

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: June 30, 2017
SUBJECT: BZA Case 19529 - request for special exception relief under Subtitle E § 5201 to permit a two-story rear and side addition in the RF-1 zone at 1108 South Carolina Avenue SE.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle E § 5201:

- E § 202.2, addition to a nonconforming structure; and
- E § 304.1, lot occupancy (60% permitted, 64% existing, and 69.2% proposed).

OP also recommends **approval** of special exception relief from Subtitle E § 206.1 pursuant to Subtitle E § 5203 to permit removal of the porch roof.

II. LOCATION AND SITE DESCRIPTION

Address:	1108 South Carolina Avenue SE
Applicant:	Jennifer Fowler, Agent on behalf of William Flens, Owner
Legal Description:	Square 990S, Lot 8
Ward / ANC:	6 / 6B
Zone:	RF-1 – detached, attached, semi-detached, single-family dwellings and flats.
Historic District	Capitol Hill Historic District
Lot Characteristics:	Irregularly shaped lot. The lot is bounded by South Carolina Avenue SE to the south, a 4-foot wide improved public alley to the west, and adjoining lots to the north and east.
Existing Development:	The property is improved with an existing two-story single-family semi-detached dwelling, which is permitted in the RF-1 zone.
Adjacent Properties:	The adjacent property to the east at 1110 South Carolina Avenue SE is also improved with a residential row dwelling.
Surrounding Neighborhood Character:	The surrounding neighborhood is residential in character.

Proposed Development:	The Applicant is proposing to construct a two-story rear addition and to replace the existing side porch with a two-story addition that features covered porches at the first and second floors.
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III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed ¹	Relief
Lot Width (ft.) E § 201	18 ft. min.	26 ft. – 12 ft.	26 ft. – 12 ft.	Existing nonconforming
Lot Area (sq. ft.) E § 201	1,800 sq. ft. min.	1,100 sq. ft.	1,100 sq. ft.	Existing nonconforming
Lot Occupancy E § 304	60% max.	66%	69.2%	Requested 9.2%
Rear Yard (ft.) E § 306	20 ft. min.	21.46 ft.	21.46 ft.	None required
Side Yard (ft.) E § 307	None required, but 5 ft. min. if provided	N/A	N/A	None required
Court E § 203	2.5 in./1 ft. height min.	N/A	N/A	None required
Height E § 303	35 ft. max.	27.83 ft.	27.83 ft.	None required

IV. OP ANALYSIS:

Subtitle E Chapter 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 The Board of Zoning Adjustment may approve as a special exception in the R 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:

- (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 is requesting relief from the lot occupancy and addition to nonconforming structures provisions.

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

¹ Information provided by applicant.

(c) *A reduction in the minimum setback requirements of an alley lot.*

The Applicant is proposing to construct a two-story rear addition and to replace the existing side porch with an addition that features covered porches at the first and second levels.

5201.3 *An applicant for special exception under this section shall demonstrate that the proposed 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 adjoining two-story row dwelling at 1110 South Carolina Avenue SE extends beyond the proposed addition at the subject property. The subject property is bordered by an improved alley to the west, which forms a border between the subject property and the properties in Square 990S that front on 11th Street SE. The proposed addition would not rise above the existing structure and at 27.83 feet in height would be five (5) feet below the neighboring property at 1110 South Carolina Avenue SE.

The Applicant is also proposing to replace the existing side porch with an addition featuring covered porches at the first and second levels. The side addition and covered porches would be setback from the front façade and would match the height of the existing building. The side addition would abut the alley to the west of the property.

Therefore, the proposed additions should not unduly affect the light and air available to neighboring properties.

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

The proposed rear addition would replace an existing one-story addition at the subject property and would maintain the same depth, but would increase in width. The proposed rear addition would not extend beyond the adjoining row dwelling at 1110 South Carolina Avenue SE. The proposed side addition would be setback from the front façade and would be directly adjacent to a public alley. The proposed additions would not feature windows. Therefore, the privacy of use and enjoyment of neighboring properties should not be unduly compromised.

(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;*

The proposed additions would be visible from the alley, but should not substantially visually intrude on the character, scale, and pattern of houses in Square 990S. The Square is densely developed and features a variety of architectural styles and materials. The adjoining property at 324 11th Street SE features a two-story porch that faces South Carolina Avenue SE.

The Historic Preservation Review Board (HPRB) will review the proposed project at its July 27, 2017 meeting.

(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; and*

The applicant has submitted elevations, floor plans and photographs that illustrate the proposed

addition and its surroundings.

- (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 lot occupancy with the proposed addition would be 69.2%.

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.

No special treatment or conditions are recommended.

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

The proposed additions would not permit the introduction or expansion of a nonconforming use. The property is used and would continue to be used as a single-family dwelling, which is permitted in the RF-1 zone.

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

The proposed additions would not exceed the maximum permitted height of 35 feet. The Applicant is proposing additions that meet the existing roofline, which measures 27.83 feet in height.

Subtitle E Section 206

Subtitle E § 206.1(a) states that “A roof top architectural element original to the building such as cornices, porch roofs, a turret, tower, or dormers, shall not be removed or significantly altered, including shifting its location, changing its shape or increasing its height, elevation, or size. For interior lots, not including through lots, the roof top architectural elements shall not include identified roof top architectural elements facing the structure’s rear lot line. For all other lots, the roof top architectural elements shall include identified rooftop architectural elements on all sides of the structure.” In this case, the applicant intends to remove and replace a porch roof. The Board may grant a special exception to the requirements of Subtitle E § 206, subject to the conditions of Subtitle E § 5203.1(b), (c), and (d).

- (b) *Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;*

The proposed porch addition would be located on the west side of the existing semi-detached dwelling, adjacent to the alley, and would not block or impede the functioning of a chimney or other external vent on an adjacent property.

- (c) *Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator;*

There is no solar energy system, existing or permitted, on the adjacent property at 1110 South Carolina Avenue SE.

- (d) *A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size;*

The Applicant is proposing to remove the existing porch on the west side of the house and to replace it with a two-story addition with a street-facing two-story porch. The existing porch does not feature original or decorative features and the roof has been modified over time to include an open deck and railings, which were not an original feature of the house. The proposed two-story addition with decks would be designed to match the architecture and detailing of the house.

V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been received at the time this report was drafted.

VI. COMMUNITY COMMENTS

The Applicant provided letters in support from the adjoining property owners at 1110 South Carolina Avenue, 320 11th Street, and 324 Street 11th SE (Exhibits 27-29).

ANC 6B voted 5-0-3 at its June 13, 2017 regularly scheduled meeting to support the requested special exception relief (Exhibit 30).

The Capitol Hill Restoration Society voted to support the Applicant's request for special exception relief from Subtitle E §§ 202.2 and 304.1 to increase the lot occupancy to construct the rear and side additions (Exhibit 31).

Attachment: Location Map



Figure 1: Location Map, 1108 South Carolina Avenue SE