

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: October 29, 2021
SUBJECT: BZA Case 20560 – Screened porch addition to a dwelling at 1713 D St. SE

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exceptions:

- Subtitle E § 404.1, lot occupancy (60% maximum permitted, 47% existing, 62.7 proposed) pursuant to Subtitle E § 5201 and Subtitle X § 901.2;
- Subtitle E § 201.1, rear yard extension (10 feet allowed, 14.33 feet to the east proposed) pursuant to Subtitle E § 5201 and Subtitle X § 901.2); and
- Subtitle E § 206.1, removal of architectural element pursuant to Subtitle E § 5207 and Subtitle X, § 901.2.

II. LOCATION AND SITE DESCRIPTION

Address	1713 D Street, SE
Applicant	Bridget and Michael Sewell represented by Sullivan and & Barros
Legal Description	Square 1102, Lot 99
Ward / ANC	Ward 6 / ANC 6B
Zone	RF-1 - areas predominantly developed with row houses.
Lot Characteristics	The nearly flat, rectangular lot measures 16 feet in width and 104.5 feet in depth. The property is bounded by D Street NW to the north and an 18-foot-wide improved public alley to the south.
Existing Development	The property is improved with a two-story, single family row building.
Historic District	Not within a historic district.
Adjacent Properties	The adjoining properties are developed with row buildings.
Surrounding Neighborhood Character	The neighborhood is primarily residential with a mix of two- and three-story row dwellings. To the south-east of the property, across the alley, are two alley lots which are being used as community gardens.

Site Location and Zoning



III. PROPOSAL

The proposal is to construct a third story addition on top of the existing two-story building, as well as a three-story rear addition. The additions would extend the building 14.5 feet past the adjacent two-story building on the property to the east (1715 D Street, NW) and would be even with the rear wall of the three-story building to the west (1711 D Street, NW). The first floor of the rear addition would match the width of the existing building. However, the second and third floor additions would be setback 4.33 feet from the eastern property line. The existing mansard roof, an architectural element, on the front of the building would be removed for the third-floor addition.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed ¹	Relief:
Height E § 403	35 ft. max./3 stories	20 ft./2 stories	34.5 ft/3 stories	None required
Lot Width E § 201	18 ft. min.	16 ft.	16 ft.	None required
Lot Area E § 201	1,800 sq. ft. min.	1,672 sq. ft.	1,672 sq. ft.	None required
Lot Occupancy E § 404 E § 5201	60% max. 70%	47%	62.7%	Required
Front Setback E § 405	Within the range of existing front setbacks	Within range	Within range	None required

¹ Information from the submitted Plans at Exhibit 31.

RF-1 Zone	Regulation	Existing	Proposed¹	Relief:
Rear Yard E § 306	20 ft. min.	51.5 ft.	37 ft.	None required
Rear Yard extension E § 201.1	10 ft. beyond the rear wall of adjacent buildings	none	14.5 ft. beyond the rear wall of building to the east	Required
Parking C § 701	1 parking space/dwelling unit	2 space	2 spaces	None required

V. ANALYSIS

Lot Occupancy, Rear Yard Extension

- Subtitle E § 404.1, lot occupancy (60% maximum permitted, 47% existing, 62.7% proposed) pursuant to Subtitle E § 5201; and
- Subtitle E § 201.1, rear yard extension (10 feet allowed: 14.5 ft. to the east proposed) pursuant to Subtitle E § 5201.

Subtitle E § 5201 Addition to a Building or Accessory Structure

5201.1 For an addition to a principal residential building on a non-alley lot or for a new principal residential building on a substandard non-alley record lot as described by Subtitle C § 301.1, the Board of Zoning Adjustment may grant relief from the following development standards of this subtitle 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 up to a maximum of seventy percent (70%) for all new and existing structures on the lot;***
- (b) **Yards, including alley centerline setback;***
- (c) **Courts; and***
- (d) **Pervious surface.***

The property is a non-alley lot, and the proposal is for additions to the existing residential building. The addition would increase the lot occupancy to 62.7% and rear wall extensions of 14.5 feet.

5201.2 & 5201.3 N/A

5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new 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;***

Currently, the subject house is in line with the house to the east, 1715 D Street, and both have a height of two stories. The house to the west, at 1711 D Street, extends 14.5 feet beyond the subject

house and has three-stories. With the proposed three-story addition, the building would extend 14.33 feet beyond the house to the east and would be in line with the house to the west.

