

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: March 26, 2021
SUBJECT: BZA Case 20426 – Screened Porch addition to a principal dwelling unit in the RF-2 zone at 1415 S Street, NW

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exceptions:

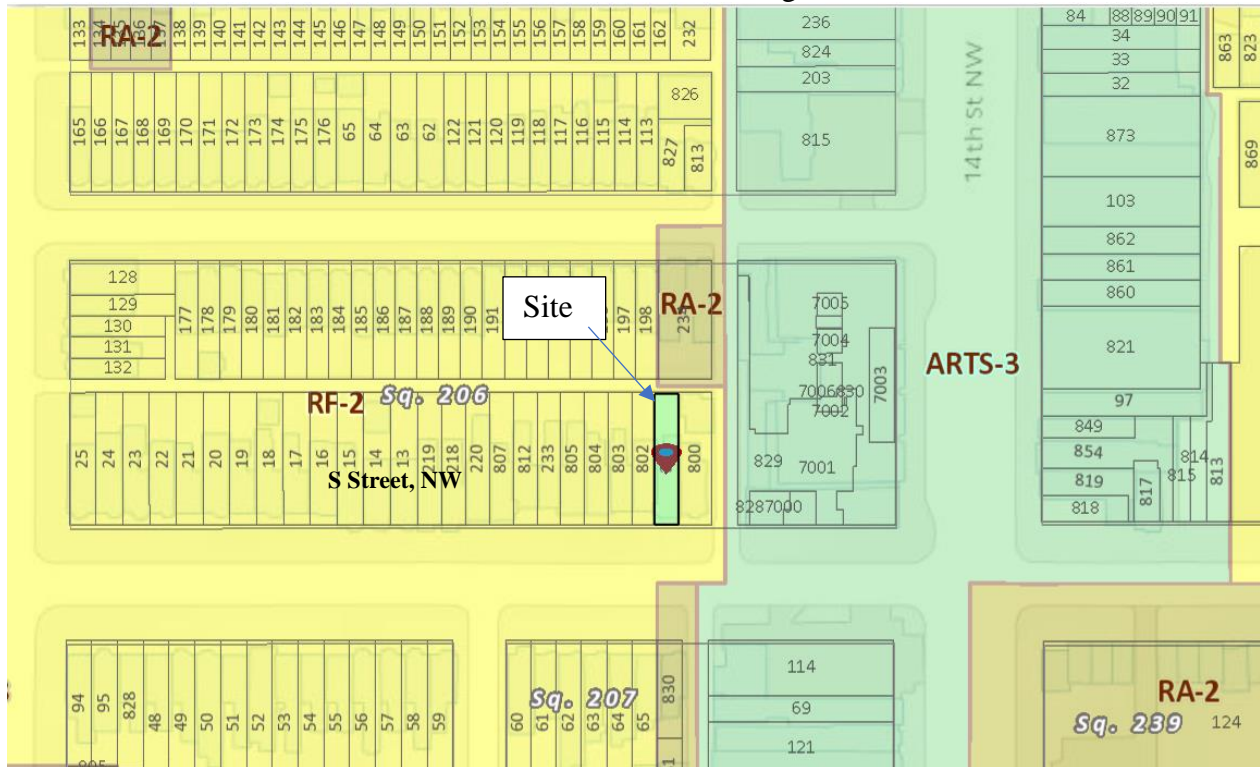
- Subtitle E § 404.1, lot occupancy (60% maximum permitted, 70% existing, 60.6% proposed) pursuant to Subtitle E § 5201;
- Subtitle E § 201.1, rear yard extension (10 feet allowed, 12 feet to the east/4 feet to the west existing, 18 ft. to the east/14.4 ft. to the west proposed) pursuant to Subtitle E § 5201; and
- Subtitle C § 1502.1, Penthouse Setbacks (1:1 required, none provided) Subtitle C § 1504.1.

