

**MEMORANDUM**

**TO:** Board of Zoning Adjustment for the District of Columbia  
**FROM:** *PA* Philip Isaiah, Development Review Specialist  
**DATE:** January 30, 2026  
**SUBJECT:** BZA #21408 – 3295 Fort Lincoln Drive, NE – Request for special exception relief to construct a rear open deck.

**I. RECOMMENDATION**

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

- F § 207.1, Minimum rear yard (20 feet required, 22.5 feet existing, 12.5 feet proposed).
- F § 210.1, Maximum lot occupancy (40% required, 40.0% existing, 49.0% proposed).

**II. LOCATION AND SITE DESCRIPTION**

Applicant	Kristin Clark
Address	3295 Fort Lincoln Drive, NE
Legal Description	Square 4325, Lot 995
Ward / ANC	5C
Zone	RA-1 (Low density apartments; Rowhouses permitted as a matter of right)
Historic District or Resource	None
Lot Characteristics	The 2,060 sq ft rectangular-shaped interior lot is 20 feet in width and 103 feet in depth. The lot was created as part of a theoretical lot subdivision approved by the BZA in 2004 pursuant to application 17192 and has remained unchanged since its original platting.
Existing Development	The subject property is developed with a three-story brick and vinyl sided single family row dwelling. While the lot is longer, the dwelling is set back approximately 40 feet from the front lot line. The rear of the dwelling contains a two-car garage on the first floor which is accessed by a two-car impervious driveway that encompasses most of the existing rear yard.

Adjacent Properties and Neighborhood Character	The subject block is developed with similar single family row dwelling of similar character built as part of the same subdivision. To the southeast is located the surface parking lot for the nearby multifamily buildings. It should be noted that other dwellings in this subdivision contain similar rear open decks that were approved by the BZA (Cases 20490, 20459, and 20225).
Proposal	The applicant proposes to construct an open rear deck at 49.0% lot occupancy where the required maximum is 40% and 12.5 feet from the rear lot line where the required rear yard is 20 feet. The deck would be 18 feet in width and 10 feet in depth and located 10 feet above the ground to be level with the dwelling's second floor. It would contain composite decking and 3-foot railings. The deck would also contain two partial privacy lattice walls on both sides of the deck as privacy mitigation.

### III. ZONING REQUIREMENTS AND RELIEF REQUESTED

RA-1 Zone	Requirement	Existing	Proposed	Relief
Lot Area F § 201	1,800 sq ft min.	2,060 sq ft	No change	None Requested
Height F § 203.2	40 ft max.	<40 ft	No change	None Requested
Lot Width F § 201.4	18 ft min.	20 ft	No change	None Requested
Lot Depth	n/a	103.0 ft	No change	None Requested
Building Area	n/a	831 sq ft	1,011 sf	n/a
<b>Lot Occupancy F § 304</b>	<b>40% max. (70% by SE)</b>	<b>40.0%</b>	<b>49.0%</b>	<b>Requested – Special Exception</b>
<b>Rear Yard F § 305</b>	<b>20 ft min.</b>	<b>22.5 ft</b>	<b>12.5 ft</b>	<b>Requested – Special Exception</b>

### IV. ANALYSIS

#### SUBTITLE F § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 *The Board of Zoning Adjustment may grant special exception relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X.*

- (a) Lot occupancy (up to 70%);*
- (b) Yards*
- (c) Courts; and*
- (d) Green area ratio.*

The application requests special exception relief to permit an open rear deck at 49.0% lot occupancy where the required maximum is 40% and 12.5 feet from the rear lot line where the required rear yard is 20 feet. Standards (a) and (b) are applicable.

5201.2 and 5201.3 – Not Applicable

5201.4 *An application for special exception under this section shall demonstrate that the addition 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 compromised;*

The amount of new shadow cast by the proposed deck should not be undue. While some new shadow would be created, it would fall almost exclusively on the driveway and garage door of the subject property and the dwelling to the west. The open, uncovered deck should not impact the air available to neighboring properties. The 9% addition would be built over the existing asphalt driveway, thus adding no new impervious surface onsite.

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

The applicant proposes two partial privacy lattice walls on either side of the deck to mitigate the line of sight between the proposed deck and neighboring dwellings. The property directly behind the subject dwelling is open space owned by the homeowners' association and the property to the south is a surface parking lot. The privacy of neighboring properties should not be unduly compromised.

*(c) The addition or accessory structure, together with the original 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 subject street frontage;*

While the subject proposal would be visible from the rear alley and partially from the surface parking lot to the south, the deck would not intrude upon the character of houses, as rowhouses with decks are a common condition in this subdivision. The subject deck would be in a typical location where there is precedent of similar open rear decks built in the subdivision subject to special exception approval.

*(d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such 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; and*

The record for this application includes plans, elevations, and photographs to represent the proposed conditions.

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.*

The proposed design and layout of the open deck is typical in nature and minimal adverse impacts are anticipated on neighboring properties. As such, OP recommends no special treatments.

*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 property is used as a residential dwelling, which is a permitted use in the RA-1 Zone. This standard is met.

### **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 proposed open deck would be in harmony with the purpose and intent of the Zoning Regulations and Maps. The RA-1 zone permits row dwellings, and a deck addition is a common enhancement to a row dwelling. The existing dwelling is located towards the rear of the lot, 22.5 feet from the rear lot line, making the proposed modest rear deck impractical without relief. This standard is met.

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

The proposed open deck should not adversely affect the use of neighboring properties. As discussed above, the proposed open deck with its privacy walls satisfies Subtitle F § 5201 special exception criteria, so it should not adversely affect the neighboring properties. This standard is met.

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

The subject application has adequately addressed the criteria for special exception review.

### **V. COMMENTS OF OTHER DISTRICT AGENCIES**

No comments from other District agencies have been supplied to the record at this report's publication.

## VI. ANC COMMENTS

No comments from ANC 5C have been supplied to the record at this report's publication.

## VII. COMMUNITY COMMENTS

While no comments from neighboring properties have been supplied to the record. Exhibit 9 of the record contains a Statement of Public Outreach where the applicant testifies that no objections have yet been received.

## VIII. LOCATION MAP

