

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Brandice Elliott, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: September 13, 2016

SUBJECT: BZA Case 19335 - expedited request pursuant to DCMR Subtitle Y § 401 for special exception relief under Subtitle E § 5201 to construct an addition to an existing row dwelling at 181 Uhland Terrace, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to Subtitle E § 5201.1:

- C § 201, Additions to Nonconforming Structures
- E § 304.1, Lot Occupancy (60% maximum, 65.45% proposed); and
- E § 306.1, Rear Yard (20 feet required, 8.83 feet provided).

II. LOCATION AND SITE DESCRIPTION:

Address:	181 Uhland Terrace, N.E.
Applicant:	Aaron and Stephanie Johnson
Legal Description:	Square 3535E, Lot 97
Ward/ANC:	5/5E
Zone:	RF-1 – Residential Flats
Historic District or Resource:	Not applicable
Lot Characteristics:	The rectangular corner lot is 1,330 square feet in area, with 19 feet of frontage along Uhland Terrace. The rear of the lot abuts a 10 foot wide public alley. The east side of the lot abuts public space adjacent to Second Street.
Existing Development:	The lot is currently developed with a row dwelling.
Adjacent Properties:	The subject property is located is a residential neighborhood, and all adjacent properties are zoned RF-1 and predominantly developed with row dwellings. There are existing apartment houses located on the east side of Second Street.

Surrounding Neighborhood Character	The surrounding neighborhood character is moderate density residential, consisting primarily of row dwellings and some apartment houses. The nearest commercial corridor is Rhode Island Avenue, and the site is located approximately 0.6 miles from the Rhode Island Metro Station.
Proposed Development	The proposal consists of a two story addition at the rear of the dwelling, approximately 10 feet in depth and 19 feet in length. The existing sunroom would be removed and replaced with the larger addition, which increases the lot occupancy and reduces the rear yard. The front elevation would remain unchanged, preserving the existing architectural elements on the front and side façades, as well as the front porch with nonconforming courts. A below-grade garage accessible from the public alley would also be constructed; however, the applicant has confirmed with DCRA that additional relief for the garage would not be necessary.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed ¹	Relief:
Lot Width (ft.) § 201	18 ft. min.	19 ft.	19 ft.	None required
Lot Area (sq.ft.) § 201	1,800 sq.ft. min.	1,330 sq.ft.	1,330 sq.ft.	Existing nonconforming
Court § 203	6 ft. min.	0.67 ft. 6.08 ft.	0.67 ft. 6.08 ft.	Existing nonconforming (Front Porch)
Height (ft.) § 303	35 ft. max.	31.83 ft.	31.83 ft.	None required
Lot Occupancy § 304	60% max.	58.75%	65.45%	Required
Rear Yard (ft.) § 306	20 ft. min.	13.83 ft.	8.83 ft.	Required

IV. OP ANALYSIS:

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

5201.1 The Board of Zoning Adjustment may approve as a special exception in the RF zones, relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9.

¹ Information provided by applicant.

- (a) *Lot Occupancy;*
- (b) *Yards;*
- (c) *Courts;*
- (d) *Minimum lot dimensions;*
- (e) *Pervious surface; and*
- (f) *The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.*

The applicant has requested relief consistent with this section that includes lot occupancy, rear yard, and additions to nonconforming structures.

5201.2 Special exception relief under this section is applicable only to the following:

- (a) *An addition to a residential building;*
- (b) *A new or enlarged accessory structure that is accessory to such a building; or*
- (c) *A reduction in the minimum setback requirements of an alley lot.*

The applicant has requested special exception relief for a rear addition to an existing row dwelling, which is qualified under this section.

Lot Occupancy, Rear Yard, Court

5201.3 An applicant for special exception under this section shall demonstrate that 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 to neighboring properties should not be unduly affected as a result of the proposed addition. The current sunroom would be removed from the dwelling and replaced with an addition of a slightly larger footprint. The proposed addition would extend less than five feet beyond the existing enclosed sunroom, and a separation of approximately 35 feet would be provided between the addition and the edge of the building to the south, located on the other side of the public alley.

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

The proposed addition should not compromise the privacy of use and enjoyment of neighboring properties. While side setbacks are not required in the RF-1 District, the proposed addition would not provide windows on the west building elevation to ensure the privacy of the neighbor. In addition, the structure would be fully enclosed as livable space, keeping noise pollution to a minimum.

- (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 should not substantially visually intrude upon the character, scale and pattern of row dwellings along the street frontage. Uhland Terrace is defined by row dwellings that are

approximately 2.5 stories in height, and the proposed addition would not increase the height of the structure. The addition would be obscured from Uhland Terrace by the existing dwelling, but would be visible from 2nd Street and the public alley. The addition would be constructed of hardiplank, similar to other additions on the block, and the east and south building elevations would consist of windows with details similar to those found elsewhere on the dwelling. While the addition would be visible from 2nd Street and the public alley, the applicant has continued elements original to the dwelling to the modified elevations, ensuring that the addition is consistent with 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 plans, photographs, elevations, and sections sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

- (e) *The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%).*

The applicant has proposed a lot occupancy of 65.45%, which is less than the maximum of 70% permitted by this section.

5201.4 The Board of Zoning Adjustment 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 recommend special treatment of the proposed addition.

5201.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.

The structure would continue to be used as a single dwelling unit, which conforms to the uses permitted in the RF-1 District.

5201.6 This section shall not be used to permit the introduction or expansion of a nonconforming height or number of stories as a special exception.

The proposed height and number of stories would comply with the development regulations for the RF-1 District, which is 35 feet of height and up to three stories.

V. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this writing, comments from other District Agencies had not been received.

VI. COMMUNITY COMMENTS

As of the date of this writing, comments from neighbors and the ANC have not been received by OP. The applicant should provide an update regarding efforts made to inform the community.

Location Map

