

**Burden of Proof**  
**Request for Area Variance and Special Exception**

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: May 13, 2025

Subject: **BZA Application, Request for Area Variance and Special Exception**  
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 special exception 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% within the RF-1 zone 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)

**1. Basis for Grant of Special Exception and Area Variance**

***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:*

Board of Zoning Adjustment  
District of Columbia  
CASE NO. 21399  
EXHIBIT NO. 21

- (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps*

The granting of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The Property is located in the RF-1 zoning district zone; the RF-1 zone is “intended to provide for areas developed primarily with row dwellings on small lots.” The property will remain a row single family dwelling. Accordingly, the proposed scope to keep an existing rear deck and enclose the area underneath the deck will 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 the Zoning Regulations and Zoning Maps*

The granting of the special exception will also not tend to adversely affect the use of neighboring properties. The proposed scope to keep an existing rear deck and enclose the area underneath the deck will have no impact on neighboring properties as described in Subtitle E § 5201.4

- (c) Will meet such special conditions as may be specified in this title.*

***Subtitle C § 701.10***

*The number of required parking spaces shall not be reduced below the minimum required as long as the use that generated that requirement remains in existence*

Per the minimum parking requirements of Subtitle C § 701.10 (pursuant to Subtitle X, Chapter 10), the lot occupancy requires one parking space on the lot and street parking in front of the property. Keeping the existing deck and enclosing the area under the deck does not change the number of parking spaces on the lot.

***Subtitle C § 703.2***

*The Board of Zoning Adjustment may grant a full or partial reduction in number of required parking spaces, subject to the general special exception requirements of Subtitle X*

Per the minimum parking requirements of Subtitle C § 701.10 (pursuant to Subtitle X, Chapter 10), the lot occupancy requires one parking space on the lot and street parking in front of the property. Keeping the existing deck and enclosing the area under the deck does not change the number of parking spaces on the lot.

***Subtitle E § 207.1***

*Two (2) side yards shall be provided for detached buildings; one (1) side yard shall be provided for semi-detached buildings; and no side yards are required for row buildings.*

Per the Residential Flat zone, no side yards are required for row buildings. Since this property is a row home and there are no side yards, this requirement will continue to be met,

***Subtitle E § 210.1***

*Except as provided elsewhere in this title in Subtitle E § 212.2, the maximum permitted lot occupancy shall be as set forth in the following table.*

*Single Household Dwellings and Flats shall have a maximum percentage of lot occupancy of 60%*

The existing property has a current lot occupancy of 1261 SF (74%), exceeding the allowed (60%) per DCOZ development standards by 14%. This includes the existing uncovered main level deck. This application does not change the existing lot occupancy and would therefore request special exception relief from Subtitle E § 210.1

***Subtitle E § 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:

*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. The parking is open to air and there is parking available on the street with no change to the rear yard

*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. The parking is open to air and there is parking available on the street with no change to the rear yard

*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. The parking is open to air and there is parking available on the street with no change to the rear yard

*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.*

We are submitting 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. The parking is open to air and there is parking available on the street with no change to the rear yard

#### ***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 existing house located at 2759 Woodley Pl NW has a current lot occupancy of 1261 SF (74%), exceeding the allowed (60%) per DCOZ development standards by 14%. This includes the existing uncovered main level deck. The newly proposed enclosed area underneath the deck does not add or increase the existing lot occupancy. We request area variance pursuant to Subtitle E § 304.1 from requirements of maximum permitted lot occupancy for the RF-1 zoning district.

The existing lot area is 1700 Sq Ft, slightly smaller than the current DC ordinance Subtitle E § 304.1 stating that RF-1 zoned lots cannot be less than 1800 sq ft and the lot occupancy cannot be more than 60%. While the neighboring properties on either side are also less than the minimum lot area, the majority of the lots have main level decks that are in line with each other. This project proposed to retain the existing deck, keeping within the uniformity of rear facades of the neighboring properties.

Per the minimum parking requirements of Subtitle C § 701.10 (pursuant to Subtitle X, Chapter 10), the lot occupancy requires one parking space on the lot and street parking in front of the property. Keeping the existing deck and enclosing the area under the deck does not change the number of parking spaces on the lot.

## 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,

The image shows two handwritten signatures in black ink. The signature on the left is 'Sumit Manchanda' and the signature on the right is 'Silvia Paruzzolo'. Both are written in a cursive, flowing style.

Sumit Manchanda and Silvia Paruzzolo