

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Karen Thomas, Case Manager  
*J* Joel Lawson, Associate Director Development Review  
**DATE:** May 26, 2022  
**SUBJECT:** BZA Case 20735 - request for special exception relief to allow addition of a rear deck at 2920 18<sup>th</sup> Street NW

**I. RECOMMENDATION**

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

- Lot Occupancy E § 304 (60% max, 57.3% existing; 70% proposed).
- Rear Yard E § 306.1 (20 feet min., 20 feet existing; 8 feet proposed)

**II. LOCATION AND SITE DESCRIPTION**

Address:	2920 18 <sup>th</sup> Street NW
Applicant:	Matthew and Erin Rodomski
Legal Description:	Square 2587 Lot 0489
Ward / ANC:	Ward 1 / ANC 1C
Zone:	<b>RF-1</b> - predominantly row houses on small lots within which no more than two principal dwelling units are permitted.
Historic Districts	None
Lot Characteristics:	The lot is an irregularly shaped corner lot abutting 18 <sup>th</sup> Street and an alley. The lot has a variable grade with higher elevation at the front than the rear.
Existing Development:	The property is developed with a flat.
Adjacent Properties:	The adjacent property is an attached row dwelling.
Surrounding Neighborhood Character:	The immediate vicinity is a mix of row dwellings and large apartment buildings in the RA-2 zone, within the Adams Morgan neighborhood.
Proposed Development:	The Applicants have proposed a 12 feet x 18 feet rear deck addition to their residence; rear yard and lot occupancy relief is required.

**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

<b>RF-1 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed <sup>1</sup></b>	<b>Relief:</b>
Height E § 303	35 ft. max.	34ft. 11 in.	34 ft. 11 in.	None required
Lot Width E § 201	18 ft. min.	20 ft.	20 ft.	None required
Lot Area E § 201	1,800 sq.ft. min.	1,777 sq.ft.	1,777 sq.ft.	None required
Parking C § 701	1 space	2 spaces	2 spaces	None required
<b>Lot Occupancy E § 304</b>	60% max.	57.3%	70%	<b>Relief required</b>
<b>Rear Yard E § 306</b>	20 ft. min.	20 ft.	8 ft.	<b>Relief required</b>

**IV. ANALYSIS**

**Subtitle E Chapter 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.*

Relief is requested from lot occupancy and rear yard requirements for a principal residential building on a non-alley lot, which is consistent with this section.

*5201.2 & 5201.3 not relevant to this application*

*5201.4 An applicant for special exception 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, in particular:*

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

The proposed deck would be an open structure as shown on submitted Plans – [Exhibit 5](#) – located off the rear of the house at the lower level, so it should not affect the light and air to its immediately adjacent home to the southwest, which has a similar deck to the one proposed.

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

The use and enjoyment of the neighboring property should not be unduly compromised by the proposed deck. A rear deck is customary for passive recreation at the rear of

residences in residential zones. The neighbors at # 2916, #2914 and #2920-Unit B are supportive of the deck's installation. (Exhibits 16, 17, 18)

- (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 deck would not be visible from the street as it is located off the rear of the house, and would not be out of character as viewed from the alley. The alley includes the deck of the residence immediately abutting the subject property and other decks. [See Exhibit 11.](#)

- (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 requirements are submitted as required under [Exhibits 5, and 11.](#)

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 does not recommend any special treatment or materials.

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.*

Decks are customary accessory uses for residential purposes. The lot occupancy would not exceed the permitted maximum.

## **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 deck addition would be in harmony with the general purpose and intent of the Regulations. Due to the lot's topography and the resulting setback of the building on the lot, there is no access to the rear from the home to the outdoor at the rear. The would provide additional area for passive recreation as outdoor space for the home.

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

Use of the subject deck should not adversely affect the neighboring property, which also has a similar deck, as can be seen in submitted photos. ([Exhibit 11](#))

**V. OTHER DISTRICT AGENCIES**

At the writing of this report, there are no other District agency comments in the record.

**VI. ADVISORY NEIGHBORHOOD COMMISSION**

The ANC-1C memo in support of the application is at [Exhibit 22](#).

**VII. COMMUNITY COMMENTS**

The neighbors have submitted letters in support to the record including [Exhibits 16, 17, and 18](#).

**Figure 1: Location Map**

