



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Jennifer Steingasser, Deputy Director
DATE: May 11, 2010
SUBJECT: BZA Case 18061 – request for special exception relief under §223 to construct an addition to an existing single family attached dwelling at 140 12th Street, SE

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:

- §403, to allow a 66.6% Lot Occupancy (60% allowed by-right, 70% by special exception);
- §406, to allow a 5 foot wide court (7 feet required).

II. LOCATION AND SITE DESCRIPTION

Address	140 12 th Street, SE
Legal Description	Square 1014, Lot 806
Ward and ANC	6B
Lot Characteristics	Wide rowhouse lot with detached structures at the rear property line. Variable width alley to the rear.
Zoning	R-4 – attached single family dwellings
Existing Development	Single family attached dwelling, permitted in this zone
Adjacent Properties	Single family attached houses
Surrounding Neighborhood Character	Single family attached housing

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Stuart and Linda McMeans, homeowners
Proposal	Construct a two-story addition at the rear of the house that would replace an older one-story addition.
Relief Sought	§223 - Additions to a One-Family Dwellings or Flats (§403 – Lot Occupancy and §406 – Court Width)

IV. ZONING REQUIREMENTS

Item	Section	R-4	Existing	Proposed	Relief
Height	400	40' 3 Stories	28.6' 3 Stories (2+B)	No Change	Conforming
Lot Area	401	1,800 sf	3027.4 sf	No Change	Conforming
Lot Width	401	18'	32'	No Change	Conforming
Lot Occupancy	403	60% 1816.4 sf	63.2% 1911.9 sf	66.6% 2017.3 sf	Requested
Rear Yard	404	20'	50.4'	No Change	Conforming
Side Yard	405	None required	0'	No Change	Conforming
Open Court Width	406	4"/ft. of ht. 7' required	5.8'	5'	Required

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 attached dwellings are a permitted use in this zone. The applicant requests special exception relief under §223 from the requirements of §403, Lot Occupancy, and §406, Open Court Width.

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. The two story addition would replace an older one story addition but would only cast minimal additional shadow. The addition would not be very deep and would roughly match the footprint of the existing addition. The house to the north has a blank party wall at this location. The court on the south side of the house would be made slightly more narrow, but the taller addition and

some new windows could increase reflected light into the court on the adjacent property. The houses on either side of the subject property are significantly deeper than the proposed addition so air flow to those houses would not be compromised.

- (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 property to the north has a blank party wall along much of its boundary with the subject property. The design proposes two new windows on the south side of the addition, but one of those would be very small and located high on the wall in the 2nd floor. The existing fence around the yard will remain and 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 12th Street or the neighborhood. The subject square contains houses with a variety of shapes and sizes. The addition would not be visible from 12th Street and only barely visible from the alley.

- (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, sections, 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 66.6%.

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 proposed design has received preliminary approval from the Historic Preservation Review Board.

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 6B.

IX. ATTACHMENTS

1. Vicinity Map

JS/mrj
Matt Jesick, Project Manager

Attachment 1 Vicinity Map

