



MEMORANDUM

TO: District Board of Zoning Adjustment

FROM: Paul Goldstein, Case Manager
Joel Lawson, Associate Director Development Review

DATE: February 7, 2012

SUBJECT: BZA Case No. 18310 - Request for a special exception under § 223 to construct a two-story rear addition to an existing three-story detached dwelling and a new private detached garage at 3415 Lowell Street NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of § 223 special exception relief to permit a two-story rear addition to an existing three-story detached dwelling and a private one-story detached garage at 3415 Lowell Street NW that does not comply with:

- § 405, minimum side yard (deficient by 4.5' feet).

OP also notes that the Property presently is nonconforming to the minimum side yard, meaning that the proposal would result in the enlargement of a non-conforming structure (§ 2001.3). The existing lot width also is slightly non-conforming, with a width of about 49.4' where 50' minimum (§ 401) is required.

The Applicant filed supplemental submissions which made minor changes, such as including a bay window, to the original proposal and also provided copies of letters of support from neighbors. The changes did not alter the needed special exception relief but did clarify certain project features and measurements.

II. AREA AND SITE DESCRIPTION:

Address:	3415 Lowell Street NW
Legal Description:	Square 2089, Lot 800 (the "Property")
Ward/ANC:	3/3C
Lot Characteristics:	The lot is rectangular in shape. It measures approximately 49' in width along Lowell Street by 135' in depth. The Property, which has no alley access, has an existing curb cut and driveway along the lot's east side.
Zoning:	R-1-B: detached dwellings
Existing Development:	There is a pre-1958 three-story detached dwelling and a rear detached garage.
Historic District:	Cleveland Park Historic District
Adjacent Properties:	To the west, east, and north are detached dwellings. To the south (across Lowell Street) are single family detached dwellings.
Surrounding Neighborhood Character:	The Square is composed of detached residential uses. More generally, the neighborhood is mostly characterized by residential uses, as well as several institutional uses such as schools.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Richard Abouafia
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<p>Proposal:</p>	<p>The application proposes to construct a two-story rear addition. A portion of the existing dwelling would be removed, and the new two-story addition would increase the depth of the dwelling by approximately 10'. A first floor deck also would extend approximately 5.5' into the rear yard. The addition would maintain and extend an existing 3.5' wide side yard along the dwelling's west side. The height of the addition would be approximately 25' tall and would generally be shielded from the street by the existing dwelling roofline.</p> <p>In addition, the application would demolish an existing rear detached garage and replace it with a smaller detached garage in generally the same location.</p>
<p>Relief Sought:</p>	<p>§ 223 - addition to a single family dwelling.</p>

IV. IMAGES AND MAPS



Aerial view of the site (subject Property highlighted)

V. ZONING REQUIREMENTS

The following table, which reflects information supplied by the Applicant, summarizes certain zoning requirements for the project and the relief requested.

R-1-B Zone	Regulation	Existing	Proposed	Relief:
Height (ft.) § 400	40' max.	~ 39'	~ 39' (the addition would rise about 25' in height)	Conforms
Lot width (ft.) § 401	50' min.	49.4'	49.4'	Non-conforming, but it is an existing condition.
Lot area (sq. ft.) § 401	5,000 sq. ft. min.	6,583 sq. ft.	6,583 sq. ft.	Conforms ¹
Lot occupancy (building area/lot) § 403	40% max. 50% by special exception	30%	39.8%	Conforms ²
Rear yard (ft.) § 404	25' min.	45.5'	27.2'	Conforms
Side yard (ft.) § 405	8' min.	3.5'	3.5' (the addition would extend the 3.5' side yard)	Requires relief: deficient by 4.5'.

VI. OFFICE OF PLANNING ANALYSIS

Special Exception: § 223

§ 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 Applicant is requesting special exception relief under § 223 for a two-story rear addition behind an existing three-story single family detached dwelling and a one-story detached garage which does not comply with the requirements of side yard (§ 405), lot width (§ 401), and enlargement of an existing non-conforming structure (§ 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 light and air available to neighboring properties should not be unduly affected by the proposal. The two-story addition would be restrained in height and lower than the dwelling's existing roof pitch. A conforming rear yard would be maintained. Additionally, OP has reviewed letters expressing no objection to the project from adjacent neighbors (3417 Lowell, 3411 Lowell, and 3454 Macomb Streets) among other supportive letters.

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

The addition should not cause an undue impact to the privacy of use and enjoyment of neighboring properties. The addition would extend an existing 3.5' side yard. The windows facing west would nevertheless be separated from the neighboring dwelling by more than 10'. The addition would be separated

¹ According to OP data sources, the recorded lot size is 6,583 square feet. The Applicant originally calculated the lot area to be 6,668 square feet.

² In the original application, the Applicant did not include side yards of less than 5' in the lot occupancy calculation.

from the neighboring dwelling to the east by an estimated 35' and by a considerable distance from the neighbor to the north.

- (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.*

There would be limited views of the addition from Lowell Street. The two-story rear addition should not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage.

- (d) In demonstrating compliance with (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 view from public ways.*

The Applicant has provided photos, elevation drawings, and a site plan showing the relationship of the addition to adjacent buildings and views from public ways.

VII. COMMUNITY COMMENTS/ANC

The Applicant has submitted five supportive letters from neighbors, including letters from immediately adjacent neighbors to the east, west, and north.

Although ANC 3C has not held an official vote regarding the project's zoning request, the area's Single Member District representative indicated that she would submit a letter expressing general ANC support for the proposal.

VIII. HISTORIC PRESERVATION

The proposal was reviewed at an HPRB hearing on May 26, 2011. HPRB approved the conceptual design for the rear addition, but opposed the razing of the existing detached garage. Following the hearing, the proposal has been modified to include (1) the replacement of the existing garage with a smaller one-car garage which would mimic the look of historic garages in Cleveland Park; and (2) the massing of the proposed rear addition was shifted west so that the addition would align with the existing 3.5' side yard. The Historic Preservation Office has examined the latest plans and indicated that it is supportive of the addition and garage designs.