


MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen J. Mordfin, Thomas, Case Manager
 Joel Lawson, Associate Director Development Review

DATE: June 21, 2019

SUBJECT: BZA Case 20043 - Expedited request for special exception relief to construct a rear deck addition to an existing one-family detached dwelling at 4505 Foxhall Crescent, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- Rear Yard: Subtitle E § 306.1 (25-foot minimum required, 18.5 feet existing, 18.5 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address	4505 Foxhall Crescent, N.W.
Applicant	Antonio Monteiro
Legal Description	Square 1397, Lot 851
Ward, ANC	Ward 3, ANC 3D
Zone	R-1-A
Lot Characteristics	Fan shaped property within a theoretical subdivision, with access from a private street and no alley access
Existing Development	Two-and-one-half story one-family detached dwelling
Adjacent Properties	All adjacent properties are developed with one-family detached dwellings
Surrounding Neighborhood Character	Low-density residential neighborhood
Proposed Development	Second-floor master-bathroom addition cantilevered out over the rear patio

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1-A Zone	Regulation	Existing	Proposed	Relief
Height D § 303	3 stories	2.5 stories	2.5 stories	None Required
Lot Width D § 302	75-foot min.	130.9 feet	130.9 feet	None Required
Lot Area D § 302	7,500 sf. min.	7,514 sq.ft.	7,514 sq.ft.	None Required
Lot Occupancy D § 304	40% max.	21%	22%	None Required
Rear Yard D § 306	25-foot min.	18.5 feet	18.5 feet	REQUIRED
Side Yard D § 206	8-foot minimum	44 feet	39 feet	None Required
Parking C § 701	1 space per dwelling	2 spaces	2 spaces	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 special exception relief under E § 5201 from the minimum rear yard requirement of D § 306.

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 proposed bathroom is an addition to an existing residential building.

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 proposed addition would maintain the existing rear yard of 18.5 feet, expanding the width of the second floor by approximately ten feet on a lot in excess of 7,500 square feet in area. Located on the south side of the dwelling and cantilevered over the

subject property's rear patio, light and air to neighboring properties should not be affected.

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

The proposed addition would add a bathroom window facing the patio approximately 35 feet from side lot line of the subject property, in place of an existing larger window in generally the same location. Therefore, privacy and use 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 addition would not be visible from any public or private streets, or alleys.

- (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 submitted photographs, plans, elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent building to adjacent properties.

- (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 proposes a lot occupancy of 22 percent, less than the maximum 70 percent permitted by special exception.

- 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 recommendation for special treatment.

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

Use of the property would remain as a one-family detached dwelling a permitted use permitted as a matter-of-right within the R-1-A 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.*

No changes to either the height or number of stories to existing structure are proposed.

V. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT, in a memorandum dated June 4, 2019, stated that it had no objection to the application. (Exhibit 32)

No other comments from other District agencies were submitted to the record as of the date of the filing of this report.

VI. COMMUNITY COMMENTS TO DATE

The Foxhall Crescents Homeowners Association, at a special meeting of the association, voted to approve the application at its meeting on January 19, 2019. (Exhibit 4)

ANC 3D, at its regularly scheduled meeting of June 12, 2019, voted to support the application. (Exhibit 36)

No other comments were submitted to the file

Attachement: Location Map

