



**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Jennifer Steingasser, Deputy Director  
**DATE:** November 2, 2010  
**SUBJECT:** BZA Case 18130 – request for special exception relief under §223 to construct an addition to an existing single family dwelling at 5801 Nebraska Ave., NW

**I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of this application pursuant to §223 to permit the construction of a two story addition requiring special exception relief as follows:

- §404, to allow a 11.6 foot rear yard (25’ required);
- §405, to allow a 5.1 foot side yard (8’ required).

OP notes that the existing property is nonconforming to § 401, Lot Area (5,000 sf required, 4,533 sf existing).

**II. LOCATION AND SITE DESCRIPTION**

Address	5801 Nebraska Ave., NW
Legal Description	Square 2313, Lot 17
Ward and ANC	3G
Lot Characteristics	Corner lot with some landscaping and mature trees. Slight slope down from northeast to southwest. No alley – driveway from Nebraska Ave.
Zoning	R-1-B – detached single family dwellings
Existing Development	Single family detached dwelling, permitted in this zone
Adjacent Properties	Single family detached houses
Surrounding Neighborhood Character	Almost entirely single family detached housing; Episcopal Home for Children is diagonally across the street.

### III. PROJECT DESCRIPTION IN BRIEF

Applicant	Roger and Lisa Kessler, homeowners
Proposal	Construct a two-story addition at the rear of the house for an expanded kitchen and expanded master suite.
Relief Sought	§223 - Additions to a One-Family Dwellings or Flats (§404 – Rear Yard and §405 – Side Yard)

### IV. ZONING REQUIREMENTS

Item	Section	R-1-B	Existing	Proposed	Relief
Height	400	40' 3 stories	31'	No Change (Addition 26.5')	Conforming
Lot Area	401	5,000 sf	4,533 sf	No change	Existing
Lot Width	401	50'	~59.5'	No change	Conforming
Lot Occupancy	403	40% 1,813 sf	28.4% 1,287 sf	30.7% 1,393 sf	Conforming
Rear Yard	404	25'	<b>20.9</b>	<b>11.6</b>	<b>Requested</b>
Side Yard	405	8'	<b>5.1'</b>	<b>5.1'</b>	<b>Requested</b>

### V. 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 ... as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

Single family detached dwellings are a permitted use in this zone. The applicant requests special exception relief under §223 from the requirements of §404, Rear Yard, and §405, Side Yard. The existing property is also nonconforming to §401, Lot Area.

**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 proposed addition would not unduly impact light or air available to adjacent properties. It would cast only minimal additional shadow since it is on the southeast side of the house. Much of the shadow cast by morning sun would fall on the existing residence. Afternoon shadow would probably not be noticeably different than the present condition given the large addition already present on the home to the west. Please refer to images 2 and 4 in the application materials. The roughly 10' x 10' addition is relatively modest in size compared with the total size of the nearby houses and their yards, therefore allowing ample air flow.

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

The privacy of neighboring properties would not be unduly compromised. The addition would have windows on all three sides, but an amount of glazing in keeping with the character of the subject property and other nearby homes. The level of privacy, therefore, would be similar to the existing condition. Landscaping, fences and trees would help maintain privacy.

- (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 addition would not visually intrude upon the character and pattern of the houses along Nebraska Avenue or Utah Avenue. It would be barely visible from Nebraska Avenue. The addition would be visible from Utah Avenue, but the modest size of the addition would be secondary to the bulk of the subject house and its neighbors. The plans indicate that the materials and details of the addition would be identical to the existing house.

- (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 submitted elevations, floor plans and photographs that illustrate the existing site and the proposed addition.

***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.***

With the proposed addition the lot occupancy would be 30.7%.

***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 recommends no conditions or special treatments of the addition.

## **VI. HISTORIC PRESERVATION**

The subject site is not located in an historic district.

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

As of this writing, the Office of Planning has received no comments on this application from other District agencies.

## **VIII. COMMUNITY COMMENTS**

As of this writing, the Office of Planning has received no comments regarding the proposal from neighbors or from ANC 3G.

## **IX. ATTACHMENTS**

1. Vicinity Maps

JS/mrj  
Matt Jesick, Project Manager

### Attachment 1 Vicinity Maps

