

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Michael Jurkovic, AICP, Development Review Specialist
JL Joel Lawson, Associate Director Development Review
DATE: April 4, 2024
SUBJECT: BZA Case 21099: Request for special exception relief to allow a new accessory structure at 1310 Monroe Street, NE.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle D § 5201 and Subtitle X § 901:

- D §5004.1, Rear Yard (Accessory Structures Prohibited, 1 existing; 1 proposed)

II. LOCATION AND SITE DESCRIPTION

Address	1310 Monroe Street NE
Applicants	Thomas Martin
Legal Description	Square 3964; Lot 10
Ward, ANC	Ward 5; ANC 5B
Zone	R-1B, intended for areas of detached houses on moderately sized lots.
Historic Districts	N/A
Lot Characteristics	Interior Rectangular Lot Measuring 50 ft. x 150 ft.
Existing Development	Single Family Detached Dwelling with an Accessory Building
Adjacent Properties	Single Family Detached Dwellings
Surrounding Neighborhood Character	Low Density Residential Neighborhood.
Proposed Development	Replace existing Accessory Building (Garage) with a larger Accessory Building (Studio/Workshop).

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1B Zone	Regulation	Existing	Proposed ¹	Relief
Lot Width D § 202 (302)	50 ft. min.	50 ft.	No Change	None Requested

¹ Provided by the Applicant.

R-1B Zone	Regulation	Existing	Proposed¹	Relief
Lot Area D § 202	5000 sq. ft. min.	7500 sq. ft.	No Change	None Requested
Rear Yard D § 207	25 ft. min.	61.75 ft.	61.75 ft.	None Requested
Side Yard D § 207	2 side yards 8 ft. min.	8 ft. & 9 ft	2 side yards of 8 ft.	None Requested
Lot Occupancy D § 210	40% max. by right 50 % max by sp. ex.	21.4%.	22.7%	None Requested
Accessory Building Height D §5002	22 ft. and two stories max.	Not provided	16.5 ft.	None Requested
Accessory Building Area D §5003	Greater of 30% of the required Rear Yard or 450 sq. ft.	Not provided	288 sq. ft.	None Requested
Accessory Building in Rear Yard D §5004	Not in the required Rear yard	Yes	Yes (Larger Building)	Spec. Ex. Relief Required

IV. OP ANALYSIS

Subtitle D § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 is not relevant to this application.

5201.2 For a new or enlarged accessory structure to a residential building with only one (1) principal dwelling unit on a non-alley lot, the Board of Zoning Adjustment may grant relief from the following development standards as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

- (a) Lot occupancy as limited in Table D § 5201.1(a);*
- (b) Maximum building area ...*
- (b) Maximum building area of an accessory building;*
- (c) Yards, including alley centerline setback; and*
- (d) Pervious surface.*

The requested Rear Yard relief is within that which is allowed by Special Exception.

5201.3 is not relevant to this application.

5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or

property, specifically:

- (a) *The light and air available to neighboring properties shall not be unduly affected;*

The proposal would replace an existing accessory structure on the property with a larger building in approximately the same location. As the accessory structure is well within the development requirements of the R-1B zone the proposal should not result in an undue impact to light or air of the adjacent properties.

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

The proposed structure would be placed in approximately the same location as the existing structure and would contain a limited number of windows on the façade facing the closest neighboring property. Therefore, it should not have an impact on the neighbor's privacy any more than the existing structure.

- (c) *The proposed addition or accessory structure, together with the original building, or the new principal 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 street or alley frontage; and*

The proposed structure would be visible from Monroe Street and would replace an existing structure. The new structure would be closer visually to the existing principal structure such as similar windows and doors. Therefore, the proposal should not visually intrude on the existing character, scale, and pattern of the houses along the roadway.

- (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 provided plans, photographs, and elevations to sufficiently represent the relationship of the proposed addition from public ways.

5201.5 The Board of Zoning Adjustment 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.

No special treatment is recommended.

5201.6 This section shall not be used to permit the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized in this section, height, or number of stories as a special exception.

The proposed accessory building height, stories, and size would comply the R-1B development standards. The requested Rear Yard relief is within that which is allowed by Special Exception in the R-1B Zone.

Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS

901.2 *The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:*

- (a) *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The proposed accessory structure would be consistent with the intent of the R-1B zone requirements. Specifically, the request would be consistent with all other accessory structure requirements found in Subtitle D, Chapter 50, and the requested Rear Yard relief would be within that which is allowed by special exception.

- (b) *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

The replacement of the existing accessory structure should not intensify any impact to the use of neighboring properties as the proposal's would maintain the accessory building which is consistent with those found on other properties in this square of homes. Additionally, the lot occupancy would still be well within that which is allowed by-right.

- (c) *Subject in specific cases to the special conditions specified in this title.*

The form of relief is within the allowed criteria of D § 5201, provided above.

V. OTHER DISTRICT AGENCIES

As of the writing of this report there are no comments from other District agencies in the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

At Exhibit #22, ANC 5 B has provided their report to the record.

VII. COMMUNITY COMMENTS

At Exhibit #15, the applicant has provided to the record a document containing signatures of support from five (5) of their neighbors.

Attachment: Location Map

Location Map:

