

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Shepard Beamon, Development Review Specialist
JL Joel Lawson, Associate Director Development Review
DATE: September 12, 2025

SUBJECT: BZA Case 21339: Request for special exception and area variance relief to allow retention of a rear deck and enclose the area under the deck at 2759 Woodley Place NW.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the special exception for the rear yard, pursuant to Subtitle D § 5201 and Subtitle X § 901:

- Rear Yard E § 207.1 (20 ft. required, 26.23 ft. existing; 14.25 ft.);
- Lot Occupancy (Cellar Addition Only) E § 210.1 (60% permitted or 70% by special exception; 63.38% existing; 70% proposed); and
- Minimum Parking C § 701.10 Required: 1 space per two dwellings; 2 spaces existing; 1 space (0 spaces proposed in original request).

OP recommends **approval** of the following area variance relief for the house with the existing deck:

- Lot Occupancy (Deck Only) E § 210.1 (60% permitted or 70% by special exception; 63.38% existing; 74% proposed).

This application was referred by the Zoning Administrator. The current status of the application and the relief requested by the applicant are a bit unclear, so OP had further conversations with the applicant. Based on this and our reading of the record, the following appears to be the current status.

As stated in the ZA Memo, no documentation could be found to demonstrate that the non-conforming rear deck was constructed with permits; as such, area variance relief is required to allow for the non-conforming deck to remain. The applicant is not proposing changes to the deck.

The applicant has reduced the requested relief for lot occupancy for the cellar addition only, from 74% to 70%, which leaves space to accommodate the required one off-street parking space. ([Exhibit 33](#)) Since the cellar level will meet the maximum 70% allowed by special exception, OP has included special exception relief analysis for the cellar expansion.

The ZA memo ([Exhibit 19](#)) states that the applicant needs special exception relief from the minimum parking requirements, which requires one space. However, in the updated burden of proof (Exhibit 33), the applicant has modified the floor plan to reduce the square footage of the proposed cellar expansion, which would then leave space to accommodate the required one parking space. Therefore, OP does not believe the applicant needs parking relief but has included the parking special exception analysis below.

II. LOCATION AND SITE DESCRIPTION

Address	2659 Woodley Place NW
Applicants	Angela Staffone on behalf of Sumit Manchanda
Legal Description	Square 2206, Lot 120
Ward, ANC	Ward 3, ANC 3C
Zone	RF-1 - low to moderate density residential
Historic Districts	N/A
Lot Characteristics	A 1,700 sq. ft. rectangular lot that abuts a 15 ft. wide rear alley.
Existing Development	The lot is currently improved with a two-story attached, flat with a basement and a rear deck off the main floor and two parking spaces in the rear yard.
Adjacent Properties	Single-family row dwellings.
Surrounding Neighborhood Character	The surrounding neighborhood character is generally row dwellings.
Proposed Development	Retention of an existing deck addition and a new enclosure underneath a portion of the deck for expansion of the existing two units.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed ¹	Relief
Density E § 201	Two principal dwellings per lot	One principal dwelling	No change	None requested
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
Height E § 203	35 ft./3 stories	28.61 ft./3 stories	9.16 ft. (New addition)	None requested
Rear Yard E § 207	20 ft. min.	26.23 ft.	14.25 ft. originally; 18 ft. adjusted	Special Exception Relief requested
Lot Occupancy E § 210	60% max. by right 70% by sp. ex.	63.68%	70%	Special Exception Relief (Cellar Addition) Area Variance Relief (Existing Deck)

¹ Computations provided by the Zoning Administrator.

RF-1 Zone	Regulation	Existing	Proposed ¹	Relief
Pervious Surface E § 211	0% required for less than 1,800 sq. ft. lot area	N/A	N/A	None requested
Parking C § 701	1 space per principal dwelling unit.	2 spaces	1 space	Special Exception requested but appears to no longer be required

IV. OP ANALYSIS

Subtitle E § 5201 SPECIAL EXCEPTION RELIEF FOR REAR YARD AND LOT OCCUPANCY (CELLAR ADDITION)

5201.1 For an addition to a principal residential building with one (1) principal dwelling unit 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 has requested special exception relief from rear yard setback requirement to allow the construction of a new addition under a portion of the existing deck.

