

**MEMORANDUM**

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

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

**DATE:** July 5, 2016

**SUBJECT:** BZA #19284 – Expedited request pursuant to 11 DCMR § 3118 for special exception relief under § 223 to construct an addition to an existing single family detached dwelling at 5318 Reno Road, NW

**I. RECOMMENDATION**

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

- § 406, Open Court Width (6’ required, 6.5’ proposed).

**II. BACKGROUND**

In 2014 permits were issued for an addition to the existing house, and the addition was constructed. According to the applicant, the permit was issued with the understanding that the applicant would seek zoning relief for a non-compliant court – the open space between the addition and the garage. OP has questioned whether this space is technically a “court”, but if so, it appears to meet the court size requirement. However, OP was not able to confirm this with the Zoning Administrator’s office, so has provided the relevant analysis. If the Board determines that relief is necessary, OP would fully support that relief.

**III. SITE AND AREA DESCRIPTION**

Address	5318 Reno Road, NW
Applicant	Nancy Taggart and John Furlow, owners and residents
Legal Description	Square 1752, Lot 23
Ward / ANC	3, 3E
Zone	R-1-B – detached single family dwellings
Historic District	None
Lot Characteristics	Triangular lot at the intersection of Reno Road and 41 <sup>st</sup> Street, NW; Long property lines are approximately 200’ long; Short property line is approximately 81 feet.

Existing Development	Detached house with detached garage both fronting on Reno Road; Existing addition constructed in 2014 pursuant to approved permits between house and garage, with 6.5' between addition and garage.
Adjacent Properties	Detached houses to the south, east and north; rowhouses to the west
Surrounding Neighborhood Character	Mostly single family detached residential
Proposed Development	Application is for an addition that was already constructed pursuant to approved permits

#### IV. ZONING REQUIREMENTS AND RELIEF REQUESTED

R-1-B	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max. 3 stories max.	25.3' 2 stories	25.7' 2 stories	Conforming
Lot Width § 401	50 ft. min.	~200 ft.	No change	Conforming
Lot Area § 401	5,000 sq.ft. min.	7,552 sq.ft.	No change	Conforming
Lot Occupancy § 403	40% max.	15%	21%	Conforming
Rear Yard § 404	25 ft. min.	12.7'	~6'	Potentially nonconforming – relief not requested
Side Yard § 405	8 ft. min.	South – 6.6' North – ~35'	No change No change	Existing Nonconforming Conforming
<b>Open Court Width § 406</b>	<b>6 ft. min.</b>	<b>25.3'*</b>	<b>6.5'</b>	<b>ZA has determined that relief is required</b>

\* If the area between the house and the garage is considered a court.

#### 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.*

Single family detached dwellings are a permitted use in this zone. The applicant is requesting special exception relief under § 223 from the requirements of § 406, Open Court Width.

*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 should not be unduly affected. The addition would add mass to the side of the building, but it would be on the north side of the structure and would cast shadow predominantly on the subject property. The significant amount of open space around the dwelling would ensure that air flow remains adequate to nearby properties.

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

The privacy of nearby properties would not be impacted by the addition. The property is buffered by Reno Road and 41<sup>st</sup> Street, and this and nearby properties have a significant amount of open space and landscaping. The impact on the privacy on the adjacent property would be no greater than the existing condition.

(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 not intrude on the character of the street. The house would not be out of scale with other houses. Other homes have a variety of architectural styles, and the addition to this house would be restrained in appearance.

(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 plans and photos that demonstrate the extent 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 lot occupancy of the structure would be 21%.

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.*

The Office of Planning 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 use would continue to be a single family residential dwelling.

## **VI. COMMUNITY COMMENTS**

As of this writing OP has received no comments from the community.