

**SUPPLEMENTAL MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Development Review Specialist  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** April 4, 2022  
**SUBJECT: Supplement Report - BZA Case 20675 – Construct a rear deck to at 1307 South Carolina Avenue, SE.**

**I. OFFICE OF PLANNING RECOMMENDATION**

This report is supplemental to the Office of Planning (“OP”) Report dated April 1, 2022 (Exhibit 26) as the Applicant provided minimal additional requested information.

OP recommends **approval** of the requested special exception:

- Subtitle E § 304.1 (60% maximum lot occupancy allowed; 70% proposed) pursuant to Subtitle E § 5201 and Subtitle X § 901.2:

**II. LOCATION AND SITE DESCRIPTION**

Address:	1307 South Carolina Avenue, SE
Legal Description:	Square 1040, Lot 35
Ward / ANC:	Ward 6 / ANC 6B
Zone:	RF-1
Historic District	Not within a historic district.
Lot Characteristics:	An irregularly shaped lot.
Existing Development:	The lot is improved with a three-story, single-family dwelling.
Adjacent Properties:	There is an adjoining row dwelling to the east, an adjoining apartment building to the west, and rowhouses to the north (across South Carolina Avenue SE) and south (across an alley).
Surrounding Neighborhood Character:	The surrounding neighborhood is a mixture of two- and three-story, single and multi-residential buildings.



### III. PROJECT DESCRIPTION IN BRIEF

The Applicant is proposing to construct a rear deck.

### IV. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief
Lot Area E § 201.1	1,800 sq. ft. min.	No information provided	No information provided	No information provided
Lot Width E § 201.1	18 feet min.	No information provided	No information provided	No information provided
Height E § 303.1 E § 303.1	35 ft./3 stories 40 ft.	No information provided	No information provided	No information provided, but unchanged
Lot occupancy E § 304.1	60% max. 70% by Special Exception	No information provided	70%	<b>Relief requested</b>
Rear yard E § 306.1	20 ft. min.	No information provided	No information provided	No information provided or relief requested

## V. OP ANALYSIS

### Special Exception from Subtitle E § 304.1 – Lot Occupancy

#### 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 proposal is to increase the lot occupancy on the property to 70%.

*5201.2 & 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:*

According to the application, the proposed deck would not extend beyond the walls of the adjacent properties. The deck would be approximately five-feet wide and therefore should not cast any shadows to unduly affect the light and air of the adjacent properties.

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

The proposed deck would not extend beyond the walls of adjacent properties. The building to the west has a window on the side but it is located higher than the level of the deck so there should be no direct views from the deck into that window. The property to the east has no openings. Therefore, the privacy and enjoyment of the adjacent properties should not be unduly compromised.

- (c) 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; and*

The property does not abut an alley and it would not be visible from the street.

*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 or nearby properties, or to maintain the general character of a block.*

No special treatment is recommended by OP.

*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 would remain a conforming residential use, with the 70% lot occupancy allowed by this section.

*5201.7 N/A*

#### Subtitle X § 901.2, General Special Exception

*(i) The Special Exception Will Be in Harmony with the General Purpose and Intent of the Zoning Regulations and Maps.*

The proposed deck will not extend past the party walls of the adjoining properties and the addition will not change or interfere with existing light and air. The building will continue its residential use, and the increase in lot occupancy is allowed if it meets the requirements of Subtitle E 5201 as demonstrated above.

*(ii) The Special Exception Will Not Tend to Adversely Affect the Use of Neighboring Property*

As discussed above, the proposed deck and increased lot occupancy will not tend to adversely affect the use of neighboring properties, as the deck will not extend past the party walls of the adjoining properties.

#### **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

No other agencies had filed a report into the record at the time of this report.

#### **VII. ANC COMMENTS**

The property is within ANC-6B. The ANC voted to support on the proposal at Exhibit 22.

#### **VIII. COMMUNITY COMMENTS**

At Exhibit 20 are five letters of support from neighbors.