

MEMORANDUM

FROM: Anne Fothergill, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: October 13, 2015

SUBJECT: BZA Case 19102, 4334 P Street, N.W. - request for special exception relief under § 223 to allow the construction of a rear screened porch addition to a single family dwelling at 4334 P Street NW

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 405.9 side yard (8 feet required, .7 feet proposed).

OP notes that the existing 4,428 SF property is nonconforming with respect to lot area and side yard.

II. LOCATION AND SITE DESCRIPTION:

Address:	4334 P St NW
Applicant	Gregg Solomon and Sarah Helmstadter
Legal Description:	Square 1324, Lot 0044
Ward:	3
Lot Characteristics:	The subject lot is triangular-shaped and slopes down toward the rear. The lot is the last one on a dead-end street and this house is adjacent to parkland on the east side. There is a shared driveway on the west side.
Zoning:	R-1-B – detached single family dwellings
Existing Development:	Detached single family dwelling, permitted in this zone
Historic District:	Foxhall Historic District
Adjacent Properties:	The subject property abuts NPS parkland at the east side and a detached single family house at the west. This block of 44 th Street dead ends at the park.
Surrounding Neighborhood Character:	The surrounding blocks and neighborhood are residential with detached and semi-detached dwellings.



III. PROJECT DESCRIPTION IN BRIEF

The applicants propose to construct a one-story 19' x 13' screened porch at the rear of the house with stairs to grade.

IV. ZONING REQUIREMENTS

R-+ Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	27 ft.	no change	none required
Lot Width (ft.) § 401	50 ft. min.	68.2 ft.	no change	none required
Lot Area (sq.ft.) § 401	5,000 sq.ft. min.	4,438 sq.ft.	no change	existing non-conformity; none required
Floor Area Ratio § 401	none prescribed			none required
Lot Occupancy § 403	40 % max.	21.8 %	29.5%	none required
Rear Yard (ft.) § 404	25 ft. min.	38 ft.	26.5 ft.	none required
Side Yard (ft.) § 405	8 ft. min.	3 ft.	.7 ft.	relief requested

¹ Information provided by applicant.

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 dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §§ 405.9 to construct a rear screened porch.

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 light and air available to neighboring properties should not be negatively impacted by this rear addition. The proposed side yard relief is requested for the east side of this triangle-shaped lot where there is currently a non-conforming three foot side yard. The proposed addition would be slightly inset from the existing side wall of the house. There is only one residential property that is adjacent to the subject property and it is located at the west side; the east side is NPS parkland (see map on page 2). The adjacent property owner on the west side has written a letter of support (see Exhibit 25). The abutting property owner at the east side, the National Park Service, has also submitted a letter stating they have no objection to the proposed addition (Exhibit 26).

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

The privacy of use and enjoyment of the adjacent property or any other neighboring properties should not be unduly compromised by the construction of this rear addition. The proposed small rear screened porch expansion of the subject property is in keeping with the general pattern of building footprint and rear yard open space on the block. Neighboring property owners have expressed support for the requested relief.

(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 be located entirely at the rear of the house, and staff confirmed with a site visit that it would not be visible from P Street. The proposed rear addition would not

substantially visually intrude upon the character, scale, and pattern of houses along the street frontage.

- (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 provided graphical representations, including site plans, architectural plans, and photographs to demonstrate the relationship of the proposed addition to adjacent buildings and views from public right-of-way.

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 is less than 30% and would not exceed fifty percent (50%).

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.

If granted, the relief requested would not permit the introduction or expansion of a nonconforming use.

VI. AGENCY COMMENTS

At the time of the staff report DDOT had not submitted comments.

The National Park Service submitted a letter of support (Exhibit 26).

The subject property is located within the Foxhall Historic District and the Historic Preservation Office will review this proposal.

VII. COMMUNITY COMMENTS

There are letters of support from adjacent and nearby neighbors at 4350 P Street and 1445 44th Street (Exhibits 13 and 25).

ANC 3D voted to support this proposal on October 7, 2015.