

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen Cochran, Project Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** January 31, 2020  
**SUBJECT:** BZA Case 20196 - Special Exceptions to allow a rear deck addition to an existing rowhouse at 220 Ascot Place, NE

**I. OFFICE OF PLANNING RECOMMENDATION**

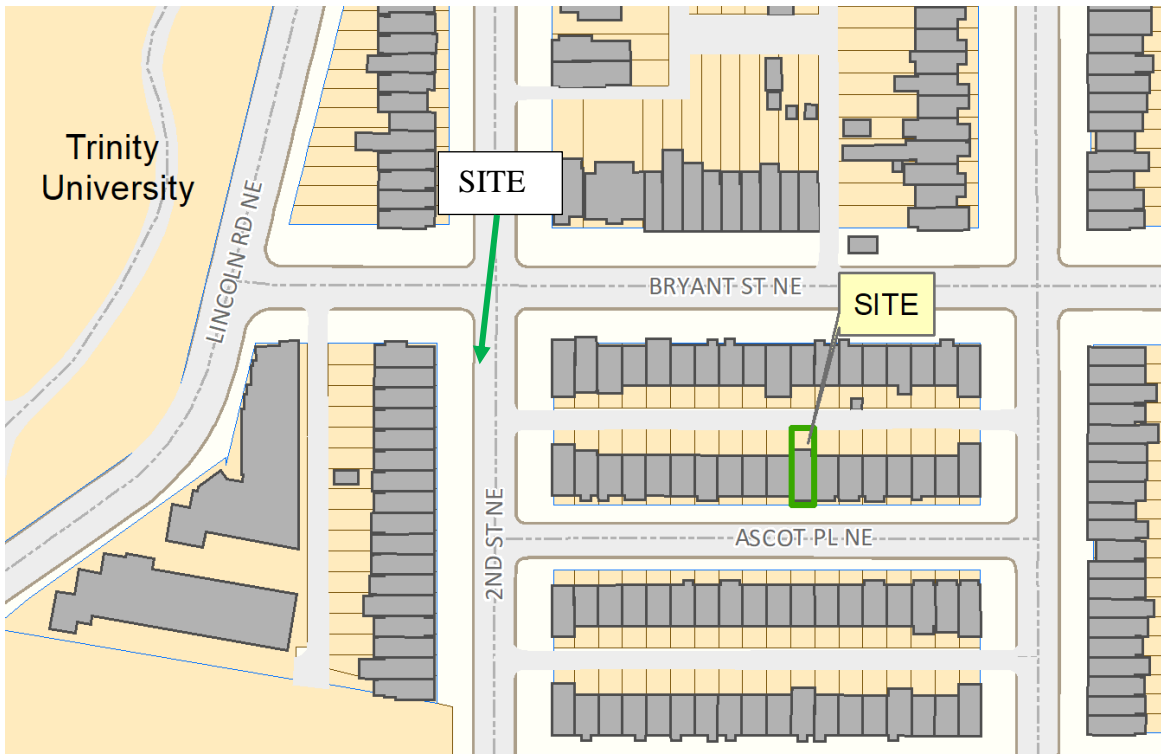
The Office of Planning (OP) recommends **approval** of the following special exceptions pursuant to Subtitle D § 5201:

- D § 306.2 Rear Yard, (20 ft. minimum rear yard required; 8.5 ft. rear yard proposed)
- D § 304.1 Lot Occupancy, (60% maximum lot occupancy, 70% maximum by special exception; 62% lot occupancy proposed).

OP’s recommendations reflect the revised applicant filing of Exhibit 37, and a new referral memorandum from the Zoning Administrator (Exhibit 39), based on a corrected calculation of existing and proposed lot occupancy.

**II. LOCATION AND SITE DESCRIPTION**

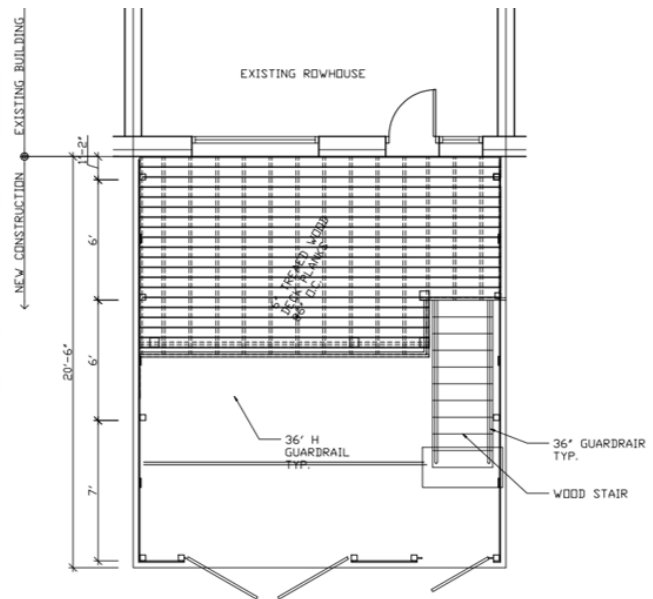
Address:	220 Ascot Pl, NE
Applicant:	Sonia Ahmed and Farzaam Esmaelian (Gadi Romen, agent)
Legal Description:	Square 3557, Lot 0069
Ward / ANC:	5 / 5E
Zone:	R-3
Lot Characteristics:	Rectangular, flat, 1,115 SF interior lot (18’7” wide x 60’ deep). The lot abuts a 15 feet wide alley.
Existing Development:	Attached two-story, single-family rowhouse.
Adjacent Properties:	Similar row houses to the east and west.
Surrounding Neighborhood Character:	The character is predominantly two-story single-family rowhouses. Trinity University and Greenwood Cemetery are 1½ blocks to the west and southwest.
Proposed Development:	The applicant proposes to construct a two-story rear addition which would extend the building’s footprint 10 feet past the furthest rear wall of the adjoining property to the east and 13.25 feet beyond the rear wall of the property to the west.