The proposed addition would make the existing house similar in height and rear extent to the house to the west, so its light and air should not be substantially affected. The Applicant has provided solar studies at Exhibit 13 which shows that there is a greater amount of shadows on the property to the east during the afternoons of the winter and summer solstice when compared to the extent of shadows that would have been produced if the addition was limited to the allowed 10 feet beyond its rear wall. To minimize the impact of shadows on the property to the east, the applicant has set back the second and third floors of the addition by 4.33 feet, to reduce the impact of light and air. The owners of the two adjacent properties provided letters of support at Exhibits 35 and 37.

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

The properties are separated by six-foot high fences. The subject building currently has a rear deck slightly above the height of the fence, that allows some views into the adjacent rear yards but not into any private spaces. The three-story addition would not have windows or doors on the sides and therefore, the privacy of the adjacent neighbors should not be unduly compromised.

(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 third floor would be visible from D Street. On this block of D Street, there are five other building with third floor additions, including one that adjoins the subject building to the west. Therefore, there is an established pattern and scale along the street frontage. The rear addition would be visible from the alley. Many of the buildings on the alley have two- and three-story rear additions and decks and so the proposal would not be unusual. Therefore, the proposed additions would not visually intrude on the character, scale and pattern along D 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.

The applicant provided photographs, plans and elevations.

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.

OP suggest no special treatment as it relates to the lot occupancy and rear wall extension.

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 house will continue to be used as a single-family residence, a conforming use. The proposal is within the maximum height and number of stories allowed in the RF-1 zone and the lot occupancy 62.7% is within the 70% allowed by Subtitle C § 5201.1(a).

5201.7 N/A

Architectural Element

Subtitle E § 206.1 requires that rooftop architectural elements be retained. However, Subtitle E § 206.4 allows removal by special exception, subject to the provisions of Subtitle E § 5207 and Subtitle X, Chapter 9. To accommodate the third-floor addition on top the existing building the Applicant proposes to remove the mansard roof. The applicant is proposing to provide a mansard roof with a dormer window at the top of the proposed new third floor, similar to the house to the west. The porch roof would be retained.

5207.1 The Board of Zoning Adjustment may grant relief from the requirements of Subtitle E § 206.1 as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:

- (a) The proposed construction shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
 - (1) The light and air available to neighboring properties shall not be unduly affected;*
 - (2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and**

The removal of the mansard roof and the addition of the third floor should not unduly compromise the privacy of the adjacent neighbors as the windows would be on the front of the addition and not overlook into any private spaces. The addition would not project beyond the front face of the existing building or beyond those of the adjacent buildings.

- (3) The proposed construction, 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;*

The proposed removal of the mansard roof and the new third floor addition with a mansard roof would be visible from D Street. Along this block of D Street, there are five existing buildings with third floor additions (Attachment 1). In addition, two of the buildings retained the existing mansard and three removed the mansard. Along this block of D Street, a majority of the buildings have mansard roofs, but some do not. Therefore, the removal of the mansard roof and the third-floor addition would not substantially visually intrude upon the character, scale, and pattern of houses along D Street.

- (b) In demonstrating compliance with paragraph (a), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed construction to adjacent buildings and views from public ways; and*

The Applicant provides plans, photographs, or elevation and section drawings to show the relationship of the proposal to the adjacent properties and from D Street.

- (c) *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 or nearby properties, or to maintain the general character of a block.*

OP does not recommend any special treatments.

General Special Exception Requirements of Subtitle X § 901.2

Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

As demonstrated above, the proposal would not significantly affect access to adequate light, air and privacy for adjacent neighbors. The retention of the front façade architectural elements is intended to help retain the character of buildings along the street frontage. In this case, the front porch would be maintained, the proposal would provide a mansard roof on its third floor similar to the one on the adjacent building, and there are other houses without mansard roofs and with third floor additions and therefore the character of the street should not be impacted and would be in harmony with the Regulations and Map.

Would the proposal appear to tend to affect adversely, the use of neighboring property?

As the shadow study provided by the Applicant shows, the proposed additions would not adversely affect the light and air to the adjacent properties. The proposed addition would have setbacks at the second and third floors adjacent to the property to the east and would be in line with the building to the west. In addition, there would be no windows on the sides of the addition to affect the privacy and use of the adjacent properties.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been submitted to the record as of the date of this report.

VII. ANC COMMENTS

The property is within ANC-6B. The ANC provided a letter in support of the proposal at Exhibit 48.

VIII. COMMUNITY COMMENTS TO DATE

There are several letters of support in the record. At Exhibits 35 and 37 are letters in support from the adjacent neighbors at 1711 D Street, SE and 1715 D Street, SE respectively.

Attachment 1

1700 Block of D Street SE



	Address	Original Mansard Roof
1	1702 D Street, SE	Removed
2	1706 D Street, SE	Retained
3	1738 D Street, SE	Removed
4	1705 D Street, SE	Retained
5	17011 D Street, SE	Removed