review Board.

## VI. AGENCY COMMENTS

DDOT, in an email to OP dated October 27, 2014, indicated that it had no concerns regarding the subject application.

No other comments were received from other District agencies.

## VII. COMMUNITY COMMENTS

ANC 6C, at its regularly scheduled meeting of November 12, 2014, voted in support of the application.

Three letters in support of the application were submitted to the file, including from the adjoining residents to the east and west, and one to the north across the alley.

Attachment: Location Map

