

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Karen Thomas, Case Manager  
*JL* Joel Lawson, Associate Director for Development Review

**DATE:** October 09, 2019

**SUBJECT:** BZA #20131 – 711 Lawrence Street, NE – Request for special exception relief under Subtitle D § 5203 to permit removal of original roof top architectural elements

**I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following requested special exception pursuant to Subtitle E § 5203:

- E § 206.1(a) – retention of rooftop architectural element required; existing – original removed, new roofline existing – no new construction proposed (2011).

**II. BACKGROUND**

The original home was demolished, and a new residential structure was built in 2011 (See Exhibits 10A1 10A2, 10A3). The Department of Consumer and Regulatory Affairs (DCRA) has determined that the applicant added a third level, which removed the original roofline and elements. Although this provision to regulate the removal of rooftop elements was not in the regulations at the time, the applicant currently has other outstanding permitting requirements with DCRA, and DCRA has requested that the renovated structure be brought into compliance with the current regulation in this regard by seeking this special exception relief.

**III. LOCATION AND SITE DESCRIPTION**

Applicant	Quilong Chen
Address	711 Lawrence Street NE
Legal Description	Square 3653, Lot 24
Ward / ANC	5, 5E
Zone	RF-1 (Single family rowhouses and flats)
Historic District or Resource	None

Lot Characteristics	The lot is a large rectangular 9,440 sf lot with even gradient. There is no rear alley access.
Existing Development	The lot is developed with a single-family detached dwelling with a rear garage accessed from Lawrence Street.
Adjacent Properties and Neighborhood Character	The immediate neighborhood including the square bounded by Lawrence Street, 8 <sup>th</sup> Street, Kearney Street and 7 <sup>th</sup> Street NE primarily consists of large lots with single-family dwellings, not typical of the RF-1 zone district.
Proposal	The applicant requires relief to bring into conformance the prior removal of the original rooftop architectural features. The property would remain a single-family dwelling.

#### **IV. ZONING REQUIREMENTS AND RELIEF REQUESTED**

The Zoning Administrator’s memo of April 8, 2019 (Exhibit 4) stated that the applicant required relief to permit the removal of a roof top architectural element pursuant to Subtitle E § 206.1 (a).

A special exception to the requirements of Subtitle E § 206 shall be subject to the conditions of Subtitle E § 5203.1(b), (c), and (d).

#### **V. ANALYSIS**

##### **206 ROOF TOP OR UPPER FLOOR ADDITIONS**

###### 206.1(a)

*A roof top architectural element original to the building such as cornices, porch roofs, a turret, tower, or dormers, shall not be removed or significantly altered, including shifting its location, changing its shape or increasing its height, elevation, or size.*

##### **SUBTITLE E § 5203 - BUILDING HEIGHT**

###### 5203.1

*(b) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;*

*(c) Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator;*

*(d) A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size;*

The detached home is located on a large lot and it is not attached to an adjacent structure typical of the RF-1 District. The side yards are 31 feet and 16 feet and the third-floor addition (constructed in 2011) does not now block or impede a functioning chimney nor does it impact a permitted solar system on either adjacent property. At this time, no additional, new construction is proposed for this property and OP does not have any information that the prior renovation/reconstruction done in 2011 and which resulted in the removal of the rooftop element would now have an impact on the adjacent neighbors or immediate neighborhood. No other relief appears to be required.

## VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of this writing, the record contains no comments from other District agencies.

## VII. COMMUNITY COMMENTS

ANC 5E's comments noted in Exhibit 29 indicate that the ANC would not be providing formal input on this matter.

### LOCATION and ZONING MAP

