

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR



MEMORANDUM

DATE: January 27, 2015

TO: Board of Zoning Adjustment

FROM: Matthew Le Grant *MLG*  
Zoning Administrator *MLG*

SUBJECT: Proposed 1- story rear deck addition to an existing Single-Family semi-detached structure.  
The structure is located at  
5330 42nd Street N.W.  
Lot 1664 in Square 0030  
Zoned R-2  
DCRA File Job #B1500995  
DCRA BZA Case #FY-15-29-Z

Review of the plans for the subject property referenced above indicates that Board of Zoning Adjustment approval is required as follows:

1. Special Exception from §223.1 to allow a new 1- story rear deck addition to an existing single-family semi-detached structure that exceeds the maximum allowable lot occupancy in the R-2 residence zone (§ 3104.1).

Note: All applicants must provide the Office of the Zoning Administrator with submission verification, in the form of a formal receipt from the BZA, within 30 days of the date of this memo.

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Board of Zoning Adjustment  
District of Columbia  
CASE NO.18990  
EXHIBIT NO.7

(Permit # B1500995) FY-15-29-Z

### NOTES AND COMPUTATIONS

ADDRESS: 5330 42nd Street N.W.

LOT(S): 0030

SQUARE: 1664

Rear addition  
(deck) to SFD

ZONED: R-2

REQUIRED

ALLOWED

PROVIDED

VARIANCE

	<u>REQUIRED</u>	<u>ALLOWED</u>	<u>PROVIDED</u>	<u>VARIANCE</u>
LOT AREA	3,000 ft. <sup>2</sup>		2346.5 ft. <sup>2</sup>	N/A
LOT WIDTH	30 ft.		25 ft.	N/A
LOT OCCUPANCY	40%	938.6 ft. <sup>2</sup>	Existing: 925.9 ft. <sup>2</sup> (39%) Proposed: 1273 ft. <sup>2</sup> (54%)	334 ft. <sup>2</sup> (14%)
PARKING SPACE	1 space (9ft.x 19 ft.)		1 space (9ft.x 19 ft)	N/A

## **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;
  - (b) The privacy of use and enjoyment of neighboring properties shall 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 upon the character, scale and pattern of houses along the subject street frontage; and
  - (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.
- 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.
- 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 or nearby properties.
- 223.5 This section may not be used to permit the introduction or expansion of a nonconforming use .

SOURCE: Final Rulemaking published at 45 DCR 1146, 1447 (March 13, 1998); as amended by Final Rulemaking published at 48 DCR 8979, 8983 (September 28, 2001); and as amended by Final Rulemaking published at 54 DCR 9564 (October 5, 2007).