



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Arthur Jackson, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: July 22, 2014
SUBJECT: **BZA Case 18805** - request for special exception relief from § 774.1 in accordance with § 774.2 to reduce the rear yard setback required for a proposed second floor addition to the existing three-story building located at 1827-1831 14th Street NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of the special relief from § 774.1 (minimum rear yard of 12 feet is required, 0 feet is proposed) requested in accordance § 774.2 because this application generally meet the standards for special exception approval.

II. LOCATION AND SITE DESCRIPTION:

Address:	1829-1831 14 th Street NW
Legal Description:	Square 0238, Lot 0873
Ward:	1B
Lot Characteristics:	The 7,294 square-foot (0.17 acre) rectangular interior lot borders 14 th Street NW along the front (western) property boundary, a public alley 30-feet wide along the rear (eastern) boundary, and developed properties to the north and south (sides) (refer to Figure 2).
Zoning:	<i>Arts/C-3-A</i> – allows a variety of medium density commercial and mixed use development including residential development subject to applicable provisions of the Uptown Arts-Mixed Use (Arts) Overlay.
Existing Development:	The property is entirely occupied by a commercial building with 7,200 square feet of ground floor area. Along the southern property boundary are two upper floors 24-feet wide. According to DC land records, the second floor extends back 84 feet from 14 th Street frontage and the third floor-above extends 37 feet from the same frontage (refer to Figure 1).
Historic District:	Greater 14 th Street
Adjacent Properties:	Commercial buildings of similar scale (refer to Figure 1).

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	1831 14 th Street LLC, owner of record
Proposal:	Construct an addition to extend the existing second floor to the rear building façade and alley. In C-3-A, § 774.1 requires measurement of the rear yard setback, above a



	horizontal plane twenty feet (20 ft.) above the mean finished grade at the middle of the rear of the structure, from the rear lot line to the rear wall. According to the application, the required rear yard setback for this proposal is a minimum 12 feet. The proposed addition would encroach into this setback. Accordingly, the applicant filed an application with Board of Zoning Adjustment (BZA) for zoning relief.
Relief Sought:	Special exception relief from rear yard setback required under § 774.1 in accordance with the provisions of § 774.2.

IV. ZONING REQUIREMENTS

R-4 District	Regulation	Existing	Proposed	Relief?
Rear Yard (ft.) § 774.1 ¹	12 feet min.	12+ feet	0 foot	- 12 feet

V. OP ANALYSIS:

Consistency with § 774.2

774.2 *The Board of Zoning Adjustment may waive the rear yard requirements of this section pertaining to C-3-A, C-3-B, C-3-C, and C-4 Districts in accordance with the requirements of § 3104 for special exceptions; provided, that the standards in §§ 774.3 through 774.6 shall be met.*

774.3 *Apartment and office windows shall be separated from other buildings that contain facing windows a distance sufficient to provide light and air and to protect the privacy of building occupants.*

Based on the submitted plans and OP observations onsite, no apartment or office windows would face the proposed addition to the north, south or to the east across the existing alley.

Figure 1



774.4 *In determining distances between windows in buildings facing each other, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be sufficient to provide adequate light and privacy to the rooms.*

As stated above, no office or apartment windows would face the addition.

¹ The minimum rear yard setback applicable to the second floor level per § 774.1.

774.5 *The building plan shall include provisions for adequate off-street service functions, including parking and loading areas and access points.*

The application did not indicate that the building currently has any onsite or offsite parking and loading service facilities and none would be provided under this proposal.

Figure 2



774.6 *Upon receiving an application for an approval under § 774.2, the Board shall submit the application to the D.C. Office of Planning for coordination*

review, report, and impact assessment, along with reviews in writing of all relevant District of Columbia departments and agencies including the Departments of Transportation and Housing and Community Development and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.

The State Office of Historic Preservation did not express any concerns about this proposal. DC Department of Transportation (DDOT) comments will be provided under a separate cover.

Based on this analysis, this application generally meets the standards for special exception approval pending and DDOT concerns.

VI. COMMUNITY COMMENTS

To date no resolution on this application from Advisory Neighborhood Commission 1B has been added to the case record file.