II. LOCATION AND SITE DESCRIPTION

Address	1415 S Street, NW
Applicant	Lia Dean represented by Chris Williams, Architect
Legal Description	Square 206, Lot 800 (Record Lot 3)
Ward / ANC	2/2F
Zone	RF-2 - to provide for areas proximate to Dupont Circle predominantly developed with row houses with one or two dwelling units permitted by-right on the lot.
Lot Characteristics	The flat, rectangular lot measures 18 feet in width and 100 feet in depth. The property is bounded by S Street NW to the south and a 10-foot improved public alley to the north.
Existing Development	The property is improved with a single family two-story row building.
Historic District	Greater U Street Historic District
Adjacent Properties	The adjoining properties are row buildings in single-family use.
Surrounding Neighborhood Character	The neighborhood is mainly residential with a mix of single family, flats and apartments. To the east of the site, along 14 th Street, are a mixture of higher density residential and commercial uses.
Proposed Development	The proposal is to construct a one-story screen porch with a roof deck at the rear of the existing house.

Board of Zoning Adjustment
District of Columbia

Site Location and Zoning



III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-2 Zone	Regulation	Existing	Proposed ¹	Relief:
Height E § 403	35 ft. max./3 stories	20 ft. 9.75 in.	20 ft. 9.75 in.	None required
Lot Width E § 201	18 ft. min.	18 ft.	18 ft.	None required
Lot Area E § 201	1,800 sq. ft. min.	1,800 sq. ft.	2,742 sq. ft.	None required
Lot Occupancy E § 404	60% max.	52%	60.55%	Required
Front Setback E § 405	Within the range of existing front setbacks	Within range	Within range	None required
Rear Yard E § 306	20 ft. min.	33.5 ft.	20.00 ft.	None required
Rear Yard extension E § 201.1	10 ft. beyond the rear wall of adjacent buildings	2 ft. to the east 5 ft. to the west	18 ft. to the east 14.4 ft. to the west	Required
Penthouse Setbacks C § 1502.1	1:1 setback from the side	N/A	No setback	Required
Parking C § 701	1 parking space/dwelling unit	1 space	1 space	None required

¹ Information from the submitted Plans at Exhibit 31.

IV. ANALYSIS

The proposal is to construct a 154-square foot screened porch with a roof deck as an addition to the existing single-family house. The addition would increase the lot occupancy, would be extended beyond 10 feet of the adjacent houses, and the railing of the roof deck would not meet the required 1:1 setback.

Lot Occupancy and Rear Yard Extension

- Subtitle E § 404.1, lot occupancy (60% maximum permitted, 52% existing, 60.55% proposed) pursuant to Subtitle E § 5201;
- Subtitle E § 201.1, rear yard extension (10 feet allowed, 12 ft. to the east/4 ft. to the west existing, 18 ft. to the east/14.4 ft. to the west proposed) pursuant to Subtitle E § 5201;

Subtitle E § 5201 Addition to a Building or Accessory Structure

5201.1 *For an addition to a principal residential building on a non-alley lot or for a new principal residential building on a substandard non-alley record lot as described by Subtitle C § 301.1, the Board of Zoning Adjustment may grant relief from the following development standards of this subtitle as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:*

- (a) ***Lot occupancy up to a maximum of seventy percent (70%) for all new and existing structures on the lot;***
- (b) ***Yards, including alley centerline setback;***
- (c) ***Courts; and***
- (d) ***Pervious surface.***

The property is a not an alley lot, and the proposal is for additions to the existing residential building. The addition would increase the lot occupancy to 60.55% and rear wall extensions of 18 feet to the east and 14.4 feet to the west.

5201.2 N/A

5201.3 N/A

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;***

With the proposed addition, the house would extend 14.4 feet beyond the adjacent west rear wall and would be setback 5.16 feet from the property line. The properties are separated by a six foot high fence and the height of the addition would be 8.6 feet. At the roof deck, there would be three-foot high railings on the north and west sides to allow light to pass through.

