

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Paul Goldstein, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: May 13, 2014
SUBJECT: BZA Case 18756 - Request for special exception relief under § 223 to construct an addition to an existing semi-detached dwelling at 630 A Street SE.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403 (maximum lot occupancy of 40%, proposed 58%);
- § 405 (minimum side yard of 8' width required, proposed 2.8', 5.5', and 7' width); and
- § 2001.3, expansion of a non-conforming structure

The Applicant also requested relief from § 401 for the existing non-conforming lot. The Zoning Administrator has determined that this relief is not required for an addition to an existing building.

II. AREA AND SITE DESCRIPTION

Address:	630 A Street SE
Legal Description:	Square 869, Lot 57 (the "Property")
Ward/ANC:	6/6B
Lot Characteristics:	The Property is rectangular in shape and measures 21' in width by 128' in depth. It has 2,690 square feet of land area. The Property abuts a 30' wide public alley to the north.
Zoning:	R-4: Row dwellings and flats
Existing Development:	There is an existing two-story semi-detached single family dwelling.
Historic District:	Capitol Hill Historic District
Adjacent Properties:	To the west of the Property is a two-story semi-detached dwelling (with a side yard facing the shared lot line). To the east of the Property is a two-story row dwelling. Across the public alley to the north of the Property are rear yards of row dwellings, and across A Street to the south are two-story row dwellings.
Surrounding Neighborhood Character:	The Square predominately consists of row dwellings zoned R-4 and an institutional use at the northwest corner. More broadly, the neighborhood is characterized by row dwellings, low scale apartment buildings, and institutional uses. Eastern Market is approximately two blocks south of the Property.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Robert D. and Siska Shaw (the "Applicant")
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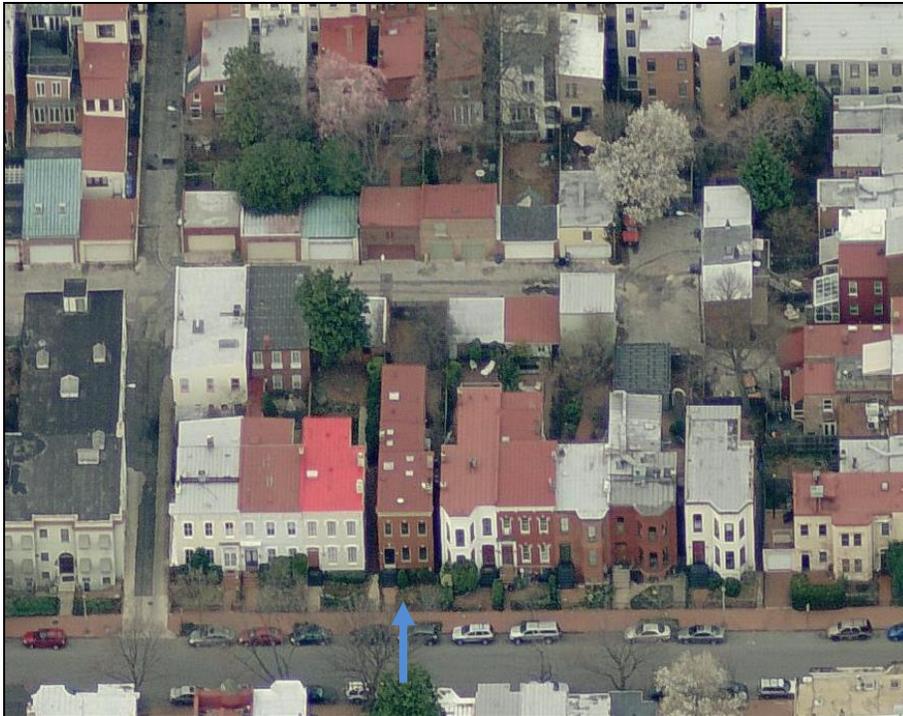


