

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: March 24, 2015

SUBJECT: BZA Case 18961 - request for special exception relief under § 223 to allow the enlargement and enclosure of an existing garage in the R-4 District at premises 1733 D Street, S.E

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to § 223:

- § 403 Lot Occupancy (70% max. permitted by special exception; 47% existing; 51% proposed); and
- § 2001.3 Nonconforming Structures

II. LOCATION AND SITE DESCRIPTION:

Address:	1733 D Street SE
Legal Description:	Square 1102, Lot 110
Ward:	6
Lot Characteristics:	The lot area is 2,352 square feet. The rectangular lot is 22.67 feet wide along the D Street SE frontage and 104 feet deep. An 18 foot wide public alley and victory gardens are located to the rear.
Zoning:	R-4
Existing Development:	Two-story semi-detached dwelling, permitted in this zone, with detached garage in the rear.
Historic District:	NA
Adjacent Properties:	Adjacent properties include rowhouses.
Surrounding Neighborhood Character:	The neighborhood consists of blocks of row houses. Congressional Cemetery is to the south across E Street SE. The Stadium-Armory Metro Station and institutional uses are located to the northeast.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Erin and James Boyd
Proposal:	The Applicant proposes to enclose and enlarge the existing garage.

Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats
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IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	26 ft.	26 ft.	None required
Lot Width (ft.) § 401	18 ft. min.	22 ft. - 8 in.	22 ft. - 8 in.	None required
Lot Area (sq.ft.) § 401	1,800 sq.ft. min.	2,352 sq.ft.	2,352 sq.ft.	None required
Floor Area Ratio § 401	None prescribed	NA	NA	None required
Lot Occupancy § 403	40% max.	47%.	51%	Relief required
Rear Yard (ft.) § 404	20 ft. min.	60 ft. – 10 in.	60 ft. – 10 in.	None required
Side Yard (ft.) § 405	8 ft. min.	6 ft. – 2 in.	6 ft. – 2 in.	None required
Court § 406	NA	NA	NA	None required

¹ Information provided by applicant.

V. OP 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.

Single-family semi-detached dwellings are a permitted use in this zone. The Applicant requires special exception relief under § 223 from the requirements of § 403 (Lot Occupancy).

223.2 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 affected;*

The proposed addition would not seem to infringe on the property to the east, 1735 D Street SE, which is separated from the Subject Property by a side yard and fence. The proposed addition would not appear to substantially impact the light and air of the neighboring properties; however, the light to the rear portion of 1731 D Street SE to the west could be minimally impacted during the morning hours. The properties to the south are separated from the proposed garage by rear yards, victory gardens, and the 18 foot alley.

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

The privacy of use and enjoyment of neighboring properties should not be unduly compromised. The proposed garage would not seem to infringe on the property to the east, 1735 D Street SE, which would be separated by an existing fence, vegetation, and side yard. The neighboring property to the west, 1731 D Street SE, would also be screened by an existing fence.

- (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 proposed addition would not be visible from D Street SE. The addition would not visually intrude upon the character, scale and pattern of houses along the street frontage. The appearance of the proposed garage would be consistent with other garages along the alley.

- (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, including a site plan, building elevations, and photographs to demonstrate the relationship of the proposed addition to adjacent buildings and views from public ways.

- 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 lot occupancy would be 51% which is permitted by special exception in the R-4 District.

- 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 does not recommend special treatment for the proposed addition in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent properties.

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

The proposed use would be a semi-detached dwelling, which is permitted in the R-4 zone.

VI. COMMUNITY COMMENTS

At its regularly scheduled meeting on March 10, 2015, Advisory Neighborhood Commission (ANC) 6B voted 10-0 in support of the Applicant's request.

Letters in support of the Applicant's request were submitted into the record by the adjacent neighbors residing at 1731 and 1735 D Street SE.