

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Project Manager  
*J* Joel Lawson, Associate Director Development Review  
**DATE:** February 16, 2016  
**SUBJECT:** BZA Case 19168, 1258 Holbrook Terrace, N.E.

**I. OFFICE OF PLANNING RECOMMENDATION**

DILA Construction requests special exception review pursuant to §3104, § 400.23 and § 400.24 to allow an addition and an increase in height to 39.2 feet on an existing apartment building in the R-4 zone. The Office of Planning (OP) recommends approval

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

- Special Exception relief pursuant to § 400.1 and § 400.23 to increase the height of the building from 23.55 feet to 39.2 feet;

**II. LOCATION AND SITE DESCRIPTION**

Address	1264 Holbrook Terrace, N.E.
Legal Description	Square 4055, Lot 839
Ward/ANC	5/5D
Lot Characteristics	The property is a long, irregularly shaped lot with an area of 7,211 square feet. The lot has a width measured by an arc of approximately 37 feet along the Holbrook Terrace frontage and increasing to approximately 69 feet at the rear alley. The front of the lot, for approximately 24 feet, is flat and then slopes downwards towards the alley.
Zoning	R-4 – primarily row dwellings but with substantial numbers of conversions of dwellings with two or more families.
Existing Development	Currently developed with a two-story, four-unit apartment building.
Adjacent Properties	To the east, is the other half of the duplex developed with a two-story, four-unit apartment building; to the south is a three-story, apartment building; to the west is a three-story apartment building; and to the north is an undeveloped vacant property. All these properties are in the R-4 zone.
Surrounding Neighborhood Character	The neighborhood is a mixture of single family row dwellings and a mixture of two- and three-story apartment buildings in the R-4 zone.



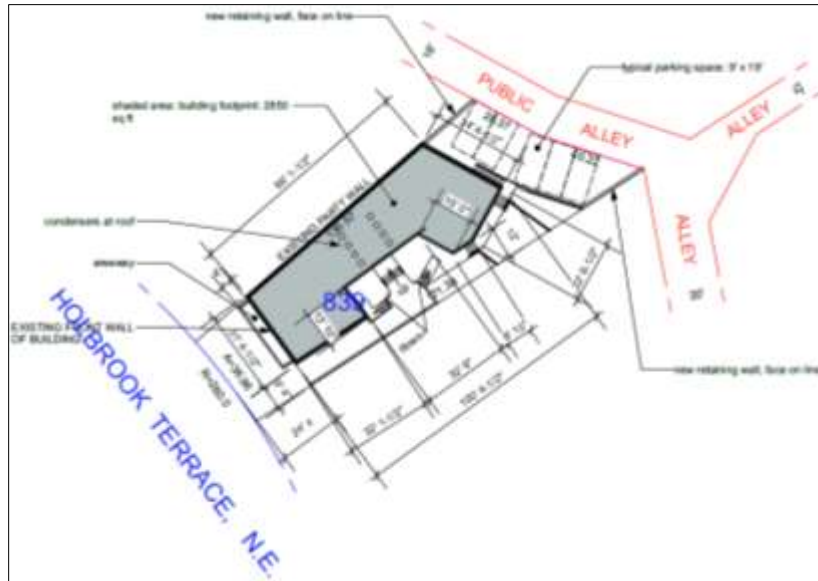
Site Location



Existing Frontage



Existing Rear Yard



Site Plan

### III. APPLICATION-IN-BRIEF

The applicant proposes to add a third floor and a rear addition to accommodate eight units with five, rear parking spaces.

### IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	35 ft. max. 40 ft. with SE	25.33 ft. 2 stories	39.2 ft. 3 stories	Required
Lot Width § 401	18 ft. min.	37ft.-69 ft.	37 ft.-69 ft.	None required
Lot Area § 401	900 sf. of lot area per unit	7,211 sf.	7,211 sf. or 901.36 sf/unit of land area	None required
Floor Area Ratio § 402	None prescribed	N/A	N/A	None required
Lot Occupancy § 403	40% max.	28%	39.7%	None required
Rear Yard § 404	20 ft. min.	76 ft. average	23.75 ft.	None required
Side Yard § 405	None required but if provided 8 feet min.	3 ft.	9 ft. – 15 ft.	None required
Court § 406	4 in. per foot of height of court, but not less than 10 ft.	None	None	None required
Parking § 2101.1	1space/2 du or 4 spaces	None	5 spaces	None required

### V. OFFICE OF PLANNING ANALYSIS

**Special Exception relief pursuant to § 400.1 and 400.24 to increase the height of the building to over 35 feet in the R-4 District.**

*400.23 In an R-4 Zone District, a building or other structure may be erected to a height not exceeding forty feet (40 ft.) if approved by the Board of Zoning Adjustment as a special exception, under § 3104, subject to the following conditions, except that if the building is being converted to an apartment house, special exception relief from the thirty-five foot (35 ft.) height limitation is only available pursuant to §§ 336 or 337 as applicable:*

The building is an existing 2-story, 4-unit apartment building. The applicant proposed to add an additional floor and extend the building’s height to 39.2 feet.

- (a) *The applicant shall demonstrate that the overall building or structure height or upper addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

- (1) *The light and air available to neighboring properties shall not be unduly affected;*

The existing building shares a party wall with the building to its east. The proposed building would extend along the property line towards the alley. There may be some shadows cast into the rear yard in the early portions of the day but should not significantly affect the light and air to the adjacent building.

The building to the west is a 3-story apartment building which is constructed on the property line, has a blank wall adjacent to the subject property and is at approximately the same height as the proposed building. The 3-foot wide side yard on the subject property would be widened to between 9 feet and 15 feet from the adjacent building. With the increased side yard and no windows on the adjacent building light and air would not be affected by the proposed building.

- (2) *The privacy of use and enjoyment of neighboring properties shall not be unduly affected.*

The proposed building would have no windows on the wall adjacent to the building on the east and the windows on the rear would only look into a small portion of the rear yard along the alley. Therefore, the resident's privacy of use and enjoyment should not be unduly affected.

The windows on the rear of the building to the west would be visible from some of the proposed units. However, with an approximately 15-foot side yard setback and the angle of the building direct views into windows should be minimal and the privacy of use and enjoyment should not be unduly affected.

- (3) *An addition shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;*

There are no external vents or chimneys on the adjacent property to be blocked by the addition.

- (4) *An addition shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator; and*

The adjacent properties do not have solar energy systems.

- (5) *The resulting building or structure height, 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 resulting building and its height would be visible from both the rear alley and Holbrook Terrace. The proposed building would not substantially intrude on the character, scale and pattern

of houses along Holbrook Terrace. The building would be somewhat similar in scale to other buildings as the bulk of the building extends towards the rear of the lot. The building would maintain the apartment character along this portion of Holbrook Terrace and would be similar in height to the apartment building to the west. The building would maintain the 24-foot building setback from Holbrook Terrace similar to all the other building and parking would now be accommodated onsite. be provided on site .

- (b) *The applicant shall demonstrate that overall building or structure height or an upper addition resulting from the additional five feet (5 ft.) will not have a substantially adverse effect on the defining architectural features of the building or result in the removal of such features; and*

The building does not have any defining architectural features.

- (c) *In demonstrating compliance with §§ 400.23(a) and (b), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the new or extended building or structure to adjacent buildings and views from public ways.*

The applicant provided plans, photographs and elevations to demonstration the existing and proposed building as well as its relationship of the adjacent buildings.

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

The District Department of Transportation will submit its report under separate cover (Exhibit 23).

## **VII. COMMUNITY COMMENTS**

The property is within ANC 5D. The proposal was reviewed at its January 12, 2016 but to date a vote and recommendation has not been taken.