


## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Joshua Mitchum, Development Review Specialist  
 Joel Lawson, Associate Director Development Review

**DATE:** May 28, 2025

**SUBJECT:** BZA Case 21310: Request for special exception relief to construct a rear yard deck addition to an existing, attached, two-story with cellar principal dwelling unit in the RF-1 Zone.

### I. RECOMMENDATION

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

- **Rear Yard, E § 207.1** (20 ft. min. required, 14.5 ft. existing; 4.8 ft. proposed); and
- **Lot Occupancy, E § 210.1** (60% max. required, 62.17% existing; 70% proposed)

### II. LOCATION AND SITE DESCRIPTION

<b>Address:</b>	1738 Hobart Street NW
<b>Applicant:</b>	Michael Blake, RA for Eleonora Cavagnero
<b>Legal Description:</b>	Square 2588; Lot 0103
<b>Ward / ANC:</b>	Ward 1 / ANC 1D
<b>Zone:</b>	RF-1, Low to Moderate-Density Residential
<b>Historic Districts</b>	Mount Pleasant Historic District
<b>Lot Characteristics:</b>	The 1,700 square foot lot is rectangular in shape and has 20 feet of frontage along Hobart Street NW, and 20 feet of frontage along a 15-foot-wide public alley to the rear of the property.
<b>Existing Development:</b>	The lot is currently improved with a single-family, two-story with cellar residential dwelling, with a front covered porch.
<b>Adjacent Properties:</b>	The property is bounded to the north, east, and west by single-family row homes in the RF-1 Zone, and to the south across Havard Street NW by a mix of single-family row homes in the RF-1 Zone and apartment buildings in the RA-2 Zone.
<b>Surrounding Neighborhood Character:</b>	The surrounding neighborhood is characterized by low-to-moderate density residential row home development.
<b>Proposed Development:</b>	The Applicant proposes the construction of a rear yard deck addition to the existing principal dwelling unit.

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### III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief
Lot Width E § 202	18 ft. min.	20 ft.	No change	None requested
Lot Area E § 202	1,800 sq. ft. min.	1,700 sq. ft.	No change	None requested (existing nonconformity)
Height E § 203	35 ft. max.	20 ft.	No change	None requested
Rear Yard E § 207	20 ft. min.	14.5 ft.	4.8 ft.	<b>Special exception requested</b>
Side Yard E § 208	None required, but 5 ft. min. if provided	0 ft.	No change	None requested
Lot Occupancy E § 210	60% max.	62.7%	70%	<b>Special exception requested (existing nonconformity)</b>
Parking C § 701	1.0 space per principal dwelling	0	No change	None requested

### IV. OP ANALYSIS

#### 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;*

Special exception relief from the maximum lot occupancy requirement is being requested with this application.

- (b) *Yards, including alley centerline setback;*

Special exception relief from the rear yard requirement is being requested with this application.

*5201.2 and 5201.3* Not applicable to the subject 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 rear yard deck addition should not unduly affect the light and air available to neighboring properties. The Applicant has included a solar study in their submission (Exhibit 11), which shows that the shade cast on the western-abutting property would be limited to morning hours in the winter seasons. Furthermore, the deck's railing is permeable, allowing light and air to flow through.

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

The proposed rear yard deck addition should not unduly compromise the privacy of use and enjoyment of neighboring properties. The Applicant has proposed the installation of operable privacy screens along the two side yard property lines, which should provide additional screening beyond standard guard railing.

- (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 rear yard deck addition would not be visible from Hobart Street NW and should not visually intrude upon the character, scale, and pattern of houses along the alley. The height of the proposed deck is not inconsistent with other decks in the surrounding area, and contributes to a variation in rear façade massing of the surrounding row homes.

- (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 has provided plans, photographs, and elevation drawings that adequately represent the relationship of the proposed rear yard deck addition to adjacent buildings and views from public rights-of-way.

- 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 that the BZA require special treatment for the subject application.

- 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 special exception request does not propose construction that would permit the introduction or expansion of a nonconforming use beyond what is permitted in Subtitle E § 5201.

## **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 special exception relief, if granted, would be in harmony with the general purpose and intent of the RF-1 Zone, which is to “provide for areas developed with primarily with residential row buildings”. The proposed rear yard deck addition should not compromise the ability of the subject property to continue operating as a single-family residential row dwelling, and would not result in a building that would be inconsistent with the height or form anticipated in this zone.

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

As stated earlier in this report, the special exception, if granted, should not adversely affect the use of neighboring properties in accordance with the Zoning Regulations and Zoning Maps. The deck is proposed to be partially screened, and its height is not inconsistent with other decks in the surrounding area.

- (c) *Subject in specific cases to the special conditions specified in this title.*

The subject application is not subject to specific cases to special conditions listed in Subtitle X § 901.

## **V. OTHER DISTRICT AGENCIES**

The District Department of Transportation (DDOT) has indicated to OP no objections to the approval of the subject application as presented. As of the date of this report, no other District agencies have provided comments on the application.

## **VI. ADVISORY NEIGHBORHOOD COMMISSION**

A report from ANC 1D indicating support for the approval of the subject application has been submitted into the record as Exhibit 22.

## **VII. COMMUNITY COMMENTS**

As of the date of this report, three letters in support of the subject application have been submitted into record as Exhibits 17, 18, and 19.

Attachments: Location Map

### Location Map

