



## MEMORANDUM

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

**FROM:** Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

**DATE:** December 7, 2010

**SUBJECT: BZA Case 18150** - Request for Special Exception relief under § 223 for the extension of an existing deck at 4626 Charleston Terrace, NW.

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

The Office of Planning (OP) recommends **approval** of the requested special exception review pursuant to §223, to permit the extension of a rear deck at 4626 Charleston Terrace, NW. The proposal would increase the lot occupancy (Section 403) from 38.4% to 42.5% and the rear yard (Section 404) from 25 feet to between 18.5 feet and 20 feet.

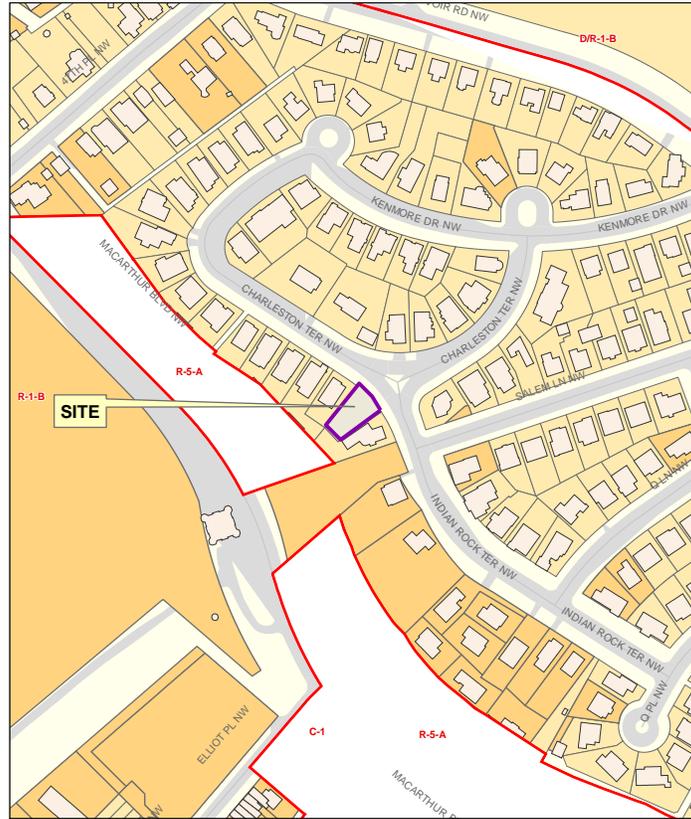
### **II. LOCATION AND SITE DESCRIPTION**

Address:	4626 Charleston Terrace, NW
Legal Description:	Square 1368, Lot 57
Ward:	Ward 3, ANC- 3D
Lot Characteristics:	The property is irregularly shaped with an area of 5,179 square feet.
Zoning:	R-1-B - detached and semi detached single family dwellings.
Existing Development:	Two-story, single-family detached dwelling.
Historic District:	N/A
Adjacent Properties:	To the north, east and south are two-story, single-family detached houses while to the west are single-family attached houses.
Surrounding Neighborhood Character:	The area is predominantly developed with 2-story, single-family, detached houses in the R-1-B zone except for an area to the west of the site which has 2-story, single-family, attached houses in the R-5-A district.

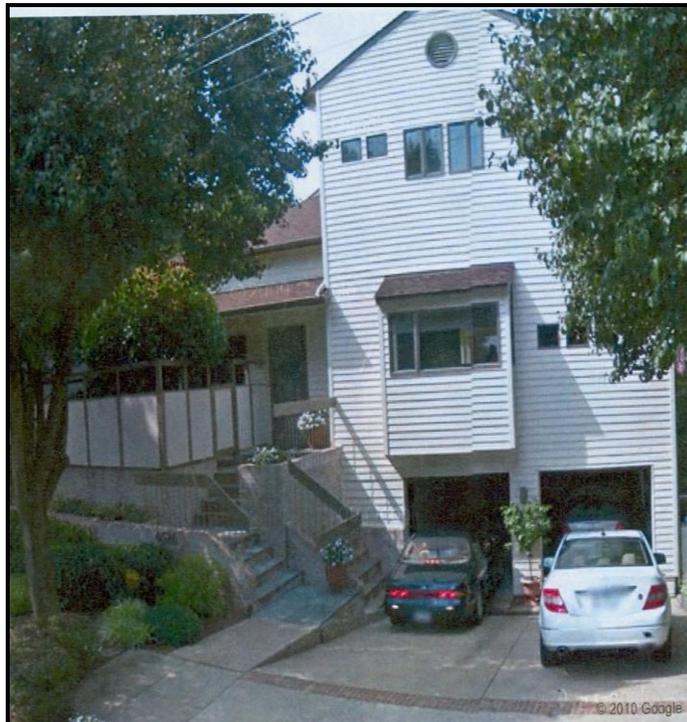
### **III. PROJECT DESCRIPTION IN BRIEF**

Proposal:	The applicant proposes to expand the existing rear deck by 6.5 feet.
Relief Sought:	Special Exception review under §223 – Additions to One-Family Dwellings or Flats (R-1)

