

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: October 21, 2014

SUBJECT: BZA Case 18846 - request for special exception relief under § 223 to construct an addition to an existing single family detached dwelling at 1231 Irving Street NE.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Section 223:

- § 405.8 Side Yard (8 feet required, 3 feet existing, 3 feet proposed).

II. LOCATION AND SITE DESCRIPTION:

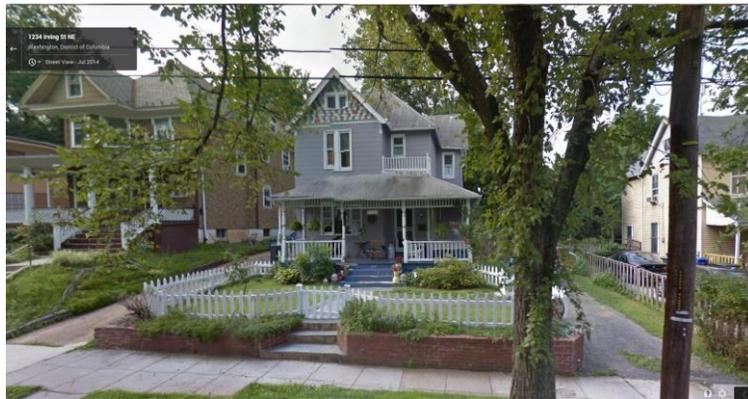
Address:	1231 Irving Street NE (the “Subject Property”)
Legal Description:	Square 3933, Lot 18
Ward:	5
Lot Characteristics:	The 7,500 square foot lot is rectangular and measures 50 feet in width along the Irving Street NE frontage and 150 feet in depth.
Zoning:	R-1-B – permits matter-of-right development of single-family detached dwellings.
Existing Development:	Single family detached dwelling, permitted in this zone.
Historic District:	NA
Adjacent Properties:	Adjacent properties include single-family detached structures.
Surrounding Neighborhood Character:	The neighborhood is characterized by single-family detached structures.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Atieno Bird (the “Applicant”)
Proposal:	The Applicant proposes to add a rear two-story addition to an existing single family detached dwelling. An existing one-story frame addition would be demolished. The addition would extend approximately five feet beyond the existing back wall of the dwelling.



Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats
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Subject Property

V. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed¹	Relief:
Lot Width (ft.) § 401	50 ft. min.	50 ft.	50 ft.	None required
Lot Area (sq.ft.) § 401	5,000 sq.ft. min.	7,500 sq.ft.	7,500 sq.ft.	None required
Floor Area Ratio § 401	None prescribed	NA	NA	None required
Lot Occupancy § 403	40% max.	29%	34.4%	None required
Rear Yard (ft.) § 404	25 ft. min.	89 ft.	81 ft.	None required
Side Yard (ft.) § 405	8 ft. min.	3 ft.	3 ft.	Relief required
Court § 406	NA	NA	NA	None required

¹ The lot occupancy and rear yard calculations included in the application are incorrect; OP has included new figures for these sections in the table. Based on these estimates, additional relief should not be required.

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.

Single-family detached dwellings are permitted in this zone. The Applicant has requested special exception relief under § 223 from the requirements of § 405, side yard.

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 have a height of 20 ft. above grade, (not including the dormer), and would not substantially block the light and air to the adjacent property. A three foot side yard, (in addition to the neighbor's driveway and side yard), would separate the addition from the dwelling to the east.

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

The proposed addition would be located to the rear of the existing structure. The addition would be immediately adjacent to the neighbor's driveway and would not be adjacent to the neighboring dwelling. The Applicant's dwelling would continue to be separated from dwellings to the south by a sufficient rear yard. The Applicant has discussed the proposal with neighbors; the neighbors to the east and west subsequently provided letters of support for the record.

(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 should only be minimally visible from Irving Street NE. The addition will not intrude on the general character of the neighborhood, as it is in keeping with the existing style of the residence.

- (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, elevations and section drawings to represent the extent of the 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.*

The application proposes a lot occupancy of 34.4%.

- 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 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.*

The subject application would not permit the introduction or expansion of a nonconforming use.

VII. COMMUNITY COMMENTS

The Applicant has indicated that they have made several attempts to reach out to ANC 5B but, as of this writing, has not received a response.

The Applicant provided letters of support from the neighboring property owners residing at 1235 and 1227 Irving Street NE.