5201.2 and 5201.3 Not applicable to this application.

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

Due to the length of the existing deck, the rear yard at deck level is reduced to 14.5 feet; however, the rear yard would be 18 feet at the cellar level which is at grade with the alley. The requested rear yard relief should not create a situation that would interfere with light and airflow for the neighboring properties as the deck has been in the same location and configuration since 1997, according to available records, and is uncovered and would retain a portion on unenclosed space below.

A portion of the area below the deck is proposed to be enclosed with habitable space; however, since the enclosure is located at the cellar level under the existing deck, it should have no impact on light and air for the neighboring properties.

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

The existing deck, for which rear yard special exception relief is required, has views towards decks and rear yards of the adjacent properties to the north and south and into properties across the alley. Several of the homes on the same block have rear open decks facing the alley and the subject deck has been in existence for several years. Therefore, the reduced rear yard should not result in direct views into adjacent properties.

The proposed addition is located on the cellar level is set back from the edge of the deck above and would only have views toward the alley. Additionally, there is fencing on either side of the property. Therefore, the privacy of use and enjoyment of the adjacent properties should be 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 existing deck and proposed addition would not be visible from Woodley Place, but similar to other decks, would be visible from the alley. However, the deck is not inconsistent with those of other houses, and the proposed addition is limited to the cellar level and would not extend beyond the deck above, reducing visibility. Therefore, neither the deck nor the enclosure underneath should not substantially visually intrude upon the character, scale and pattern of houses along 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 has provided plans, elevations, and photographs into the record with the latest at Exhibits 3-5, 10 and 17.

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 additional 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 house would continue to be used as a flat consistent with the RF-1 zone. It has been demonstrated above that the proposal adequately meets the standard for granting the relief requested. No change to the building height or use is proposed.

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 requested relief would not be inconsistent with the general purpose and intent of the Zoning Regulations and Zoning Maps. The applicant has modified the original lot occupancy request for the addition from 74% to 70%, to not exceed the maximum allowed by special exception and to accommodate the required parking area.

The reduced rear yard is due to the deck which is elevated eight (8) feet above the ground level with 18 feet of open space below. Although the rear yard is reduced, there is still adequate outdoor space on the existing uncovered deck.

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

Approval of the requested special exception to reduce the required rear yard is unlikely to adversely affect the neighboring properties, as there is currently an existing deck off the main level that has not created any known issues. The deck is similar to other existing decks in the neighborhood and the cellar addition should not compromise the privacy of use and enjoyment of adjacent properties. The proposed addition should not cast any shadows or interfere with light, privacy or airflow for the neighboring properties.

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

OP does not recommend any special conditions to this modified application.

Subtitle C § 703 SPECIAL EXCEPTION FOR PARKING RELIEF

The subject property would be required under Subtitle C § 701 to provide one off-street parking space. The standard for the proposed use is 1 per 2 dwelling units. Although it appears that the revised proposal would provide the required parking by retaining one on-site parking space, the application does not appear to be amended to remove this request, so OP is providing the analysis below in support of the requested relief. The relevant sections of the zoning code have been highlighted in bold in our analysis below:

703.1 This section provides flexibility from the minimum required number of parking spaces when providing the required number of spaces would be:

- (a) Impractical due to the shape or configuration of the site;*
- (b) **Unnecessary due to a lack of demand for parking, or the site's proximity to transit options; or***
- (c) Contrary to other District of Columbia regulations.*

703.2 The Board of Zoning Adjustment may grant a full or partial reduction in the number of required parking spaces, as a special exception pursuant to Subtitle X, Chapter 9, and subject to the applicant's demonstration to the Board's satisfaction of at least one (1) of the following:

- (b) **The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;***
- (c) **Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;***

The site and neighborhood are well served by mass transit, which minimizes the need for required parking spaces. The site is within 0.3 miles of the Woodley Park Metrorail station, and has access to numerous amenities and Metrobus within easy walking distance along Connecticut Avenue NW. Therefore, reducing on-site parking should not result in undue hardship for the subject property or the surrounding neighborhood.

