



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Ron Barron, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: July 17, 2024

SUBJECT: BZA Case 21155, Request for special exception relief to permit construction of a rear addition to an existing, attached, three-story with cellar apartment house in the RA-2 zone at 2324 North Capitol Street, NW

I. OFFICE OF PLANNING RECOMMENDATION

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

- Subtitle F § 210.1, lot occupancy (60% allowed, 62% existing, 68% requested)

II. LOCATION AND SITE DESCRIPTION

Address	1752 U Street, NW
Applicant	John Schneider
Legal Description	Square 151, Lot 217
Ward, ANC	Ward 2; ANC 2B
Zone	RA-2
Historic District	Strivers' Section Historic District
Lot Characteristics	Regular lot with 1,715 sq. ft. of area, front and rear lot lines measuring 17.2 ft. and side yard lines measuring 100 ft.
Existing Development	Three story attached rowhouse with cellar.
Adjacent Properties	The adjacent properties are all attached three to four story rowhouses.
Surrounding Neighborhood Character	The neighborhood is characterized by historically contributing two- to three-story row houses.
Proposed Development	Construct a two-level deck on the rear wall of an existing, attached, three-story with cellar apartment house.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone-	Regulation	Existing	Proposed ¹	Relief
Density D § 201	1.8 FAR max.	NA	No Change	None requested
Lot Dimensions D § 202	1,800 sq. ft.	1715 ft.	No Change	None requested
Height D § 203	50 ft. max.	32 ft.	No Change	None requested
Rear Yard D § 207	A distance equal to 4 in. per 1 ft. of principal building height, but not less than 15 ft. min.	27 ft.	No Change	None requested
Side Yard D § 208	NA	NA	NA	None requested
Lot Occupancy D § 210	60% max.	62%	68%	Sp. Ex. requested
Parking C § 701	1	1	No Change	None requested

IV. BACKGROUND

V. OFFICE OF PLANNING ANALYSIS

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) *Green Area Ratio.*

The proposed addition would increase the lot occupancy from 62% to 68%, which is below the maximum allowed under special exception by this section.

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:

¹ Information provided by the applicant.

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

Approval of the requested special exception should not unduly compromise the light and air available to neighboring properties. The applicant's materials show that there would be little to no impact on the light and air available to adjacent properties. Both adjacent properties are developed with buildings with a similar massing and bi-level decks to what has been proposed for the subject property. There are no other proposed changes to the height, massing and facade of the building.

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

Approval of the requested special exception would not unduly compromise the privacy of use and enjoyment of neighboring properties. The subject property is one of the only properties along the alleyway that does not have a rear two-level deck. Any potential privacy impacts of the proposal should not be significantly greater than what the neighboring properties already have.

(c) The proposed addition or accessory structure, together with the original building, or the new 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 and alley frontage; and

Approval of the requested special exception would not substantially visually intrude upon the character, scale and pattern of houses along the street and alley frontage. The proposed decks would be at the rear of the house, so would not be visible from the street, but would be visible from the alley to the rear. As stated elsewhere, the addition of the decks would not be inconsistent with the pattern of houses along the alleyway.

(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, new building, or accessory structure to adjacent buildings and views from public ways.

The applicant provided sufficient graphical materials to represent the relationship of the proposed addition, new building, or accessory structure to adjacent buildings and views from public ways.

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 for the requested special exception.

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 special exception relief would not result in the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized in this section, height, or number of stories. The proposed change would only add the aforementioned deck to the alley facing wall of the principal structure.

Subtitle X § 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 requested special exception would not be inconsistent with the general purpose and intent of the RA-2 zone. The use would remain a three-story mid-block apartment building. The proposed addition would facilitate that use by providing additional outdoor space to tenants and direct access to the alley from the upper units.

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

The requested special exception would not tend to affect adversely, the use of neighboring property for the reasons stated elsewhere in this report.

VI. OTHER DISTRICT AGENCIES

DDOT reviewed the application and stated it had no objection to approval.

VII. ADVISORY NEIGHBORHOOD COMMISSION

ANC 2B had not provided comment at the time of this report.

VIII. COMMUNITY COMMENTS TO DATE

As of the date of this report, there were two letters in support, at Exhibits 21 and 22.

Attachment: Location Map

