

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: July 12, 2016

SUBJECT: BZA Case 19295 – 1363 Rittenhouse Street, NW – Special Exception relief pursuant to § 223 in order to construct a rear deck

I. RECOMMENDATION

With regards to this proposal to construct a deck, the Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

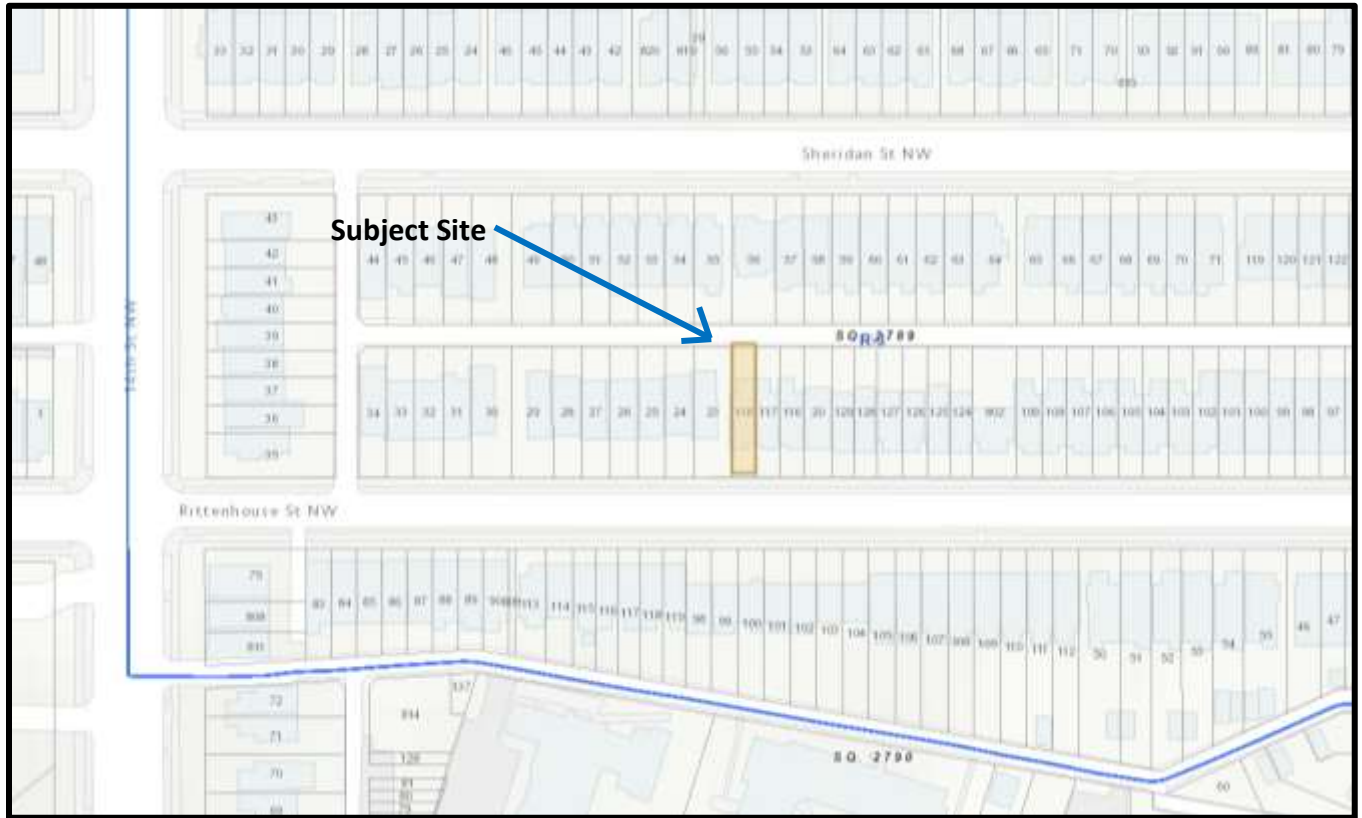
- § 403, Lot Occupancy (54% existing, 60% allowed, 63% proposed);
- § 404, Rear Yard (24’ existing, 20’ minimum, 15.5’ proposed).

II. LOCATION AND SITE DESCRIPTION

Address	1363 Rittenhouse Street, NW
Legal Description	Square 2789, Lot 118
Ward and ANC	4, 4A
Lot Characteristics	Rectangular rowhouse lot – 17.25’ x 92’; 16’ alley at rear; Slopes down from Rittenhouse to the alley
Zoning	R-3 – single family rowhouse
Existing Development	Two-story rowhouse with cellar
Historic District	None
Adjacent Properties	Property to the west is a semi-detached dwelling with a yard adjacent to the subject property; Rowhouse to the east is a mirror image of the subject site
Surrounding Neighborhood Character	Mix of rowhouses, detached houses and apartment buildings

III. PROJECT IN BRIEF

Applicant	Michael Maddox, owner
Proposal	Construct a deck at the rear of the house
Requested Relief	§223 - Additions to a One-Family Dwellings or Flats



IV. ZONING REQUIREMENTS

R-3	Requirement	Existing	Proposed	Relief
Height (§ 400)	40', 3 stories	Not provided	No change	Assumed Conforming
Lot Area (§ 401)	2,000 sf	1,587 sf	No change	Existing Nonconforming
Lot Width (§ 401)	20'	17.25'	No change	Existing Nonconforming
Lot Occupancy (§ 403)	60%	54% (859.9 sf)	63% (992.8 sf)	Requested
Rear Yard (§ 404)	20'	24'	15.5'	Requested
Side Yard (§ 405)	None required	None	No change	Conforming

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 existing use of a single family dwelling would be maintained. The applicant proposes to add a deck to the rear of the existing dwelling. In order to build as proposed, the application requests special exception relief under § 223 from the requirements of § 403, Lot Occupancy, and § 404, Rear Yard.

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. The proposed deck is to the north of the adjacent dwellings, so would not block their sunlight. The shadow cast by the deck should not be substantially more than what is already cast by the subject property, and would fall mostly on the property. A small amount of additional morning and evening shadow could be cast on the properties to the west and east, respectively, though based on aerial photo evidence it seems that much of their rear yards are already in shadow during those times due to the existing dwellings. The flow of air to neighboring properties would not be significantly impacted.

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

The proposed deck would allow greater use of the rear of the subject property, but the impact to privacy of nearby residences should not be unduly compromised, and should be maintained to a degree to be expected in rowhouse neighborhoods.

(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 deck would not be out of character with the rowhouse neighborhood. It is typical in the city that rowhouses have decks, and in this square there are a number of homes with rear decks. The deck should not increase the apparent mass or volume of the subject property.

- (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 deck 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 63%.

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. COMMENTS OF OTHER DISTRICT AGENCIES

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

VII. COMMUNITY COMMENTS

As of this writing OP has not received any comments from the community.