Site Location



Existing Rear of House



Proposed Deck

**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

<b>R-3 Zone</b>	<b>Regulation</b>	<b>Existing<sup>1</sup></b>	<b>Proposed<sup>1</sup></b>	<b>Relief</b>
Lot Area D § 302	2,000 SF min.	1,115 SF	Same	None required. Existing non-conformity
Lot Width D § 302	20 ft. min.	20 ft.	20 ft.	None required
Height D § 303	40 ft., 3 stories max.	~25 ft./2 stories	Same	None required
<b>Lot Occupancy</b> D § 304	<b>60% max.</b> <b>70% by S.E.</b>	<b>46 %</b>	<b>62 %</b>	<b>Special Exception Requested</b>
<b>Rear Yard</b> D § 306	<b>20 ft. min.</b>	<b>68 ft.</b>	<b>58 ft.</b>	<b>Special Exception Requested</b>
Parking C § 701	1 space min.	None. (pre-58 parking credit)	None	None required

<sup>1</sup> Information provided by applicant.

**IV. OP ANALYSIS**

**Subtitle D Chapter 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE**

*5201.1 The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:*

- (a) **Lot occupancy;***
- (b) **Yards;***
- (c) **Courts;***
- (d) **Minimum lot dimensions;***
- (e) **Pervious surface; and***
- (f) **The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.***

*5201.2 Special exception relief under this section is applicable only to the following:*

- (a) **An addition to a residential building;***
- (b) **A new or enlarged accessory structure that is accessory to such a building; or***
- (c) **A reduction in the minimum setback requirements of an alley lot.***

The applicant proposes to construct a rear deck addition to a residential rowhouse. The deck is 10-foot deep a replacement for a 6-foot deep metal rear deck that the applicant states required demolition in 2019 due to its rusted condition.

*5201.3 An applicant for special exception under this section shall demonstrate that the proposed 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 recently-demolished deck on the applicant's property was 6 feet deep and semi-enclosed with an awning and transparent roll-down curtains. Many properties facing the alley have decks or rear additions ranging from 6 feet to 10 feet deep. Given this pattern and the size of the proposed deck – which would not have an awning or temporary enclosure, it is not likely to have an undue effect on the north-facing rear yards or rooms of the adjacent rowhouses.

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

While there could be some impact on the privacy of use of adjacent rear yards, the impact would not likely to be greater than any of the other nearby rear decks and should not be undue. The views from the proposed deck would be similar to what had existed prior to the demolition of the metal deck. exists today. The level of privacy of use and enjoyment of neighboring properties that currently exists should not be significantly reduced by the proposed addition.

- (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;*

The two-story proposed addition would be located at the rear of the subject property and would not be visible from a public street. Many of the rowhouses that abut the rear alley have similar rear decks or additions. As such, the proposal should not visually intrude upon the character, scale, and pattern of the rowhouses as seen from the street or the alley.

- (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; and*

The applicant submitted photographs, a revised plat, architectural sections and elevations to illustrate the proposed addition and nearby buildings.

- (e) *The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%).*

The applicant states that the total lot occupancy with the proposed addition would be 62%.

*5201.4 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.*

OP does not recommend any special treatment or conditions.

*5201.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The proposed addition would be for residential use which is a permitted use in the R-3 zone.,

*5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.*

The building would remain at a height of approximately 25 feet and two stories, which would conform to the 40 feet/3 stories allowed in the R-3 zone.

## **V. OTHER DISTRICT AGENCIES**

At the time OP completed this report, no other agency reports had been submitted to the file.

## **VI. ADVISORY NEIGHBORHOOD COMMISSION**

As of the date of this memo, an ANC report had not been filed to the record.

## **VII. COMMUNITY COMMENTS TO DATE**

A submission with four letters of support is provided at Exhibit 35.