

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Burden of Proof

Special Exception and Area Variance Application

To: Office of Zoning
441 4th Street, NW
Suite 210 South
Washington, DC 20001

From: Stephen Ander
Owner/Applicant
1020 C Street, NE
Washington DC 20002

Date: July 31, 2026

Re: BZA Application for Special Exception and Area Variance for a rear porch enclosure to an existing single family row dwelling

Stephen Ander, owner of 1020 C Street, NE hereby applies for a Special Exception per DCMR subtitle E 5201 to enclose a non-conforming second floor porch; and Area Variance pursuant to DCMR subtitle E 5200.2 to occupy a non-conforming second floor porch over the required lot coverage.

I. INTRODUCTION AND NATURE OF RELIEFS SOUGHT.

This Statement is submitted on behalf of Stephen Ander (the "Applicant"), owner of the property located at 1020 C Street, NE (Square 0963, Lot 29) (the "Property"), located in the RF-1 zone. The Property is an existing two-story plus basement single-family dwelling unit with a 2-story rear porch located in the "required rear yard" setback of the rear yard.

The non-conforming structure requires a Special Exception relief pursuant to subtitle E-§ 5201.4 from the minimum rear yard distance requirements of E-§ 207.1. Also, an Area Variance pursuant to subtitle X-§1000.1 from the maximum lot coverage requirements of subtitle E 210.1.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant a special exception relief request pursuant to E-207.1; E-5201.1; and X-901.2.

The board also has jurisdiction to grant an area variance request pursuant to E-210.1 and X-1000.1.

III. BACKGROUND.

A. Description of the Property and Surrounding Area.

The Property is an interior lot measuring 1,025 square feet in land area. Abutting the Property to the north is a 10' public alley. Abutting the Property to the east is a single-family row house. Abutting the Property to the south is C Street, NE. Abutting the Property to the west is a single-family row house.

B. Proposed Project.

The Applicant proposes to repair a dilapidated two-story rear porch. The ground floor will be repaired in-kind. The second story will be converted to an enclosed and fully finished habitable expansion of the principal building. The roof structure will remain intact including the access to the main roof.

IV. STATEMENT FOR SPECIAL EXCEPTION AND VARIANCE RELIEFS.

Special Exception Relief Per Subtitle E §5201.4

The application would like to demonstrate that the proposed alteration to the existing 2-story rear porch under this section shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:

1. The light and air available to neighboring properties shall not be unduly affected:
The second story porch enclosure will be over the existing rear porch footprint, at the same height, and maintain the same roof line. Therefore, the addition should have no impact on the light and air available to the neighboring properties.
2. The privacy and use of enjoyment of neighboring properties shall not be unduly compromised:
The fact that the proposed addition will remain at the same floor height and have a minimum number of windows will not unduly compromise the privacy of neighboring properties. Also, the rear yard distance of the structure will remain unchanged from the original rear yard distance. Therefore, it should not create an unduly detriment to the enjoyment of the adjacent properties.
3. 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:
The addition to the principal building will not be visible from C Street. Additionally, the new structure will be sympathetic with the character, scale, and pattern of houses along the public alley.
4. 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:
See included architectural plans, elevations, and photographs for additional information.

Special Exception requirements of Subtitle X § 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:

1. (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
The special exception relief to the second story addition will be in harmony with the general purpose of the zoning regulations and map in terms of use, height, and size. The non-conforming rear yard distance is an existing condition to the property, and remains unchanged.
1. (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;
The rear second story addition will not affect adversely the use of the neighboring properties. The back alley is comprised of similar structures in terms of scale, facades, and use of space.
1. (c) Will meet such special conditions as may be specified in this title.
The conversion of the second story porch to a conditioned space is not unique, there are other neighboring properties with similar

Variance Relief per Subtitle X § 1002.1

The standard for granting a variance, as stated in Subtitle X § 1000.1 differs with respect to use and area variances as follows:

(a) An applicant for an area variance must prove that, as a result of the attributes of a specific piece of property described in Subtitle X § 1000.1, the strict application of a zoning regulation would result in peculiar and exceptional practical difficulties to the owner of property;

The size of this property is just over 1,025 sf. The building footprint is 856 sf thus making the existing single-family dwelling over the maximum lot coverage. The homeowner would like to create more habitable space for his son's bedroom. The project involves the conversion of an existing second floor porch into a rear extension. As a means to improve the living conditions for his family the owner is seeking relief from the 60% maximum lot coverage, especially since the building footprint will remain unchanged. Furthermore, the addition would be consistent with the fabric of the neighborhood, and respect the aesthetic appeal of the neighboring properties along the public alley.

V. BASIS FOR GRANT OF SPECIAL EXCEPTION/ AND VARIANCE

A. DCMR 11 Subtitle D, 5201.1 and X 901

Board of Zoning Adjustment
District of Columbia
Case No. 19697 and Case No. 21162

B. DCMR 11 Subtitle E 5200.2 and Subtitle X 1001.1

Board of Zoning Adjustment
District of Columbia
Case No. 20384

VI. CONCLUSION

For the reasons stated above, this application meets the requirements for a special exception and area variance reliefs by the Board, and the applicant respectfully requests that the Board grant the requested reliefs.

Cordially,

A handwritten signature in blue ink, appearing to be 'SA' with a long horizontal stroke extending to the right.

Stephen Ander