

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, Development Review Specialist  
 Joel Lawson, Associate Director Development Review  
**DATE:** March 8, 2023  
**SUBJECT:** BZA Case 20831: Request for special exception relief pursuant to allow for a two-story rear porch to an existing row house.

**I. RECOMMENDATION**

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

- E § 304.1, Lot Occupancy (60 percent permitted; 59.4 percent existing; 67.6 percent proposed).

**II. LOCATION AND SITE DESCRIPTION**

Address	718 North Carolina Avenue, S.E.
Applicant	Joseph Britton and Katherine Ely
Legal Description	Square 899, Lot 49
Ward, ANC	Ward 6, ANC 6B
Zone	RF-1
Historic District	Capitol Hill
Lot Characteristics	Rectangular lot with rear alley access
Existing Development	Three-story one-family row house
Adjacent Properties	Row houses
Surrounding Neighborhood Character	Moderate density residential, include locally serving retail and religious institutions
Proposed Development	Construct a rear two-story porch addition to an existing one-family row house

**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

RF-1 Zone	Regulation	Existing	Proposed	Relief
Height E § 303	35-foot max.	40 feet	40 feet	None Required
Lot Width E § 201	18-foot min.	20 feet	20 feet	None Required
Lot Area E § 201	1,800 sq. ft. min.	2,022.5 sq. ft.	2,022.5 sq. ft.	None Required

<b>RF-1 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Lot Occupancy E § 304	60% max.; 70% by sp ex.	59.4%	67.6%	<b>REQUIRED</b>
Rear Yard E § 306	18-foot min.	20 feet	20 feet	None Required
Open Court E § 203	2.5 in./foot of bldg. height min. or 5 feet	4.5 feet	5 feet	None Required
Parking C § 701	1 space, if provided	None	None	None Required

**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.*

The applicant proposes to increase the lot occupancy to 67.6 percent for a principal residential building on a non-alley lot, less than the maximum 70 percent permitted by special exception.

*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;*

Light and air should not be unduly affected. The proposed porch would be set back five foot from the common lot line to the east, allowing for light and air circulation. On the west side, although the porch would be constructed to the common lot line, the proposed structure would abut only the east side of the adjoining property to the west. The adjacent property to the west is improved with an open court on its east side where it abuts the subject property. Therefore, light and air should not be adversely affected.

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

Privacy and use of enjoyment of neighboring properties should not be unduly compromised. The west side of the proposed screened porch addition, the side that

would be constructed to the property line, would be improved with privacy panels to protect the adjoining neighbor. The east side of the screened porch would be adjacent to an open court abutting the adjacent neighbors rear yard. The open court would be widened from the existing 4.5 feet to 5 feet, as required, in the vicinity of the proposed porch. Therefore, use and enjoyment of neighboring properties 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 structure would be built in conformance with the rear yard and open court requirements as defined by the Zoning Regulations for the RF-1 zone. The proposed screened porch on the rear of an existing row house would be not dissimilar to other row houses. Therefore, it should not substantially visually upon the character, scale and patten of houses along the alley frontage.

- (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 submitted photographs, drawings and elevation drawings sufficient to represent the relationship of the proposed building addition to adjacent buildings and views from public spaces.

- 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 makes no recommendations for special treatment.

- 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 requested relief would not result in the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized in this section, or height or number of stories by special exception.

### **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;*

As described above, the proposed screened porch would be in conformance with provisions of Subtitle E Sec. 5201. The resulting building with the screened porch would not be inconsistent with the building size or level of use anticipated by the zone. Therefore, the

proposed screened porch addition would be in harmony with the general purpose and intent of the Zoning Regulations and maps.

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

The proposed screen porch would be set back from the adjoining property line to the east as required by the Zoning Regulations for open courts. On the west side, where the porch would abut the common lot line, privacy panels would be provided that would prevent visibility into the adjoining rear yard, protecting the privacy of that neighboring property. Therefore, neighboring properties should not be adversely affected.

**V. OTHER DISTRICT AGENCIES**

No comments from other District agencies were submitted to the record as of the date of the filing of this report.

**VI. ADVISORY NEIGHBORHOOD COMMISSION**

No comments from ANC 6B were submitted to the record as of the date of the filing of this report .

**VII. COMMUNITY COMMENTS**

No community comments were submitted to the record as of the date of the filing of this report.

**Location Map**

