

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
MATTHEW RADOMSKI AND ERIN RADOMSKI**

ANC 1C05

STATEMENT OF THE APPLICANT

I. NATURE OF RELIEF SOUGHT

This statement is submitted on behalf of the Applicant, Matthew Radomski and Erin Radomski (the “Applicant”), the homeowners of the property located at 2920 18th Street NW (Square 2587, Lot 490) (the “Property”), in support of their application for special exception relief, pursuant to Subtitle X § 901.2, from the requirements for lot occupancy (Subtitle E § 304.1) and rear yard (Subtitle E § 306.1) to add a rear deck on their home (the “Project”).

II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the “Board”) has jurisdiction to grant the special exception relief requested herein pursuant to Subtitle X § 901.2 of the Zoning Regulations.

III. BACKGROUND

A. The Property and the Surrounding Neighborhood

The Property is in the RF-1 Zone District with a lot area of 1,777 sq. ft. A copy of the zoning map is attached at **Tab A**. The Property is improved with a two-unit row building (the “Applicants’ Home”), with the Applicants’ unit on the cellar level and ground level. There are two parking spaces to the rear of the Applicants’ Home.

The Property is located at the end of a group of row buildings that front on 18th Street NW between Quarry Place NW and Summit Place NW. As such, the Property shares a lot line with only one other row building and is otherwise circumscribed by an alley (the “Alley”) to the north and west of the Property. The Alley’s width is 10 feet along the northern side of the Property,

before briefly increasing to approximately 25 feet at the bend, and then becoming 15 feet wide at the rear (west) of the Property. Across the Alley to the north of the Applicants' Home is a five-unit residential building. Across the Alley to the rear of the Applicants' Home is a large property improved with the "Harvard Village" apartment complex and open green space. There are several parking spaces for Harvard Village located along the Alley and adjacent to the Property.

The Lanier Heights neighborhood is primarily residential in nature. The block where the Property is located is improved with attached row homes, but there are several large apartment buildings in the nearby RA-2 zone.¹ Approximately four blocks to the south of the Property is the Adams Morgan neighborhood and commercial corridor on Columbia Road NW. Two blocks to the west of the Property is the National Zoo.

B. Traffic Conditions and Mass Transit

The Property has excellent access to public transportation. There are numerous bus stops on nearby Columbia Road NW, including for lines 42, 43, 90, 96, L2 and the Woodley Park-Adams Morgan circulator. There is also a bus stop for line H2 two blocks from the Property on Harvard Street NW. The Columbia Heights Metrorail Station is approximately half-a-mile from the Property and the Woodley Park Metrorail Station is approximately six-tenths of a mile from the Property. Additionally, there are several Capital Bikeshare stations near the Property. In general, the area is very pedestrian-friendly, as Walkscore.com rates the Property as a "walker's paradise."

C. The Project

The Project entails the addition of a one-story deck on the rear of the Applicants' Home. A copy of the Architectural Plans are attached at **Tab B**. The deck will be 12 feet in length by

¹ The Property was zoned RA-2 until 2016, when the Zoning Commission approved a map amendment under case number 15-09 and re-zoned the block to RF-1.

18.75 feet in width for a total of 225 square feet. The deck can be accessed from the living room on the main level of the Applicants' Home.² The area below the deck will be open to the air and would allow a place for the existing parking spaces.

As a result of the Project, the Property's lot occupancy would increase from the existing 57.3% to 70%, with a maximum of 60% permitted for a row dwelling in the RF-1 zone. The Property's rear yard would decrease from the existing 20 feet to 8 feet, where 20 feet is required. As such, the Applicant seeks special exception relief from the standards for both lot occupancy and rear yard.

IV. NATURE OF SPECIAL EXCEPTION RELIEF SOUGHT AND STANDARD OF REVIEW

The Applicant requests special exception relief pursuant to Subtitle E § 5201.1 from the requirements for lot occupancy and rear yard. Under Subtitle E § 5201.1, the Board may grant special exception relief for an addition to a principal residence. The Applicant seeks relief to increase lot occupancy 10% above that permitted in the RF-1. Nonetheless, the proposed lot occupancy of 70% is within the Board's authority to grant by special exception. Additionally, the Applicant seeks relief to decrease the rear yard to 8 feet, which is 12 feet less than the required 20-foot rear yard.

