

## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Project Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** May 17, 2016

**SUBJECT:** BZA Case 19259 - Request for special exception review under § 3104.1 and § 223 for a one-story rear addition to a single family residence not meeting the lot occupancy requirement of § 403 and for the enlargement of a nonconforming structure, § 2001.3, at 3420 P Street, NW.

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

GIBLIN LLC requests special exception review pursuant to § 3104.1 and § 223 for a one-story rear addition to a single family residence not meeting the lot occupancy requirement of § 403 and for the enlargement of a nonconforming structure, § 2001.3, at 3420 P Street, NW.

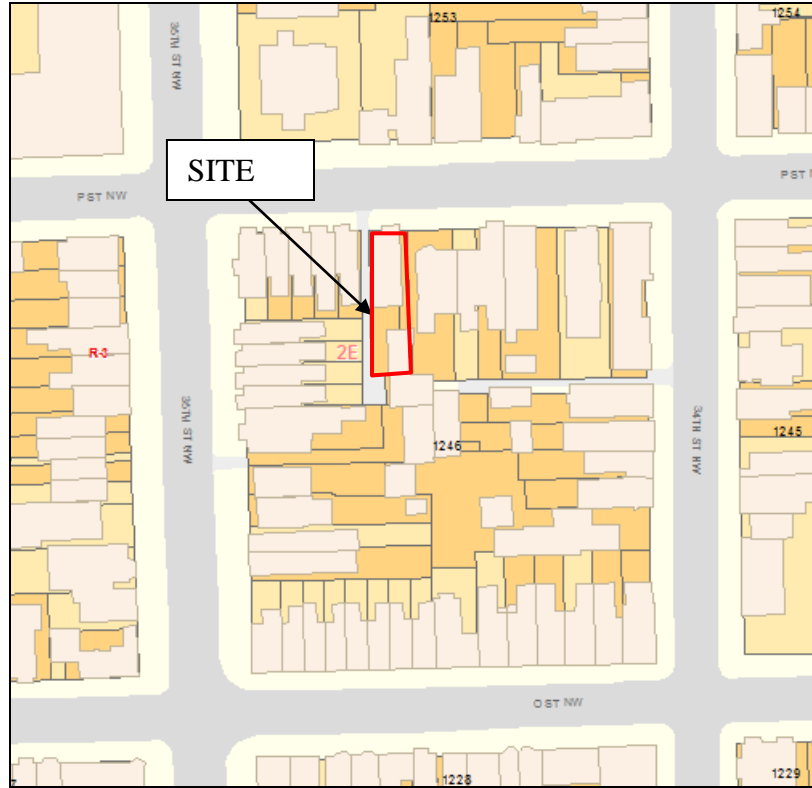
The Office of Planning (OP) recommends **approval** of the requested special exceptions, pursuant § 223, as follows:

- § 403, Lot Occupancy (maximum 70% allowed, 59% existing, 57% proposed); and
- § 2001.3, expansion of a nonconforming structure

The existing property is also non-conforming for lot area and lot width.

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

|                                     |   |
|-------------------------------------|---|
| Address                             | 3420 P Street, N.W.   |
| Legal Description:                  | Square 1246, Lots 866 and 867   |
| Ward/ANC:                           | 2/ANC-2E  |
| Lot Characteristics:                | The rectangular lots are fairly flat and have a combined area of 2,769 square feet. Lot 867 abuts a 10-foot alley to the west and a 20-foot alley.    |
| Zoning:                             | R-3 – single family detached dwellings  |
| Existing Development:               | The combined lots is developed with a three-story, single family, semi-detached dwelling and a three-bay garage.                                      |
| Historic District:                  | Georgetown Historic District  |
| Adjacent Properties:                | The subject property has two- or three-story rowhouses on all sides.  |
| Surrounding Neighborhood Character: | The neighborhood is generally residential, with a mixture of two and three story attached, semi-detached and detached houses and apartment buildings. |



Property Location



Front of House



Rear of House

### III. PROJECT DESCRIPTION IN BRIEF

The proposal is to add a one-story structure to the rear of the existing building to accommodate an expansion of the existing kitchen. Additionally, one of the garage bays would also be removed which would result in an expanded rear yard and the creation of a garbage storage area.