To the east, the subject house currently extends six feet beyond the adjacent house and with the addition would be extended to 18 feet. At the roof deck, there would be a three-foot high, solid, parapet wall for fire separation reasons which would also be a continuation of the existing balcony parapet wall.

With the one-story addition, the building setback, the deck railings and the fence, the additional shadows on the property to the west would be minimal and would fall on the rear yard. The shadows from the addition and the parapet wall would be increased on the rear yard of the property on the east, but the shadow studies provided by the applicant at Exhibit 29, page A5, the additional shadows from the addition would be minimal. Therefore, the light and air to adjacent properties should not be unduly affected.

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

The addition would be enclosed with a door on the west side. The privacy of the neighbor to the west would not be compromised as the door would be mostly shielded by the fence and the porch would be enclosed, limiting views into the rear yard. On the east side, there would be no windows or doors, so there should be no impact on the privacy of the adjacent neighbor.

Views into the rear yard of both adjacent properties would be allowed from the deck. Unlike the porch below, the proposed deck is adjacent to a bedroom and is therefore not expected to be a place where persons would congregate. In addition, views to the property to the east would be minimized by the parapet wall. Therefore, the privacy of the adjacent neighbors should not be unduly compromised.

(c) The proposed addition or accessory structure, together with the original building, or the new principal 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 or alley frontage; and

The addition would not be highly visible from S Street but would be visible from the alley. The addition is one story, and there are other homes with a variety of garages, rear additions, and upper floor decks. The property also has a roll-up garage door which helps to block views from the alley.

(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 provided photographs, plans and elevations.

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.

OP suggest no special treatment.

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.*

The house will continue to be used as a single-family residence, a conforming use. The proposal is below the maximum height and number of stories and the lot occupancy 60.55% is within the 70% allowed by Subtitle C § 5201.1(a).

5201.7 N/A

Penthouse (Roof deck railing) setbacks

The applicant proposes a roof deck on top of the one story addition with 36 inches high railings on the south and west sides that do not meet the 1:1 setback required.

- Subtitle C § 1502.1, Penthouse Setbacks (1:1 required, none provided) pursuant to Subtitle C § 1504.1.

1504.1 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;*

If the three-foot setbacks were to be required, it would result in a reduced size deck to the extent that it would make it not useable. A solid parapet wall is being proposed on the east side for fire separation reasons. On the west and north sides, railings are proposed instead of a solid wall. This allows light to pass through them and on to the 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;*

N/A

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

The use of railings instead of a solid wall would be less intrusive.

- (d) *Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable;*

N/A

- (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*

N/A

(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 proposed railings would allow light and air to pass through and therefore would not adversely affect the light and air to the neighboring properties. The handrails would not be highly visible as they are at the rear of the property and not on the highest roof of the building, but rather on the roof of the proposed one story addition.

1504.2 Relief shall not be granted to the setback requirements of Subtitle C § 1502 for a roof structure located on a building constructed to the maximum height allowed by the Height Act.

The proposed height of the railings would be 36 inches in height, on top of the one story addition, and together with the building height would be below the Height Act.

1504.3 N/A

1504.4 N/A

General Special Exception Requirements of Subtitle X § 901.2

Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The rear yard extensions, the lot occupancy and the deck railings setbacks requirements allow for adequate light, air and privacy to the adjacent neighbors. The proposed relief would not result in a building that in form or massing would be inconsistent with the intent of the regulations.

Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposed rear addition and roof deck would cast some shadows on the rear yards of the adjacent properties; but not to an undue extent that it would significantly impact the use of the adjacent properties. Due to the building setbacks, the parapet wall and the enclosure of the porch, the privacy should not be adversely affected

V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been submitted to the record as of the date of this report.

VI. ANC COMMENTS

At the time of this report there were no submissions to the record from ANC 2B.

VII. COMMUNITY COMMENTS TO DATE

As of the date of this report, there were no letters entered in the record from the community.