

Burden of Proof
Request for Area Variance

To: **D.C. Board of Zoning Adjustment**
441 4th St NW # 200
Washington, DC 20001

For: **Sumit Manchanda and Silvia Paruzzolo**
Applicant
2759 Woodley Pl NW
Washington, DC 20008

By: **Sumit Manchanda and Silvia Paruzzolo**
Applicant
2759 Woodley Pl NW
Washington, DC 20008

Date: January 14, 2025

Subject: **BZA Application, Request for Area Variance**
2759 Woodley Pl NW (Square 2206, Lot 0120, RF-1 zone)

I, Sumit Manchanda and Silvia Paruzzolo, owners of 2759 Woodley Pl NW, hereby apply for an area variance and zoning relief pursuant to Title 11, Subtitle X, Chapter 9, to keep an existing rear deck and enclose the area underneath the deck on my existing two-story plus basement row home. The aspects of the proposed project that fall outside the current zoning regulations area as follows:

The existing house has a lot occupancy of 1261 SF (74%), exceeding the allowed lot occupancy of 60% with the existing uncovered deck and proposed enclosed area underneath the deck. The existing lot occupancy will be above the 60% maximum allowed by-right for a row house in the RF-1 zoning district. (Subtitle E § 304.1)

Subtitle E § 306.1 requires a minimum rear yard setback of 20ft. The distance between the existing rear deck and rear lot line is 12.25ft, a deviation of 7.75ft.

1. Basis for Grant of Area Variance

The Board of Zoning Adjustment (BZA) is authorized to grant a special exception pursuant to Subtitle X § 901.2 where the special exception will (a) 'be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps' (b) 'will not tend to affect adversely, the use of neighboring property in accordance with

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the Zoning Regulations and Zoning Maps' and (c) 'meet such special conditions as may be specified in this title'.

Per the DC zoning handbook, the purpose of the RF-1 zone is to provide for areas predominantly developed with attached row houses on small lots within which no more than two (2) dwelling units are permitted. The intent to keep the existing rear deck and proposal to enclose the area underneath does not alter the type of dwelling unit or increase the number of dwelling units. The rear yard setback requirement is intended to provide adequate space between structures and property lines, ensuring privacy, light, and ventilation. The existing rear deck and enclosed the area underneath continues to provide for open space, in concert with other neighboring row houses on both sides.

Subtitle E, Section 5201.3 provides relief based on satisfying specific criteria under which additions may be permitted within the RF-1 zone as a Special Exception as follows:

1) The light and air available to neighboring properties shall not be unduly affected

The light and air available to neighboring properties shall not be affected as this deck has been in place since 1997. Lots located on either side are of equal depth and width with similar style attached row homes with rear attached decks. As all decks located along the alley are of similar size and depth, there is still ample space for a light and air to be provided for the rear-facing portion of the main and upper level of all row homes on this block. Any shadows cast by proposed deck will not affect neighbors on either side or on the opposite side of the alley.

2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised

The keeping of the existing rear deck and enclosing the area underneath will not unduly compromise the privacy or enjoyment of the neighbors. An existing wooden fence between both neighboring properties (east and west) provides for privacy and will remain after the addition is constructed. The basement unit of the house is a permitted, authorized and legal rental unit. Enclosing the area under the porch provides increased security for the occupants given the current door opens right into the alley area under deck.

3) The proposed addition or accessory structure, together with the original building, or the proposed new 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 and alley frontage

The existing rear deck and enclosing the area underneath is designed to of similar style to the neighboring residential homes. The existing rear deck is not visible from Woodley Place NW, however, it will be visible to neighbors from the alley. This situation exists today with the existing rear deck.

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.


Please refer to the drawings for the size, scale and detail notes pertaining to the existing rear deck and enclosing the area underneath submitted as part of the application.

2. Summery

A. The existing rear deck will not negatively affect the light and air available to neighboring properties as it is in line with neighbor's decks on either side. The existing deck does not affect the use of the rear yard or alley or prevent the use and enjoyment of any neighboring dwelling or property.

B. Keeping the existing rear deck will allow the property to maintain the in-kind character and style of the alley-facing side of the block. The existing deck is in a similar style and design to the existing decks on either side and along the alley. The goal of this addition is to improve my property by addressing security concerns where recently there has been some crime and concern in the alley area. Enclosing the area under the deck allows kids to play in secured areas in the evening times when the alley tends to get dark. Melting ice from the deck above, rain water, and current absence of adequate lighting at the entry way (there is currently motion detected light) entering from the alley area would all be more appropriately managed by enclosing the area under the deck. This will ensure in keeping both the rental unit and primary residence at an acceptable residential standard with safe clearances and efficient use of space.

Sincerely,



Sumit Manchanda and Silvia Paruzzolo