

## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, Case Manager  
*JS* Joel Lawson, Associate Director Development Review  
**DATE:** October 4, 2019

**SUBJECT:** BZA Case 20126: Request for special exception relief pursuant to Subtitle D § 5201.1 from D § 1206.4 to permit a three-story rear addition which extends more than 10 feet beyond the rear wall of an adjacent dwelling

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### **I. OFFICE OF PLANNING RECOMMENDATION**

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

- D § 1206.4 (max. 10 feet permitted, 16 feet existing; 28 feet proposed).

### **II. LOCATION AND SITE DESCRIPTION**

Address	1614 34 <sup>th</sup> Street, N.W.
Applicant	Chad Clark
Legal Description	Square 1277, Lot 204
Ward, ANC	Ward 2, ANC 2E
Zone	R-20
Historic District	Georgetown
Lot Characteristics	Rectangular lot with rear alley access
Existing Development	Row house with detached garage
Adjacent Properties	Row houses
Surrounding Neighborhood Character	Moderate density residential
Proposed Development	Three-story rear addition

### III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-20 Zone	Regulation	Existing	Proposed	Relief
Height D § 303	35-foot max.	36 feet	35 feet <sup>1</sup>	None Required
Lot Width D § 302	30-foot min.	16.66 feet	16.66 feet	None Required
Lot Area D § 302	3,000 sq.ft. min.	2,499 sq.ft.	2,499 sq.ft.	None Required
Lot Occupancy D § 304	60% max.	47%	55%	None Required
Rear Yard D § 1206.2	20-foot min.	91.5 feet	79.5 feet	None Required
Adjoining Rear Wall D § 1206.3	10-foot min. beyond	16 feet	28 feet	<b>REQUIRED</b>
Parking C § 701	1-space min.	1 space	1 space	None Required

### IV. OP ANALYSIS

#### Subtitle D 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 requests relief from rear yard to permit the rear wall of the subject property to extend more than ten feet beyond the rear wall of an adjoining residence.

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

- (a) An addition to a building with only one (1) principal dwelling unit; or*

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<sup>1</sup> Height of proposed building addition. Existing structure is 36 feet in height.

*(b) A new or enlarged accessory structure that is accessory to such a building.*

Relief is requested to permit an addition to a building with one principal dwelling unit.

*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;*

Light and air should not be adversely affected. Although the building addition would extend the rear wall from 16 to 28 feet beyond the rear wall of the dwelling to the south, any impact would be minimized as the subject property is located to the north of the affected property. The rowhouse to the north extends into the rear yard an amount similar to that proposed on the subject property, minimizing potential impacts.

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

The proposed addition would not unduly affect the use and enjoyment of the neighboring property to the south as the proposed building addition would have no windows or doors opening onto the adjacent lot to the south, the lot from which the applicant requests relief, minimizing its impact on the lot to the south.

*(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 addition would not be visible from the public street as it would be at the rear of the existing three-story house. It also would not substantially visually intrude upon the scale, character or pattern of houses along the public alley as it would be similar in size to the adjacent building to the north. The existing garage and vegetation on the subject property would further screen the addition from the alley. Relief requested would permit the subject dwelling to extend deeper into the rear yard than those that are located to the south on shorter lots within the square, maintaining a consistent relationship between depth of the rear yard and the depth of the dwellings along the alley within the square south 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; and*

The application includes plans, photographs and elevation drawings sufficient to represent the proposed addition to adjacent buildings and views from public ways.

*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.*

The subject application would not result in the introduction or expansion of a nonconforming use.

*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 subject application would not result in the introduction or expansion of nonconforming height or number of stories.

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

No comments were received from other District agencies as of the date of the filing of this report.

## **VI. COMMUNITY COMMENTS TO DATE**

ANC 2E, at its regularly scheduled meeting on September 3, 2019, voted to support the application. (Exhibit 33)

Letters from the adjacent property owners to the north and south were submitted to the file. (Exhibits 10 and 11)

**Location Map**

