


## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

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

**DATE:** January 26, 2016

**SUBJECT:** BZA Case 19186 - request for special exception relief under § 223 for an extension of the front porch at 4925 41<sup>st</sup> Street, NW

### **I. OFFICE OF PLANNING RECOMMENDATION**

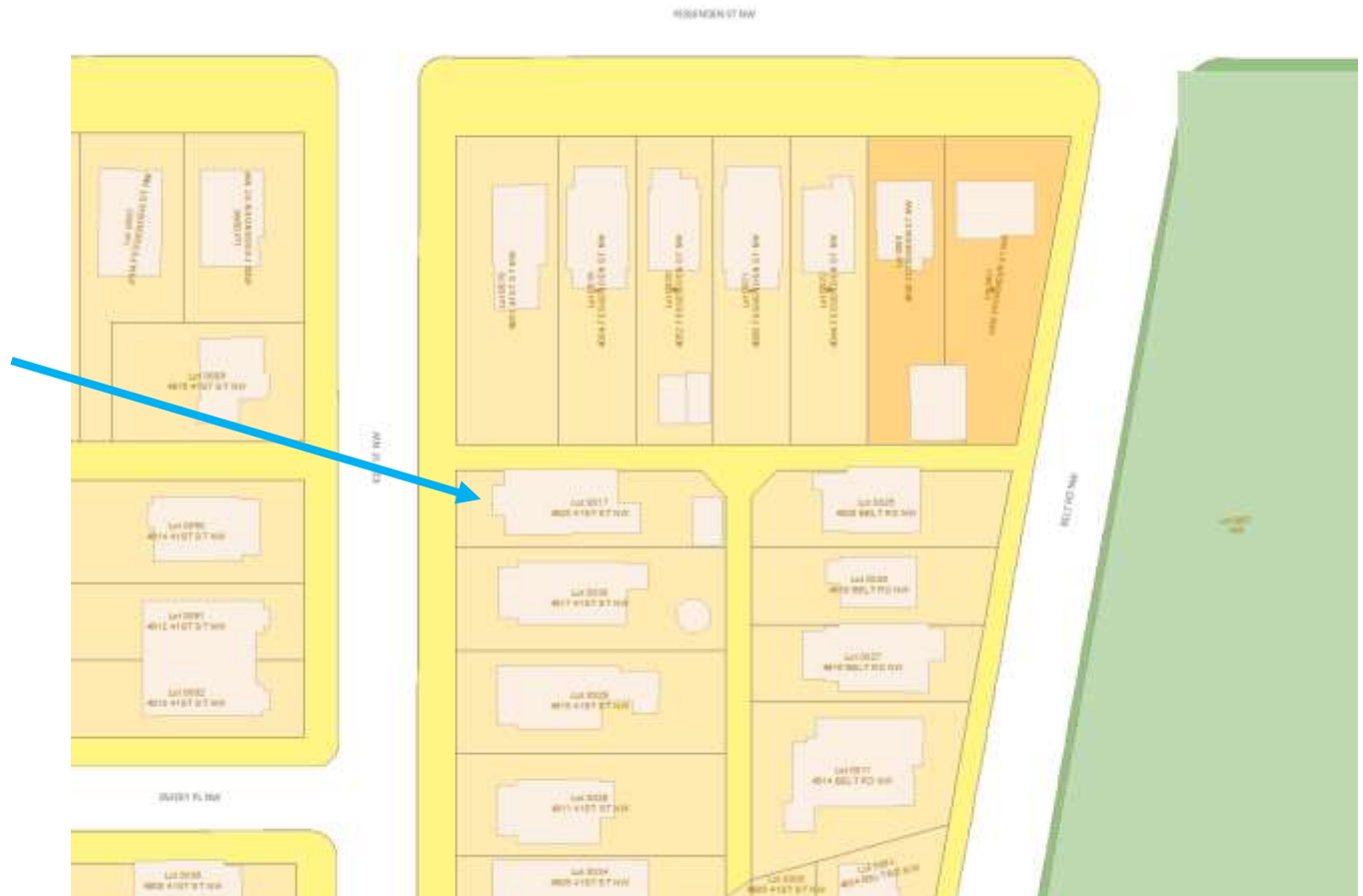
The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223 from the following requirements:

- § 403, Lot Occupancy (maximum 40 % allowed, 46% proposed); and
- § 2001.3, expansion of a nonconforming structure

to construct the proposed extension of the front porch at 4925 41<sup>st</sup> Street, N.W. The existing property is non-conforming for lot area, lot width, and side yard.

