

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: November 10, 2014

SUBJECT: BZA Case 18871- expedited request pursuant to 11 DCMR § 3118 for special exception relief under § 223 to construct an addition to an existing row house at 1548 8th Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 403, Lot Occupancy (60 percent permitted, 65.3 percent proposed).

The subject property is nonconforming for lot area and lot width.

II. LOCATION AND SITE DESCRIPTION

Address	1548 8 th Street, N.W.
Legal Description	Square 397, Lot 824
Ward	6
Lot Characteristics	Rectangular lot with rear alley access
Zoning	R-4 – row houses, flats and conversions
Existing Development	Row house, permitted in this zone.
Historic District	Shaw
Adjacent Properties	Predominantly row houses

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Jacqueline R. Hart
Proposal	Construction of a: <ul style="list-style-type: none"> • Two-story plus basement rear addition; • Rooftop deck; and • Pergola over the parking pad. Relief is required for the rear addition only.

Relief Sought	§ 223 - Additions to a One-Family Dwellings or Flats for the construction of the rear addition.
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IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40-foot max.	26.5 feet.	27.1 feet	None required
Lot Width § 401	18-foot min.	12.5 feet	12.5 feet	None required
Lot Area § 401	1,800 SF min.	1,179 SF	1,179 SF	None required
Lot Occupancy § 403	60% max.	60%	65.3%	Required
Rear Yard § 404	25-foot min.	37.7 feet	33.7 feet	None required

V. 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.

Row houses are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of § 403, Lot Occupancy.

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 building addition would extend out four feet from the existing rear wall of the row house. Only the basement and second floor levels would be enclosed, with a screened porch on the second floor. Due to the small size of the proposed addition light and air to neighboring properties should not be unduly affected.

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

No windows would be provided on the sides of the proposed addition. Although the second floor would be a screened porch, it is small in size and would be primarily to provide access to the roof deck, which would be located atop the existing structure and for which relief is not required.

(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 building addition would consist of two stories, one of which would be a screened porch. Visible only from the public alley, the proposed addition would have a residential appearance and not substantially visually intrude upon the character, scale and pattern of houses.

- (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 application included plans, photographs and elevation drawings sufficient to represent the relationship of 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.*

The proposed lot occupancy of 65.3 percent is less than the maximum of seventy percent permitted within the R-4 zone by special exception.

- 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 does not recommend any special treatments.

- 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 result in the introduction or expansion of a nonconforming use.

The Historic Preservation Office will review the proposed addition at staff level due to its small size.

VI. COMMUNITY COMMENTS

ANC 6E, at its regularly scheduled meeting of October 7, 2014, recommended approval of the application.

The Central Shaw Neighborhood Association passed a resolution in support of the application at its monthly meeting on September 15, 2014.

No other community comments were received.