

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: February 24, 2015

SUBJECT: BZA Case 18927 – 815 8th Street, NE

I. RECOMMENDATION

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

- § 403, Lot Occupancy (60% permitted, 69.9%, proposed);
- § 404, Rear Yard (20’ required, 0’ proposed);
- § 406, Court Width (8.33’ required, 4.3’ existing and proposed);
- § 2001.3 (Must meet lot occupancy and must not create new non-conformity; exceeds lot occupancy and creates non-conforming rear yard).

II. LOCATION AND SITE DESCRIPTION

Address	815 8 th Street, NE
Legal Description	Square 911, Lot 73
Ward and ANC	6, 6A
Lot Characteristics	L-shaped lot – 18 feet wide on 8 th Street, 36 feet wide on the alley
Zoning	R-4 – Rowhouses; Single family and flats
Existing Development	Two-story single family residence
Historic District	none
Adjacent Properties	Residential rowhouses on all sides
Surrounding Neighborhood Character	Mostly rowhouses; Commercial uses on H Street

III. APPLICATION IN BRIEF

Applicant	Nickolas Rodriguez, property owner
Proposal	Construct a two-story addition at the rear of a rowhouse lot, generally over the location of an existing one story garage.
Requested Relief	§223 - Additions to a One-Family Dwellings or Flats



IV. ZONING REQUIREMENTS

	Existing	Requirement	Proposed	Relief
Lot Area (401)	2,756.9 sf	1,800 sf	No change	Conforming
Lot Width (401)	18' / 36'	18'	No change	Conforming
Lot Occupancy (403)	71.5% 1,971.4 sf	60% 1,654.1 sf	69.9% 1,927.0 sf	Requested
Rear Yard (404)	46.6'	20'	0'	Requested
Side Yard (405)	3.8' (garage only)	8'	0'	Conforming
Court, Closed – Width (406)	4.3'*	4"/ft. of ht.; 5' min. (25' => 8.33' width)	No Change*	Requested
Court, Closed – Area (406)	165.7 sf	2 * (required width ^2) Min. 350 sf	753.8 sf	Conforming
2001.3	Non-conf. for lot occ.	No additions over lot occ.	Addition creates new non-conf.	Requested

* The 4.3' width of the court is the figure provided by the applicant. Using the inscribed-circle method allowed under § 199, the actual width may be substantially larger.

V. 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 applicant proposes to construct an addition at the rear of the property. In order to build as proposed, the application requests special exception relief under § 223 from the requirements of § 403, Lot Occupancy, § 404, Rear Yard, § 406, Court Width, and § 2001.3, Additions to Nonconforming Structures.

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;*

Light and air available to neighboring properties should not be unduly affected. Some additional shadow would likely be cast on the lot to the north of the new addition, but it would not impact the dwelling. The height of the addition would be similar to historic carriage houses in the Capitol Hill area.

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

The addition has been designed to maintain the privacy of adjacent properties. While there is a bedroom on the second floor of the addition, its windows do not face directly onto the adjacent residence, but rather to the north. The second floor kitchen window faces primarily onto the existing part of the dwelling. The bedroom windows on the ground floor would be screened by the fence on the property line.

(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 construction of the addition would not significantly alter the character of the alley. There is an existing two story carriage house across the alley a few lots to the south. And at the north end of the alley a fenced-in deck on the roof of a garage presents the massing of a two-story

structure. The alley-fronting portions of the H Street commercial buildings are also two stories tall.

- (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 has submitted elevations, floor plans and photographs that illustrate the proposed addition and its surroundings.

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.*

With the proposed addition the lot occupancy would be 69.9%.

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 recommends no special treatments or conditions.

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

The applicant does not propose to introduce a nonconforming use.

VI. HISTORIC PRESERVATION

The subject site is not located in an historic district.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

OP is not aware of comments from any other District agency.

VIII. COMMUNITY COMMENTS

ANC 6A submitted a letter to the record indicating that they voted to take no position on the application at this time. The Capitol Hill Restoration Society voted to support the application. The record also includes letters of support from the immediately adjacent neighbors, and signatures of support from other nearby owners.