

**MEMORANDUM**

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

**FROM:** Stephen J. Mordfin, AICP, Case Manager

*JL* Joel Lawson, Associate Director Development Review

**DATE:** February 23, 2018

**SUBJECT:** BZA Case No. 19693 (128 17<sup>th</sup> Street, N.E.), to construct a rear addition to a row house

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception:

- E § 205.5, Rear Wall Extension (maximum 10 feet permitted, 15 feet, 8 inches proposed).

**II. LOCATION AND SITE DESCRIPTION**

Address	128 17 <sup>th</sup> Street, N.E.
Applicant	Eman Amirian
Legal Description	Square 1083, Lot 56
Ward, ANC	Ward 6, ANC 6A
Zone	RF-1
Lot Characteristics	Rectangular corner lot with no alley access. The rear of the lot is utilized as a private alley for access to rear of other lots within the square.
Existing Development	One-family row house with rear deck
Adjacent Properties	North, South and West: Row houses East: Across 17 <sup>th</sup> Street, high school athletic fields
Surrounding Neighborhood Character	Mixture of low to moderate density residential uses and schools
Proposed Development	Removal of rear deck and construction of two-story rear addition

**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

<b>Zone: RF-1</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Height E § 303.1	35- foot max.	30.67 feet	30.67 feet	None Required
Lot Width E § 201.1	18-foot min.	18.38 feet	18.38 feet	None Required
Lot Area E § 201.1	1,800 sq.ft.	1,470 sq.ft.	1,470 sq.ft.	None Required
Lot Occupancy E § 304.1	60%	41.3%	60%	None Required
Rear Yard E § 306.1	20 feet	47 feet	32 feet	None Required
Rear Wall Extension E § 205.5	10-foot max.	N/A	15 feet, 8 inches	<b>REQURIED</b>
Parking C § 702.3(a)	None <sup>1</sup>	None	None	None Required

**IV. OFFICE OF PLANNING ANALYSIS**

**Special Exception Relief pursuant to E § 205.5, Rear Wall Extensions**

- i. A rear wall of an attached or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any principal residential building on an adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle E §§ 5201.3 through 5201.6.**

**5201.3 An application 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 compromised;**

The subject property is an end-unit row house at the northern end of a row of attached dwellings. Light and air to adjacent properties would not be negatively affected.

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

The subject property abuts one row house to the south, and the existing deck on the rear of the subject property abuts the rear yard of that row house. The proposed building addition would eliminate the deck on the subject property and replace it with a two-story addition that would block visibility into the rear yard of the adjoining row house to the south. The existing rear windows on the rear of the subject property would be covered over and there would be no new windows on the south side of the building addition facing into the adjoining rear yard.

- (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;**

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<sup>1</sup> No parking is required in the RF zone if there is no access to an open, improved public alley at least ten feet in width.

The addition would be equal in height to the existing building. As viewed from Constitution Avenue the addition would extend the dwelling westward along that frontage. The new deck at the rear would be like others within the neighborhood.

**(d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such 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 submitted plans, elevations and photographs adequately representing 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 application requests a lot occupancy of 60 percent, equal to the maximum permitted as a matter-of-right within the RF-1 zone.

**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 makes no recommendations for special treatment.

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

The application is to permit the expansion and continued use of a one-family row house within a zone where the use is permitted as a matter-of-right.

**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 proposal is permit a three-story, 30.67-foot high building, equal to or not more than the maximum three-story, 35-foot high height limit permitted within the RF-1 zone.

