

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen Gyor AICP, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** February 4, 2014

**SUBJECT:** BZA Case 18706 - request for special exception relief under § 223 to construct an addition to an existing single family dwelling at 4445 Yuma Street NW.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the requested special exception pursuant to § 223 to allow an addition to a nonconforming structure and a lot occupancy of 49%.

**II. LOCATION AND SITE DESCRIPTION:**

Address:	4445 Yuma Street NW
Legal Description:	Square 1591, Lot 827
Ward:	3
Lot Characteristics:	The Subject Property is 120 ft. deep by 50 ft. wide along the Yuma Street NW frontage. A 16 ft. public alley is located to the rear. An 18 ft. wide
Zoning:	R-1-B
Existing Development:	Single family dwelling, permitted in this zone.
Historic District:	NA
Adjacent Properties:	Adjacent properties include single family dwellings.
Surrounding Neighborhood Character:	The surrounding neighborhood is comprised of single family dwellings.

**III. PROJECT DESCRIPTION IN BRIEF**

Applicant	Jessica Furey
Proposal:	The Applicant proposes to construct a rear addition to an existing nonconforming single family non-conforming structure. An 18 ft. wide city-owned public space is located to the west of the subject property. The proposed addition would replace an existing 10 ft. x 15 ft. room, resulting in a net addition of 3 ft. on the west side of the home.

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



**Subject Property**

**V. ZONING REQUIREMENTS**

<b>R-1-B Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed<sup>1</sup></b>	<b>Relief:</b>
Lot Width (ft.) § 401	50 sf.	50 sf.	50 ft.	None required
Lot Area (sq.ft.) § 401	5,000 sf. min.	5,100 sf.	5,100 sf.	None required
Floor Area Ratio § 401	NA	NA	NA	None required
Lot Occupancy § 403	40%	41.5%	49%	<b>Relief required</b>
Rear Yard (ft.) § 404	25 ft. min.	35 ft.	35 ft.	None required
Side Yard (ft.) § 405	NA	NA	NA	None required
Court § 406	NA	NA	NA	None required
Nonconforming Structure § 2001.3				<b>Relief required</b>

**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.*

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;*

Given that the addition would be restrained in height, it is not expected to have a substantially adverse effect on the light or air of any abutting or adjacent dwelling or property. The proposed addition would be bordered by public streets on the south and west sides and the public alley on the north side.

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

The proposed addition would be in scale with that of adjacent dwellings and would maintain its current two story height. The addition would be located on the corner lot adjacent to public space and would not be located directly adjacent to neighboring properties. As a result, the privacy of use and enjoyment of neighboring properties should not be unduly compromised.

(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*

<sup>1</sup> Information provided by applicant.

*upon the character, scale and pattern of houses along the subject street frontage;*

The proposed addition would be consistent with the existing architectural style of the dwelling and would not substantially visually intrude upon the character, scale, and pattern of houses along the street frontage.

- (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 provided drawings, including site plan and elevations, and photographs, which sufficiently represent the relationship of the proposed addition to adjacent buildings and views from public ways.

- 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 would be 49 percent, which is permitted as a Special Exception in the R-1-B District.

- 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 has no recommendations for special treatments for this application.

- 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.

## **VII. COMMUNITY COMMENTS**

As of this writing, the Office of Planning has not received comments from ANC 3E or the neighbors.