

## **BOARD OF ZONING ADJUSTMENT**

**Applicant's Statement of Alison and David DeSchryver  
1755 Hobart Street, NW (Square 2588, Lot 80)**

### **I. INTRODUCTION AND NATURE OF RELIEF SOUGHT.**

This Statement is submitted on behalf of Alison & David DeSchryver (collectively referred to as the “**Applicant**”), owners of the property located at 1755 Hobart Street, NW (Square 2588, Lot 80) (the “**Subject Property**”). The Subject Property is currently improved with a 2-story row building used as a single family dwelling (the “**Building**”) with a rear deck. The Applicant is proposing a larger rear deck addition at the rear of the Building (the “**Addition**”). The existing second story is below sixty percent (60%) lot occupancy and does not require relief. The proposed rear deck, similar to others along this row, would increase the first floor lot occupancy to 69.7%, and would encroach on the required 20 foot rear setback requirement.

### **II. JURISDICTION OF THE BOARD.**

The Board has jurisdiction to grant the special exception relief requested pursuant to Subtitle E § 5201 from the rear yard setback requirements of E § 207.1 and lot occupancy requirements of E § 210.1.

### **III. BACKGROUND.**

#### **A. Description of the Subject Property and Surrounding Area.**

The Subject Property is located at 1755 Hobart Street, NW, is in the RF-1 zone district, and the Mount Pleasant Historic District. The Subject Property is an interior lot with 1,700 square feet of land area. Abutting the Subject Property to the west and east is a single-family row building. Abutting the Subject Property to the north is a public alley. Abutting the Subject Property to the south is Hobart Street, NW.

#### **B. Proposed Project.**

The Subject Property is currently improved with a single-family row building with an existing historic front porch and rear deck on the first story—which is 1 level above the alley. The current deck, along with the building & front porch, is calculated to cover 63.6% lot occupancy. The lot is 1700 sf, which is 100 sf less than the minimum required 1800 SF in the RF-1 zone, which burdens this property (and much of the row) with a smaller lot than required with which to expand the property, deck or otherwise, within the zoning regulations. The deck is 6 feet deep, which does not provide space for a table and chairs which the Applicant wishes to use. The cellar level of the property, which is at the same level as the alley, opens to a rear yard that is 28.5’ deep and as such fits the Applicant’s vehicle (car) with only a few feet to spare. The Applicant is proposing to construct a larger rear deck which would encroach on the required rear yard, and be within the 70% maximum lot occupancy provided as a Special Exception pursuant to E § 5201.1. The proposed deck is similar in size & depth to others along this row.

### **III. THE APPLICATION MEETS THE REQUIREMENTS FOR SPECIAL EXCEPTION RELIEF.**

#### **A. Overview.**

Pursuant to Subtitle X § 901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony

with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under E § 5201 of the Zoning Regulations. In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements.

**B. General Special Exception Requirements of Subtitle X § 901.2.**

The granting of a special exception in this case "will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps" and "will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps ..." (11 DCMR Subtitle X § 901.2).

1. Addition will be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps.

The Addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The Applicant is requesting a rear deck for the use and enjoyment of the applicant, similar to other decks built along the row. The zoning regulations generally allow for rear decks of modest size, however the unusually shallow and small lot does not allow for a deck sufficient for a table and chairs within the by-right zoning regulations. Special exception relief for lot occupancy is specifically permitted in the 2016 Zoning Regulations. Accordingly, the proposed Addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

2. Addition will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps.

As described more fully below, the Addition will also not adversely affect the use of neighboring properties as the proposed Addition limits impacts on light, air, and privacy.

**C. Requirements of Subtitle E § 5201**

The regulations permit relief from the lot occupancy requirements (for up to 70% lot occupancy), and relief from the rear yard requirements, so long as the Application meets the criteria for relief under E § 5201.4-7:

**E § 5201.4: An application for special exception relief under this section shall demonstrate that the proposed addition, new 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:**

**(a) The light and air available to neighboring properties shall not be unduly affected;**

The light and air available to neighboring properties shall not be unduly affected by the proposed Addition. Decks of this size are typical along this row. The adjacent property to the east, 1753 Hobart Street, NW, has a deck deeper than allowed by zoning regulations and is enclosed by a 6 foot tall privacy fence; its lower level is a driveway and garage. The adjacent property to the west, 1757 Hobart Street, NW, has a rear façade similar to the Applicant's, with a garage door and parking area at the lower level. Neither adjacent property has rear façade glazing at their lower (alley) level which would be negatively affected by the proposed deck addition.

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

Decks of this size are typical along this row. The adjacent property to the east, 1753 Hobart Street, NW, has a deck deeper than allowed by zoning regulations and is enclosed by a 6 foot tall privacy fence—therefore the Applicant's proposed deck will not encroach on the privacy of use and enjoyment for this neighbor. The adjacent property to the west, 1757 Hobart Street, NW, does not have a rear deck but could also propose one similar to the Applicant's. Decks of this size and configuration are typical in alley lots in Washington DC, and specifically typical along this row, where the lots are shallow and the alley level rear yard is primarily used for parking.

**(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; and**

The design of the Addition is in the Mount Pleasant Historic District and is subject to review and approval by HPRB. HPRB has already approved the deck as compatible per permit application DK2500072. Decks of the size and configuration proposed by the Applicant are numerous along this row.

**(d) 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 Applicant has provided plans, photographs, elevations, and section drawings sufficient to represent the relationship of the proposed Addition to adjacent buildings and views from public ways.

**Section 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.**

If necessary, the Applicant will comply with any special treatment.

**Section 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.**

This section is not being 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 proposed deck along with the existing building would be within the 70% lot occupancy allowed as a Special Exception under § 5201.1 (a).

Applicant's Statement  
1755 Hobart Street, NW

**IV. CONCLUSION.**

For the reasons stated above, this Application meets the requirements for approval of special exception relief by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Erik Hoffland', with a horizontal line extending to the right from the end of the signature.

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Erik Hoffland, AIA  
Hoffland Architects PLLC  
Date: July 22, 2025