## **V. COMMENTS OF OTHER DISTRICT AGENCIES**

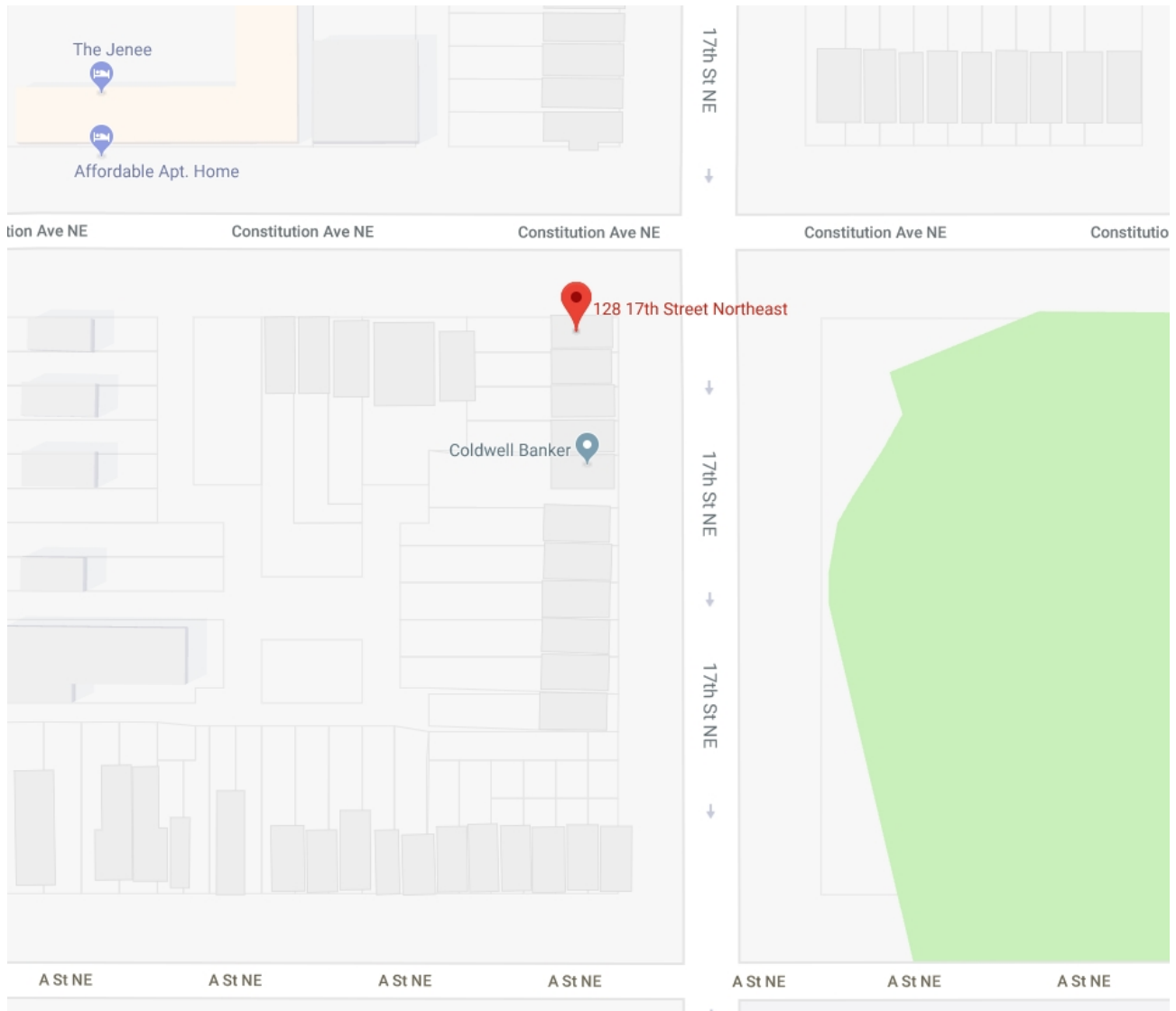
No comments were received from other District agencies.

## **VI. COMMUNITY COMMENTS**

ANC 6A, at its regularly scheduled meeting of January 11, 2108, voted to support the application (Exhibit 32).

Two community residents submitted letters in support of the application.

Attachment: Location Map



Source: Google Maps