<p>Proposal:</p>	<p>The Applicant proposes a two-story rear addition to an existing semi-detached dwelling. The addition would measure approximately 15' deep by 14' wide and rise about 23.5' in height. It would extend a 7' wide section of the side yard, reduce the rear yard to about 34.5', and increase the site's lot occupancy to 58%. A new roof deck also is proposed to span sections of the rear addition and the existing dwelling. The roof deck would measure approximately 33' in length and 14' width, have access via a stairway and dumb waiter structure, and contain a trellis. Finally, a one-story 1.5' deep by 12' wide cantilevered bay window would be added to the first floor on the east side of the existing dwelling, narrowing a portion of the side yard to 5.5'.</p> <p>The existing dwelling presently is non-conforming to lot area, lot width, lot occupancy, and side yard provisions. The application notes that no parking is presently provided on-site and none is proposed.</p>
<p>Relief sought:</p>	<p>Special exception pursuant to § 223 for non-compliance with §§ 401, 403, 405, and 2001.3.</p>

IV. IMAGES AND MAPS



View of the subject site (identified)



View of the site (identified) looking north across A Street.

V. ZONING REQUIREMENTS

The Applicant has applied for § 223 relief to accommodate an addition to a non-conforming dwelling. An existing non-conforming side yard along the dwelling’s east side has widths of 2.8' and 7', which is below the minimum required width of 8' per § 405. The Applicant proposes to extend the 7' side yard alongside the new addition, and a new bay window added to the existing dwelling’s east side would further narrow a portion of the side yard to 5.5'. The dwelling also presently exceeds the permitted lot occupancy of 40% (§ 403) and proposes to increase the lot occupancy to 58%. The following table, which reflects information supplied by the Applicant, summarizes relevant zoning requirements for the project and the relief requested:

<i>R-4 Zoning</i>	<i>Restriction</i>	<i>Existing</i>	<i>Proposed</i>	<i>Relief</i>
Lot area (sq. ft.) § 401	3,000 min.	2,690	2,690	Existing non-conformity
Lot width (sq. ft.) § 401	30' min.	21'	21'	Existing non-conformity
Lot occupancy (building area/lot area) § 403	40% max.	49%	58%	Relief requested
Rear Yard (ft.) § 404	20' min.	~ 49.5'	~ 34.5'	Conforms
Side Yard (ft.) § 405	8' min.	2.8' and 7'	2.8', 5.5', and 7'	Relief requested

VI. 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.

Semi-detached single family dwellings are permitted in the R-4 zone. The Applicant is requesting special exception relief under § 223 for non-compliance with the requirements of §§ 403, 405, and 2001.3.

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;

The proposal would construct a two-story rear addition with a roof deck. The roof of the new habitable space would rise about 23.5', while the trellis and stairway/dumb water structure above the roof deck would rise to about 32'. A 7' wide side yard to the building's east would be continued (except for a first level bay window projection), and the lot line addition would abut a neighboring side yard along the western property line. A sizable rear yard of about 34.5' would still remain. OP does not anticipate any undue impact on the light and air of neighboring properties from the largely restrained addition height. Adjacent neighbors also have signed letters of support for the project.

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

The additions would have no windows on the west side, while new windows on the east side would either be 5.5' or 7' set back from the eastern property line. A roof deck with a trellis also is proposed. OP does not anticipate that the privacy of use and enjoyment of neighboring properties would be unduly compromised.

(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 additions, as viewed from the street and alley, should not substantially visually intrude upon the character, scale, and pattern of houses along the street frontage. The addition should be minimally visible from the street, and the addition would be substantially set back from the 30' alley at the Property's rear lot line.

Nevertheless, at its April 24, 2014 meeting, the Historic Preservation Review Board (HPRB) approved the rear addition in concept with the condition that the Applicant work with Historic Preservation Office (HPO) on the roof deck design to ensure its discreteness and historic compatibility. OP does not anticipate that potential changes to the roof structure design, which may occur following coordination with HPO, would necessitate any additional zoning relief.

(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 submitted plans and photographs to represent the relationship of the proposed addition to adjacent buildings and 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 proposed lot occupancy would be 58%, which is permitted by special exception in the subject R-4 zone.

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.*

OP makes no recommendations for special treatment.

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

Granting this request would not result in the introduction or expansion of a nonconforming use.

VII. COMMUNITY COMMENTS/ANC

At its April 8, 2014 meeting, ANC 6B voted to support the application. OP has reviewed seven letters of support from neighbors, including the two immediately adjacent neighbors (628 and 632 A Street SE). OP is not aware of any letters in opposition to the application.

VIII. HISTORIC PRESERVATION

At the April 24, 2014 HPRB meeting, the Board approved the rear addition in concept with the condition that the Applicant continue to work with HPO staff on the deck design.