### **II. LOCATION AND SITE DESCRIPTION**

Address	4925 41 <sup>st</sup> Street, N.W.
Legal Description:	Square 1757, Lot 0017
Ward:	3/ANC 3E
Lot Characteristics:	The rectangular lot of approximately 3000 SF is adjacent to an alley to the north and another residential property to the south.
Zoning:	R-1-B – single family detached dwellings
Existing Development:	The lot is developed with a one-story single family detached dwelling.
Historic District:	N/A
Adjacent Properties:	The subject property is at the north end of a block of nine residential row dwellings fronting 41 <sup>st</sup> Street; across the alley to the north are properties that front Fessenden Street.
Surrounding Neighborhood Character:	The neighborhood is residential with primarily detached single family houses.



### III. PROJECT DESCRIPTION IN BRIEF

The owners are proposing to expand the existing eight foot wide front porch to a full width front porch.

### IV. ZONING REQUIREMENTS

<b>R-1-B Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed <sup>1</sup></b>	<b>Relief:</b>
Height (ft.) § 400	40 feet max.	15.5'	N/A	None required
Lot Width (ft.) § 401	50 ft. min.	30 ft.	no change	Existing non-conformity
Lot Area § 401	5,000 SF. (min.)	2,966 SF	no change	Existing non-conformity
Lot Occupancy § 403	40% max.	43%	46%	<b>Relief requested</b>
Side Yard § 405	8 ft. min.	6 feet	no change	Existing non-conformity

<sup>1</sup> 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.*

The subject application is for relief from § 403, Lot Occupancy, to permit an expansion of the front porch on a one-family row house within the R-1-B district.

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 the abutting and adjacent properties would not be unduly impacted. The proposed expansion is relatively small and limited to the front porch. The design shows an open porch with an open picket railing and the porch does not project any further into the front yard than the current porch. To the north there is an alley and beyond the alley is the rear of the abutting property, and due to the distance separating the two houses, the light and air of the house to the north should not be affected. The adjacent house to the south, which also has a wide front porch, should not have their light and air adversely affected by this addition. The neighbors directly to the south and across the street have submitted letters of support (Exhibit 10).

(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 compromised unduly beyond current conditions. The subject property currently has an 8 foot wide front stoop and the proposed full width expansion should maintain the privacy of adjoining neighbors. The houses on this block are detached with ample space between the houses. The proposed front porch will be consistent with many neighboring properties with front porches. The neighbors directly to the south and across the street have submitted letters of support (Exhibit 10).

(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 widened front porch, as viewed from the street and public alley, would not

substantially alter the character, scale and pattern of the houses. The proposed expanded full width front porch will remain consistent with the context of neighboring houses, many of which have front porches. The design of the front porch is in keeping with the design of the house and the character of the block.

- (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, photographs and elevations sufficient to represent the proposed porch expansion.

- 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 existing lot occupancy is 43% and the proposed lot occupancy is 46% and would not exceed the 50% maximum permitted under this Section.

- 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 does not suggest any additional screening for this project.

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

A permitted residential use would be continued on this property.

## **VI. AGENCY COMMENTS**

At the time of the staff report, no other agency comments had been submitted.

## **VII. COMMUNITY COMMENTS**

The applicant submitted letters of support from the adjacent neighbors to the south and the neighbors directly across the street (Exhibit 10).

The ANC voted to support the application for zoning relief at their February meeting but at the time of the staff report, the ANC had not yet submitted comments.