Sections (a), and (d)-(h) are not applicable.

703.3 Any reduction in the required number of parking spaces granted under Subtitle C § 703.2 shall be:

(a) Proportionate to the reduction in parking demand demonstrated by the applicant;

The requested special exception, if required, would be proportionate to the anticipated parking demand.

(b) Limited to the number of spaces that the applicant demonstrates cannot reasonably be provided on the site as proposed to be developed in the application; and

The application has been amended to provide space which would appear to conform to zoning requirements, at the rear of the lot for parking.

(c) Limited to relief from the minimum number of parking spaces required by this section and shall not provide relief from the location, access, size or layout, screening, or other requirements of this chapter.

No relief from other parking-related provisions has been requested.

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;

Approval of the requested special exception relief would be in harmony with the general purpose and intent of the RF-1 zone. Reducing parking for two units would be supplemented by nearby transportation alternatives.

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

The applicant is required to provide only one single space. Approval of the requested special exception from the one required space would be unlikely to adversely affect the neighboring properties, as there is available on-street parking options and other transit options nearby.

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

No special conditions are specified in this title for the requested relief.

The analysis above was provided prior to the modification to the requested relief. The applicant has since modified the proposed design to meet the minimum parking requirements; therefore, OP's analysis is no longer necessary.

Subtitle X Section 1000 AREA VARIANCE FOR LOT OCCUPANCY (DECK ONLY)

1000.1 With respect to variances, the Board of Zoning Adjustment has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3) (formerly codified at D.C. Official Code § 5-424(g)(3) (2012 Repl.)), "[w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."

Extraordinary or Exceptional Situation or Condition Resulting in Practical Difficulty

a. Extraordinary or Exceptional Situation

In this case, the existing house with the deck are non-conforming for lot occupancy, and the ZA has determined that area variance relief for the deck is required as there is no documentation that it was property permitted. In conjunction with the existing building, the deck lot occupancy is 74%, which exceeds the maximum lot occupancy allowed by special exception by 4%. Additionally, the lot is smaller than the minimum 1,800 square foot lot area, which further restricts deck options.

b. Exceptional Practical Difficulties

Denial of the variance would require the owner to partially or completely remove the deck to reduce lot occupancy, which would still leave the building that also exceeds the maximum lot occupancy just over 60%. In addition, removing the deck would be costly to the owner, resulting in an additional undue hardship.

No Substantial Detriment to the Public Good

The requested relief for lot occupancy for the rear deck would not likely be a substantial detriment to the public good and, since it is existing, has not proven to be a detriment to the public good. The deck is not visible from Woodley Place, but similar to other decks, is visible from the alley. Other decks along the alley are of varying heights, color, materials and sizes. The deck is not dissimilar to other decks along the alley, so is not substantially different from the character, scale and pattern of deck and houses along the alley.

The deck does not eliminate the required off-street parking and does not impede traffic movements along the alley. The deck is open and does not cast significant shadows on the adjacent properties. As with all other decks along the alley, views from the deck onto other

properties are possible.

No Substantial Impairment to the Intent, Purpose, and Integrity of the Zoning Regulations

The area variance relief from permitted lot occupancy is for the existing deck. In this case, there is no known record of the construction of the existing deck; however, the applicant states that the deck has existed since 1997. The house was constructed prior to the 1958 Zoning Regulations and already has nonconforming lot occupancy in the RF-1 zone. With the deck, the property is further nonconforming. The applicant has requested area variance relief to bring the deck and building into conformity. As stated above, the deck does not interfere with off-street parking. The deck would not appear to result in a building form, bulk height or use unanticipated in zoning or uncommon to the area and should not appear as an over-development of the site on the block. As such, the proposal does not appear to result in significant impairment to the intent or integrity of the RF-1 zone.

V. OTHER DISTRICT AGENCIES

The Department of Transportation (DDOT) has informed OP that they have no objection to the approval of the application.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 3C has provided a letter to the record stating no concerns regarding this application at [Exhibit 28](#).

VII. COMMUNITY COMMENTS

At the time of the report, there are no letters filed to the record.

LOCATION MAP