Pursuant to D.C. Code § 6-641.07(g)(2) and 11 DCMR X § 901.2, the Board is authorized to grant a special exception where it finds the special exception:

- (1) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
- (2) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
- (3) Subject in specific cases to special conditions specified in the Zoning Regulations. 11 DCMR Subtitle X § 901.2.

² The Property has three fully above-grade levels, with a cellar level that is accessed only from the rear.

Relief granted through a special exception is presumed appropriate, reasonable, and compatible with other uses in the same zoning classification, provided the specific requirements for the relief are met. In reviewing an application for special exception relief, “[t]he Board’s discretion . . . is limited to a determination of whether the exception sought meets the requirements of the regulation.” *President & Dirs. of Georgetown College v. D.C. Bd. of Zoning Adjustment*, 837 A.2d 58, 68 (D.C. 2003); *see also Stewart v. District of Columbia Bd. of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973)). If the applicant meets its burden, the Board must ordinarily grant the application. *Id.*

V. APPLICANT MEETS BURDEN FOR SPECIAL EXCEPTION RELIEF

A. The Relief is Harmonious with the General Purpose and Intent of the Zoning Regulations and Maps

The special exception relief will be in harmony with the purpose and intent of the Zoning Regulations and related maps. The Project will further the single-family residential use of the Applicant’s home in accordance with the purpose and intent of the RF-1 zone. *See* Subtitle E § 100.3(a). The Applicant will be able to better enjoy the use of the outdoor space in the back of their home, which has become particularly important during the COVID-19 pandemic. Accordingly, the Project is designed to provide a safe and accessible area for the Applicant and their family to gather.

B. The Relief Will Not Tend to Adversely Affect the Use of Neighboring Property

The Project will not adversely affect the use of neighboring properties, including as to light, air and privacy. The deck will be open on the ground level and will not present as a structural expansion of the home. To that end, the Applicants do not propose exterior stair access to the deck, so there will be no visual obstructions at grade. The adjacent Alley to both the rear and northern side of the Project as well as the open green space across the Alley will further mitigate

any potential impacts to light and air. Due to the Alley, the Project will be directly adjacent to only one other home, which also has a rear deck. Nonetheless, the homes on 18th Street generally have short back yards that are used for parking purposes. Therefore, the deck will not be overlooking space on neighboring lots that is used for gathering and socialization, but, rather, other parking spaces.

C. The Project Satisfies the Special Conditions of Subtitle E § 5201.4

In addition to the general special exception standard, the Project satisfies the special conditions for an addition in the RF-1 zone pursuant to Subtitle E § 5201.4, as follows:

- 1. The light and air available to neighboring properties shall not be unduly affected;*

As outlined above, the open nature of the deck design will minimize impacts to light and air for neighboring properties. Although it is a “structure” under the Zoning Regulations, the deck does not have walls or exterior stairs and is open on the ground level. Thus, the Project will have limited, if any, impact in terms of shadowing and restrictions to air flow around the Property. The 15-foot-wide Alley and open green space across at the “Harvard Village” across the Alley will further minimize impacts to light and air.

- 2. The privacy and use and enjoyment of neighboring properties shall not be unduly comprised;*

The Project will not unduly comprise the privacy and enjoyment of neighboring properties. As noted, the homes fronting on 18th Street NW have small rear yards that are primarily used for parking purposes. Therefore, the Project will not impact the privacy and use of neighboring back yards, since they are generally not used for recreation or socializing.

- 3. The proposed 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 or alley frontage;*

The Project is consistent with the character, scale and pattern of homes along 18th Street NW and the Alley. The Project will not alter the frontage of the Property on 18th Street. On the Alley side, several of the neighboring homes have their own decks, including the two properties to the south. Therefore, the Project is consistent with the pattern of development on the Alley. In terms of character and scale, the ground level will remain open to the air, and the Project will maintain an 8-foot setback from the Alley. In conjunction with the 15-foot-wide Alley and the open courtyard space across the Alley, the Project will not substantially intrude on the character or scale of neighboring homes.