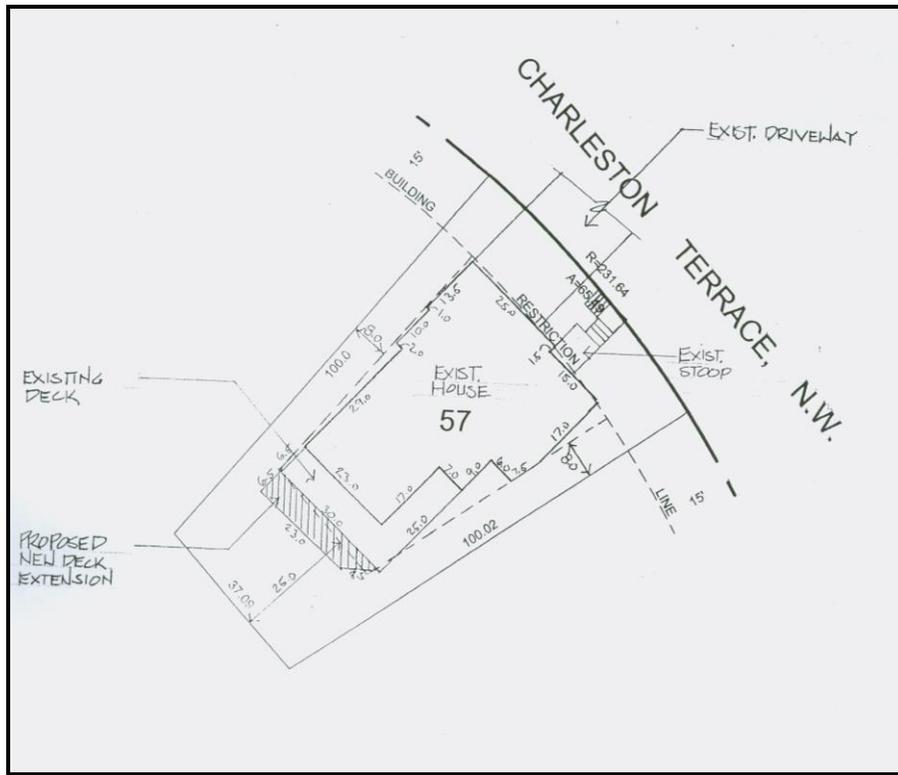




Site Location



Front Elevation



Site Plan

**IV. ZONING REQUIREMENTS**

The subject property is in the R-1-B district, designated to “. . . protect quiet residential areas now developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes. . .” The table below shows the zoning requirement for the R-1-B district and how they are met by the existing and proposed building:

R-1-B Zone	Regulation	Existing <sup>1</sup>	Proposed <sup>2</sup>	Relief
Lot Area (sq. ft.) § 401	5,000 sq. ft. min.	5,179 sq. ft.	5,179 sq. ft	None required
Lot Width (ft.) § 401	50 ft. min.	65.5 ft. front to 37 ft. at rear	65.5 ft. front to 37 ft. at rear	None required
Lot Occupancy § 403	40% max. (70% max. per § 223.)	38.4%	42.5%	<b>Required</b>
Rear Yard (ft.) § 404	25 ft. min.	25 ft.	18.5 to 20ft.	<b>Required</b>
Side Yard (ft.) § 405	8 ft.	8 ft./7 ft.	8 ft./7 ft.	<b>Required</b> (existing non-conformity at rear)

<sup>1</sup> and <sup>2</sup> Information provided by applicant.

**V. ANALYSIS:**

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

**223.1** *An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

The property is developed with a single-family, detached house in the R-1-B zone. The irregularly shaped addition increases the lot occupancy from 38.4% to 42.5% which is beyond the 40% allowed in the R-1-B district and reduces the rear yard setback from the required 25 feet to between 18.5 feet and 20 feet. The side yard on the southeastern portion of the existing deck is non-conforming as it protrudes one-foot into the side yard thus reducing it to 7 feet. The proposed addition has been designed to meet the required 8-foot side yard. Section 223 allows special exception review of the variations from the requirements, subject to the provision outlined in Sections 223.2 to 223.5.

**223.2** *The addition or accessory structure shall not have a substantially adverse affect 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;*
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The extension of the existing deck would not impede light, cast shadows or block air circulation to adjacent properties as the depth of the yards combined would be much greater than 8-feet between the buildings. Further, the deck would not negatively impact the privacy and use of the neighboring properties as there is tall vegetation between the properties to maintain the existing privacy. None of the existing vegetation would be removed to accommodate the deck expansion.

- (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 addition would not be seen from Charleston Terrace and therefore would not intrude on the character, scale or development pattern along this street.

- (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 in the form of plans, photographs and drawings that sufficiently represent the proposed addition.

**223.3** *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The existing lot occupancy is 38.4% and would be increased to 42.5% which is above the 40% allowed by-right but is below the 70% allowed by this sub-section.

**223.4** *The Board 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.*

The Office of Planning recommends no conditions or special treatments.

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

The residential use of the property is a conforming use in the R-1-B district.

## **VI COMMUNITY COMMENTS**

The subject property is within Ward 3 and ANC-3D. The ANC-3D will review the application at their regular monthly meeting on December 1, 2010.

## **VII SUMMARY AND RECOMMENDATION**

The Office of Planning recommends **approval** of the requested §223 review for the proposed addition to the existing deck. As demonstrated in the analysis the proposal would meet all the requirements and would not negatively impact the light, air or privacy of adjacent residents.