The existing basement entrance would be relocated and the open area on the east façade would be enclosed.

#### IV. ZONING REQUIREMENTS

| R-3 Zone            | Regulation                          | Existing        | Proposed <sup>1</sup>              | Relief                  |
|---------------------|-------------------------------------|-----------------|------------------------------------|-------------------------|
| Height § 400        | 40 ft./3 stories                    | 35.88/3 stories | 35.88/4 stories<br>Addition 16 ft. | None required           |
| Lot Width § 401     | 40 ft. min.                         | 28 ft.          | 28 ft.                             | Existing non-conformity |
| Lot Area § 401      | 4,000 sf. min.                      | 2,769 sf        | 2,769 sf                           | Existing non-conformity |
| Lot Occupancy § 403 | 40% max.<br>70% under § 223         | 59.5%           | 55.7%                              | <b>Relief requested</b> |
| Side Yard § 405     | 0 ft. and if<br>provided 8 ft. min. | 0 ft./7 ft.     | 0 ft./7 ft.                        | Existing non-conformity |
| Parking § 2101      | 1 space                             | 3 spaces        | 2 spaces                           | None required           |

#### 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 requests relief from § 403, Lot Occupancy, to permit an expansion to the building by the addition of a one-story addition on the rear of the one-family house within the R-3 district. Thus, combined with the removal of a portion of the garage results in a reduction of the lot occupancy, but it exceeds the by-right permitted 40%.

*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 appear to be unduly impacted. The proposed expansion is relatively small, 140 square feet, and limited to the rear of the house. The design shows that the existing rear wall of the house extends beyond that of the adjacent houses to the east and west. In addition, the extension would be separated from the

<sup>1</sup> Information provided by applicant.

property to the west by a 10-foot wide alley. Separation from the property to the east would be approximately seven feet on the subject property and an additional three feet on the adjacent property. The applicant has provided shadow studies which show that the shadows (Exhibit 29) from the addition would have minimal effect on the light to the adjacent properties to the east and west.

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

The building to the west has only one window on the façade along the alley while the house to the east has no windows on the façade adjacent to the subject property. There would be no direct views into either building from the proposed addition. Views into the adjacent rear yards would be minimized by the existing fences separating the properties. The privacy of use and enjoyment of neighboring properties should not be compromised unduly beyond current conditions.

(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 rear addition would not be visible from P Street, but would be visible from the public alley. The addition would only extend the house an additional seven feet along the alley. The addition has been designed to look like an enclosed, one story porch similar to other rear additions and would be of wood siding with no windows along the alley façade. The design and material of the addition would be similar to other rear additions in the area. The proposed addition was reviewed by the Commission of Fine Arts (CFA) and given concept approval. Final approval is reserved for review at the time of Building Permit.

(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 59% and the proposed lot occupancy would be reduced to 57% which would be within the 70% 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.*

Residential use would be continued on this property.

## **VI. AGENCY COMMENTS**

A report will be submitted by the Department of Transportation (DDOT) under separate cover.

## **VII. HISTORIC PRESERVATION**

The property is within the Georgetown Historic District and also within the US Commission of Fine Arts area. The proposed addition was reviewed by the Commission of Fine Arts and given concept approval (Exhibit 30). Final approval would be given at the time of Building Permit review.

## **VIII. COMMUNITY COMMENTS**

The property is within ANC-2E. At its May 2, 2016 meeting, ANC-2E voted not to support the application (Exhibit 24.) There are two requests for party status in opposition (Exhibits 22 and 25).