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 or accessory structure to adjacent buildings and views from public ways;*

The architectural plans attached to this statement comply with this condition by providing plans, elevations and section drawings to depict the deck in relation to neighboring properties and public ways.

IV. COMMUNITY OUTREACH

In accordance with ANC 1C's procedures and guidelines, the Applicant contact ANC 1C after the application is filed. The Applicant will formally present the application to ANC 1C at its next available public meeting.

V. CONCLUSION

For the reasons stated above, the Project meets the applicable standards for special exception relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests the Board grant the application.

Respectfully Submitted,

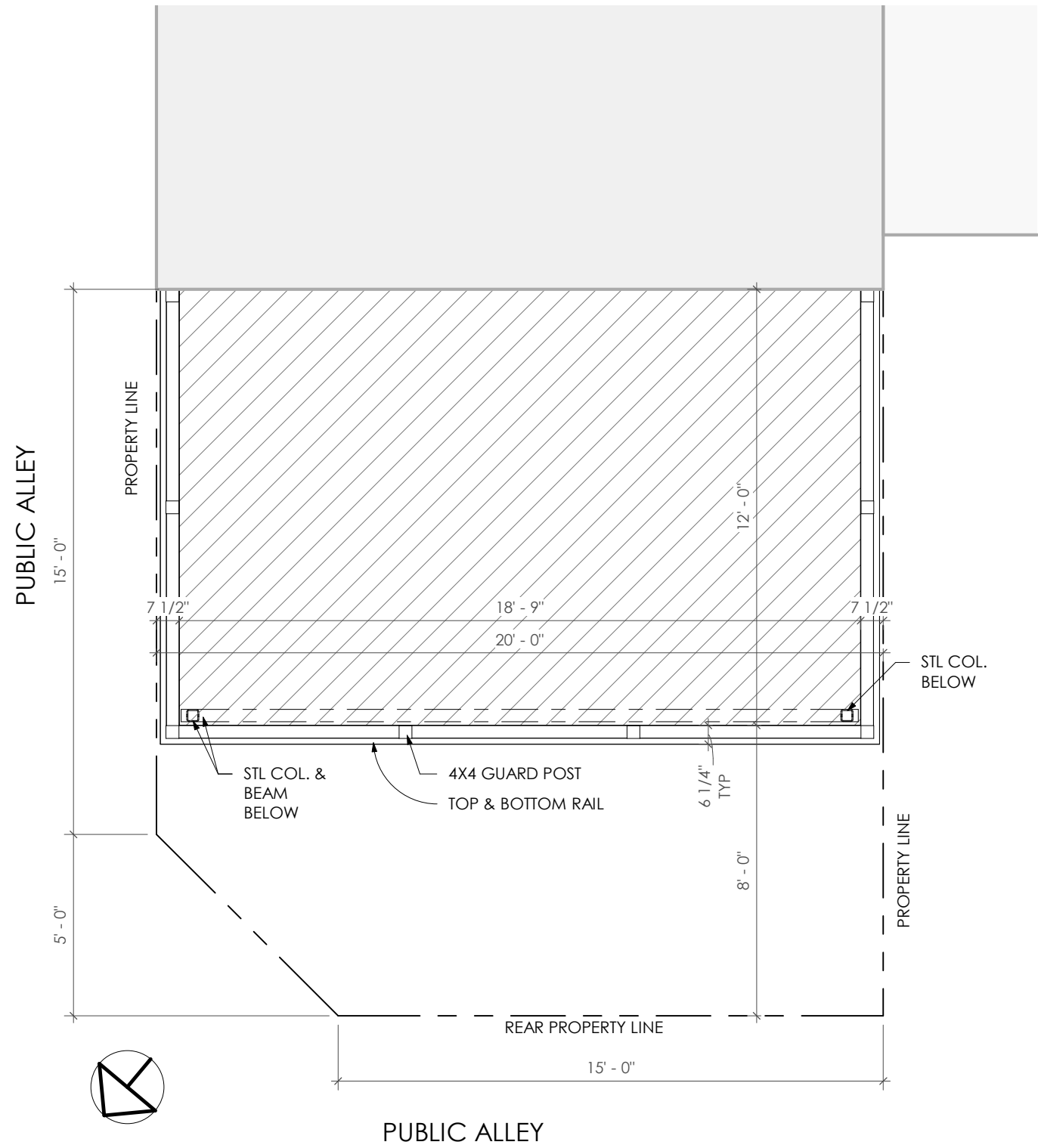
COZEN O'CONNOR

A handwritten signature in blue ink, appearing to read "Eric J. DeBear", is positioned above a horizontal line.

