

Applicant Statement
Special Exception Application

1415 S Street NW; Square 0206, Lot 0801

To: The Board of Zoning Adjustment
Government of the District of Columbia
Suite 210 South
441 4th St., NW
Washington, DC 20001

Date: November 12, 2020

Subject: Construction of a one story screen porch and with a roof deck over it to a single family, attached dwelling.

1. NATURE OF RELIEF SOUGHT

This statement is submitted on behalf of Lia Dean, owner of the property located at 1415 S St. NW (Square 0206, Lot 0801) (the “**Subject Property**”) in support of her application for:

- a. Special exception relief pursuant to Subtitle E § 5201.1 from E § 404.1 (lot occupancy), E § 205.4 (rear yard requirement), and C § 1502.1 (penthouse setbacks) to allow construction of a one story screen porch with a roof deck to an existing single-family, attached dwelling in RF-2 zone.

2. BACKGROUND.

A. Description of the Property and Surrounding Area.

The Subject Property is located in the RF-2 Zone. It is an interior rectangular lot measuring one hundred feet (100 ft.) in length, eighteen feet (18.00 ft.) in width with a land area of 1,800 square feet. The Subject Property is improved with a two story attached single-family dwelling. Abutting the Subject Property to the east and west are other one-family attached dwellings. The neighborhood is also made up of primarily single-family row houses. The Subject Property is built on both property lines to the south and north side, with a rear setback of 33 feet and 3 1/2 inches.

B. Proposed Project.

The Applicant is proposing to construct a one story screened porch on the rear of the existing house. This is to provide covered outdoor living space. The main existing building rear wall is currently set two feet two inches back from the rear wall of the adjoining neighboring building to the west. It is set six feet zero inches back from the rear wall of the adjoining neighboring building to the east. The proposed screened porch will be fourteen feet four inches past the rear wall of the neighboring property to the west, and eighteen feet zero inches past the rear wall of the neighboring property to east. The screen porch will be built on side property line to the east. It will set back five feet two inches back from the property line on the west side, which aligns with the existing main house wall.

3. Application for a Special Exception in Regards to Subtitle E § 5201.1 from E § 404.1 (lot occupancy), E § 205.4 (rear yard requirement)

A. Description of the requested relief

The Property is located in the RF-2 Zone, where the “rear wall of an attached or semi-detached building may extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle E §§ 5201.1 through 5201.4 and §§ 5201.4 through 5201.6.” Three exceptions are being requested. First an exception to allow proposed screened porch to be built more than ten feet back from the main walls of the adjoining properties per section E § 205.4. Second, an exception to allow the lot occupancy to be 60.66%. Section E § 404.1 limits the maximum lot occupancy to be 60%. Lastly we are requesting a 36 inch exception to allow the proposed roof deck railings to be constructed in line with the screened walls below instead of being setback 36 inches from the edge of the roof per penthouse rules in section C § 1502.1 or using solid parapet walls. As explained below, the Application meets the test for special exception relief, pursuant to 11-E DCMR § 5201 and § E 205.5, from the requirements of 11-E DCMR § E 205.4.

B. Statement of Compliance for Special Exception

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

The proposed screened porch will not unduly affect light and air available to the neighboring properties. The Applicant has provided shadow studies along with this Application. As the shadow studies demonstrate, the proposed addition will cause only small amounts of

change to the shadows. The proposed screen porch is on the north side. The existing two story dwellings already create a lot of shadows. The proposed one story porch will only cast small amounts of additional shadows on to the neighbors rear yards.

At the roof deck a solid parapet wall is being proposed on the east side. This is for fire separation reasons. It is also a continuation of the existing balcony parapet wall. On the west and north sides we proposing to use railings instead of a solid wall. This allows light to pass through them and on to the neighboring properties.

The 0.66% of additional lot occupancy allows the proposed screened porch to be 12 feet deep instead of 11 feet deep. This additional foot has a minimal impact on the shadows.

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

The privacy of use and enjoyment of any neighbors will not be unduly compromised by the proposed Addition. The existing 6-foot wood fences will continue to exist between the three lots. The property currently has a 2nd balcony at the rear. The proposed roof deck is just an extension of this, and not a new feature. The neighboring property to the east has glass sliding door facing west at an elevation that allows it to be seen over the existing fence. However the proposed screen porch will have a solid main wall and parapet wall on this side. Therefore, the existing conditions of offering privacy of use and enjoyment will continue to exist.

(3) 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.

The Addition, together with the existing building, will not visually intrude upon the character, scale, or pattern of houses on S Street, NW. We are not altering the front façade in any way. The building height will not be increased. The screened porch at the rear will have a flat roof. The properties along the alley are all fenced. The proposed screened porch will not be visible from the public alley. The two buildings flanking the subject property have similar heights. Lastly, the proposed screened porch will not be visible from S Street.

As viewed from view the rear the proposed new screened porch and roof deck will be in harmony with neighborhood and the zoning regulations.

4. Application for a Special Exception in Regards to C § 1502.1 (penthouse setbacks)

Relief to the requirements of Subtitle C §§ 1500.6 – 1500.10 and 1502 may be granted as a special exception by the Board of Zoning Adjustment subject to Subtitle X, Chapter 9 and subject to the following considerations:

- (a) The strict application of the requirements of this chapter would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or is inconsistent with building codes;

To strictly comply with the requirements, we would install solid stucco finished parapet walls instead of railings. These would be similar to the parapet wall we are installing on the property line wall. This would not be cost prohibitive or inconsistent with the building codes. However, changing to parapet walls would restrict the amount of light that passes through this required safety barrier. It would also result in a heavier appearance from our property and neighboring properties.

- (b) The relief requested would result in a better design of the roof structure without appearing to be an extension of the building wall.

Using railings instead of a solid parapet wall improves the appearance of the roof deck and is a more natural appearance for this type of structure. Note that due to fire reasons we cannot install a railing on the party wall side of the proposed roof deck.

- (c) The relief requested would result in a roof structure that is visually less intrusive.

Using railings instead of a solid parapet wall is less visually intrusive.

- (d) Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of Subtitle C-120 building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable.

This question does not apply to our project.

- (e) Every effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks; and

There is no mechanical equipment as part of this project.

- (f) The intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely.

The intent and purpose of this chapter and title is not materially impaired by the proposed railings. The use of railings instead of solid parapet walls is better for the light and air of adjacent buildings.

5. Compliance with Section 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:

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

The proposed project is in harmony with the general purpose and intend of the Zoning Regulations and Zoning maps. Many of the other homes in the area have similar screened porches. The area in the existing back yard is currently used for seating. We would like to allow this area to be protected from rain and bugs. The roof deck is an extension of the existing balcony and does not greatly change the situation or use of the property

- (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps

The proposed project would not adversely effect the use of neighboring properties. The area in the existing back yard is currently used for seating. The roof deck is an extension of the existing balcony. The proposed work is not a large change the situation or use of the property.

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

The proposed project will comply with this.

6. Conclusion.

For the reasons outlined in this Applicant's Statement, the Applicant respectfully requests the special exceptions relief as detailed above.