

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Cochran, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: March 26, 2013
SUBJECT: **BZA Case 18526** - request for lot occupancy special exception relief under § 223 to allow construction of a two-story addition to an existing row dwelling at 1329 F Street, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief for 1329 F Street, N.E. pursuant to § 223:

- § 403.2 (60% lot occupancy allowed, 70% lot occupancy proposed).

The relief would permit replacement of the rowhouse’s existing second-story addition in the rear with a two-story addition that would extend across the width of the house and also occupy the existing open court on the west side. The applicant submitted revised plans on March 26, 2013 that marginally reduced the depth of the proposed addition to enable it to conform to the lot occupancy special exception limit permitted by § 223.

OP notes that the existing lot is non-conforming for both lot area and lot width.

II. LOCATION AND SITE DESCRIPTION:

Address:	1329 F St. NE	Legal Description:	Square 1029, Lot 169	Ward: ANC:	6 6C
Zoning:	R-4	Single family row dwellings & flats	Historic Status:		None
Lot and Improvements:	17ft by 70 foot, rectangular 1190 SF lot bounded by F Street, N.E. (north/front) a 10-foot wide alley (south/rear), and adjacent rowhouses’ side lot lines (east/west)				
Existing Development:	The two-story (plus basement) single family row-house shares 44.33 feet of party wall with the eastern adjacent row house and 29.58 feet of party wall with the western adjacent row house. There is an open court on the western side of the structure and a bay extension on the second floor of the house.				
Adjacent Properties:	Essentially identical two-story row houses with basements, shallow second-floor rear additions, open courts on western sides of properties, and access to rear alley.				
Neighborhood:	Moderate density residential rowhouses				

III. PROJECT

Applicant:	Brian and Christy Davis, owners of record. (Represented by Jennifer Fowler, architect licensed in the District of Columbia).
-------------------	--



Proposal:	remove an existing 4' 9" deep second story bay and construct a new two-story 4'8 5/8" addition that extend across the full width of the house and would fill-in the existing non-conforming open court on the west side of the house.
Relief Sought:	§ 403.2 – non-conforming lot occupancy, under the special exception provisions of § 223.



Figure 1. Applicant's Property is in Center



Figure 2. 1329 F Street Context

IV. ZONING REQUIREMENTS

R-4 District	Regulation	Existing	Proposed ¹	Relief
Height (ft.) § 400.1	40 feet max. 3 story limit	25 feet 2 stories	SAME	None required
Lot Width (ft.) § 401.3	18 feet	17 feet	SAME	Existing non-conformity
Lot Area (sq. ft.) § 401.3	1800 SF	1,190 sq. ft.	SAME	Existing non-conformity
Floor Area Ratio § 402	None prescribed	None prescribed	None prescribed	None required
Lot Occupancy § 403.2	60 % by-right. 70% by S.E.	801.11 sf 67.6 %.	833 sf 70%	+ 10% Special exception

¹ Based on architectural plans submitted by the applicant on March 26, 2013.

R-4 District	Regulation	Existing	Proposed ¹	Relief
Rear Yard (ft.) § 404.1	20 foot min.	20 ft. 11 in.	SAME	None required
Side Yard (ft.) § 405.1	None required	None required	None required	None required
Open Court (SF) 406.1	At least 6 ft. wide	4 ft. 10 inches	0 ft.	None Required
Parking § 2101.1	1 per 3 dwellings	1 space	SAME	None required

V. OP ANALYSIS: Consistency with § 233

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS 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.

For the proposed expansion of a single-family rowhouse in the R-4 zone, the applicant is requesting special exception relief under § 223 from §403 (lot occupancy). Granting the requested relief would also satisfy the provisions of §§2001.1 (a) and (b) (2).

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 air and light available to neighboring properties would not be unduly impacted by the proposed two-story deck addition. The subject property and neighboring lots to the east and west have a north-south orientation, and the proposed addition would not be deeper than the existing bay that is to be removed. The shadows cast by the two story addition would not affect southern light and would cast little more east or west shadow than the existing second story bay.

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

The existing bay has south, east and west-facing windows on the second floor. Neither the existing house nor the new addition would have any windows facing east or west toward neighboring properties. The only additional area of windows would be on the south-facing first floor. It is not likely that the proposed addition would unduly comprise the privacy and enjoyment of neighboring properties.

The west-adjacent neighbor, to whose house the proposed addition would be closest, has filed a letter in support of the application.

(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 any of the streets surrounding Square 1029. While it would be visible from the alley at the rear of the property, it would not constitute a substantial visual intrusion.

(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.

Sufficient graphical information was provided for this case.

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 proposed 70% lot occupancy would be consistent with this limitation.

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.*

There does not seem to be a need for the Board to require any special treatment.

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

Approval of this request would not result in the introduction or expansion of a nonconforming use on the subject property.

VI. AGENCY COMMENTS

The property is neither a historic landmark, nor within a historic district.

The District Department of Transportation (DDOT) has indicated to OP that it has no objection to the application and that approval of a special exception would not impact the local transportation network.

VII. COMMUNITY COMMENTS

Advisory Neighborhood Commission (ANC) 6A had not filed a report as of March 19, 2013.

The adjacent neighbor at 1327 F Street, N.E. has filed a letter in support of the application, as has the nearby neighbor at 1343 F St. N.E. There were no filings in opposition to the application as of March 19, 2013.