Eric J. DeBear
1200 19th Street NW
Washington, DC 20036

Tab A

Tab B



1	BZA - DECK PLAN
BZA1	1/4" = 1'-0"



BZA - RENDERING



2 BZA - SIDE ELEVATION
 BZA2 3/16" = 1'-0"



1 BZA - REAR ELEVATION
 BZA2 3/16" = 1'-0"

2920 18TH ST NW

**DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR**

Washington, D.C., March 1, 2022

Plat for Building Permit of :

SQUARE 2587 LOT 490

Scale: 1 inch = 20 feet

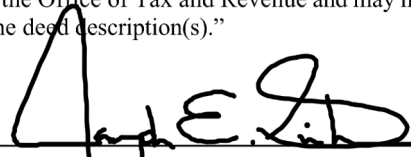
Recorded in Book 75 Page 12

Receipt No. 22-02813

Drawn by: A.S.

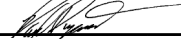
Furnished to: PAUL DUPNICK

"I hereby certify that the dimensions and configuration of the lot(s) hereon depicted are consistent with the records of the Office of the Surveyor unless otherwise noted, but may not reflect actual field measurements. The dimensions and configuration of A&T lots are provided by the Office of Tax and Revenue and may not necessarily agree with the deed description(s)."


For Surveyor, D.C.

I hereby certify that on this plat on which the Office of the Surveyor has drawn the dimensions of this lot, I have accurately and completely depicted and labeled the following:
1) all existing buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, and any existing face-on-line or party wall labeled as such, well as projections and improvements in public space - with complete and accurate dimensions;
2) all proposed demolition or raze of existing buildings duly labeled as such; all proposed buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, any existing face-on-line or party wall labeled as such, as well as projections and improvements in public space and the improvements used to satisfy pervious surface or green area ratio requirements - with complete and accurate dimensions, in conformity with the plans submitted with building permit application T.B.D.; and
3) any existing chimney or vent on an adjacent property that is located within 10 feet of this lot.

I also hereby certify that:
1) my depiction on this plat, as detailed above, is accurate and complete as of the date of my signature hereon;
2) there is no elevation change exceeding ten feet measured between lot lines; or if so, this elevation change is depicted on a site plan submitted with the plans for this permit application;
3) I have ~~have not~~ (circle one) filed a subdivision application with the Office of the Surveyor;
4) I have ~~have not~~ (circle one) filed a subdivision application with the Office of Tax & Revenue; and
5) if there are changes to the lot and its boundaries as shown on this plat, or to the proposed construction and plans as shown on this plat, that I shall obtain an updated plat from the Office of the Surveyor on which I will depict all existing and proposed construction and which I will then submit to the Office of the Zoning Administrator for review and approval prior to permit issuance.
The Office of the Zoning Administrator will only accept a Building Plat issued by the Office of the Surveyor within the two years prior to the date DCRA accepts a Building Permit Application as complete.
I acknowledge that any inaccuracy or errors in my depiction on this plat will subject any permit or certificate of occupancy issued in reliance on this plat to enforcement, including revocation under Sections 105.6(1) and 110.5.2 of the Building Code (Title 12A of the DCMR) as well as prosecution and penalties under Section 404 of D.C. Law 4-164 (D.C. Official Code §22-2405).

