

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: March 11, 2014
SUBJECT: BZA Case 18732 - request for special exception relief under § 223 to construct an addition to an existing one family dwelling at 859 Venable Place, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

- § 403, Percentage of Lot Occupancy (40 percent required, 48.5 percent proposed);
- § 405, Side Yards (8 feet required, 3.25 and 3.5 feet proposed); and
- § 2001.3, Expansion of a Nonconforming Structure.

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

II. LOCATION AND SITE DESCRIPTION

Address	859 Venable Place, N.W.
Legal Description	Square 2971, Lot 39
Ward	4
Lot Characteristics	Rectangular lot with rear alley access
Zoning	R-1-B – high density one family detached dwellings
Existing Development	One family detached dwelling, permitted in this zone.
Adjacent Properties	One family detached dwellings
Surrounding Neighborhood Character	Low density residential

III. PROJECT DESCRIPTION IN BRIEF

Applicant	WSC Capital LLC
Proposal	Expand attic to a full second floor
Relief Sought	§ 223 - Additions to a One-Family Dwellings or Flats

V. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed	Relief
Height § 400	40-foot maximum	<40 feet	<40 feet	None required
Lot Width § 401	50-foot minimum	40 feet	40 feet	None required
Lot Area § 401	5,000 SF minimum	4,076 SF	4,076 SF	None required
Floor Area Ratio § 402	None prescribed	--	--	None required
Lot Occupancy § 403	40% maximum	48.5%	48.5%	Required
Rear Yard § 404	25-foot minimum	33 feet	33 feet	None required
Side Yard § 405	8-foot minimum	East: 3.25 feet West: 3.50 feet	East: 3.25 feet West: 3.50 feet	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.*

One-family detached dwellings are a permitted use in this zone. The applicant is requesting special exception relief from §§ 403, 405 and 2001.3.

223.2 *The addition or accessory structure shall not have a substantially adverse effect 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 distance between the structure on the subject property and those on the adjacent lots would not be altered, and the increase in the height of the building on the subject property would be approximately seven feet. Therefore, it does not appear that it would unduly impact the air and light available to the neighbors.

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

The proposed building addition would extend no further into the rear yard than the existing structure, minimizing visibility into the rear yards of adjoining properties. Proposed second floor windows would generally face the pitched roofs of the adjoining properties to the east and west.

- (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 expand the second floor, increasing building height only by approximately seven feet, and the footprint of the building would be no closer to either the alley or the street than the current situation. The house would be altered from an east/west orientation to a north/south orientation, consistent with the dwellings on either side.

- (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 is 48.5 percent, less than the maximum 50 percent permitted by 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 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.

VII. AGENCY COMMENTS

No comments were received from other District agencies

VIII. COMMUNITY COMMENTS

No comments were received from ANC 4B.

Attachment: Location Map