Signature: 
Date: 03/11/22

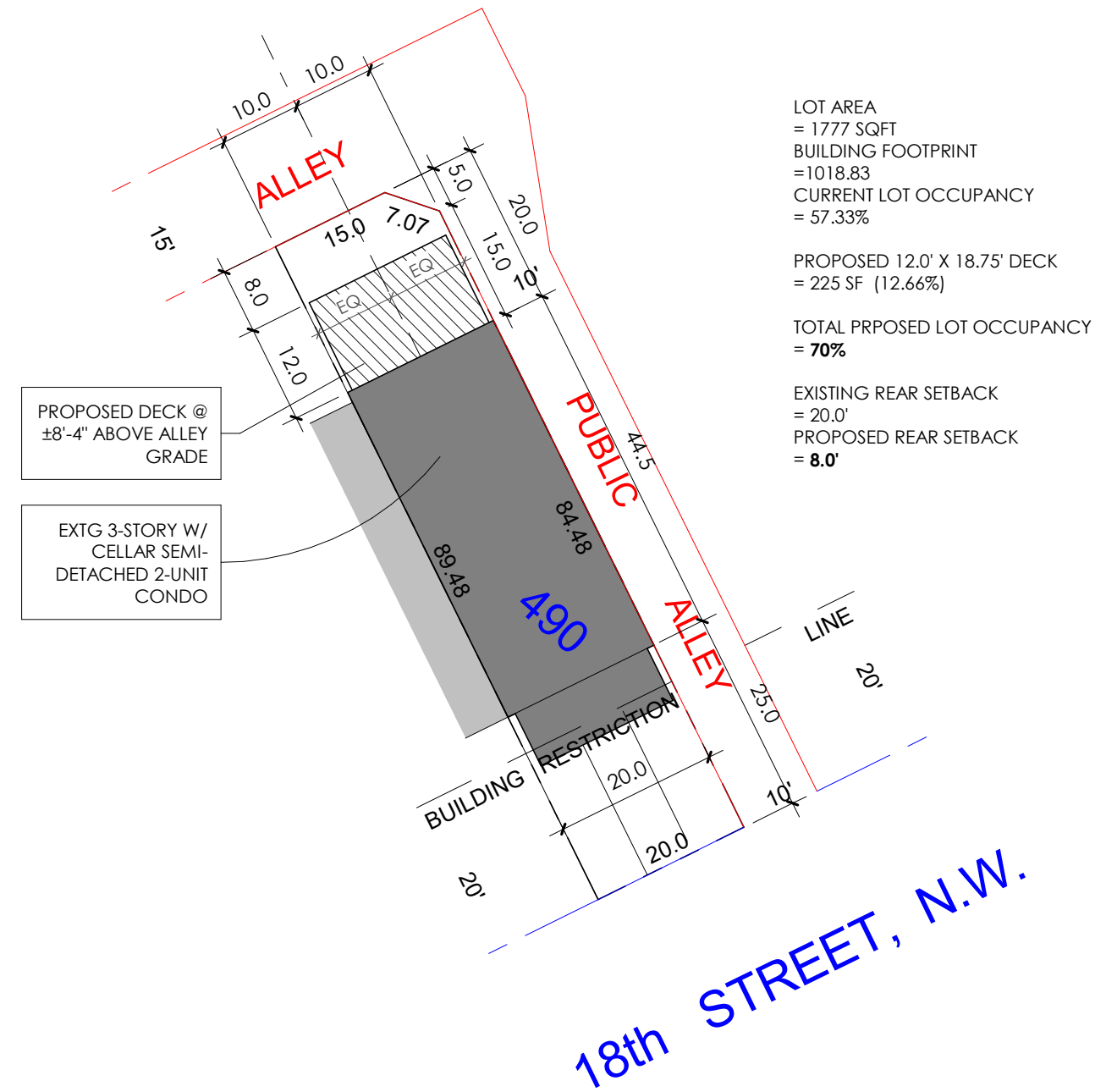
Printed Name: PAUL DUPNICK Relationship to Lot Owner: AGENT

If a registered design professional, provide license number _____ and include stamp below.



SCALE: 1:20

SQUARE 2587



LOT AREA = 1777 SQFT
BUILDING FOOTPRINT = 1018.83
CURRENT LOT OCCUPANCY = 57.33%

PROPOSED 12.0' X 18.75' DECK = 225 SF (12.66%)

TOTAL PROPOSED LOT OCCUPANCY = **70%**

EXISTING REAR SETBACK = 20.0'
PROPOSED REAR SETBACK = **8.0'**

PROPOSED DECK @ ±8'-4" ABOVE ALLEY GRADE
EXTG 3-STORY W/ CELLAR SEMI-DETACHED 2-UNIT CONDO