

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Anne Fothergill, Development Review Specialist  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** April 22, 2022  
**SUBJECT:** BZA Case 20701 – to construct a garage roof deck at 912 G Street, N.E.

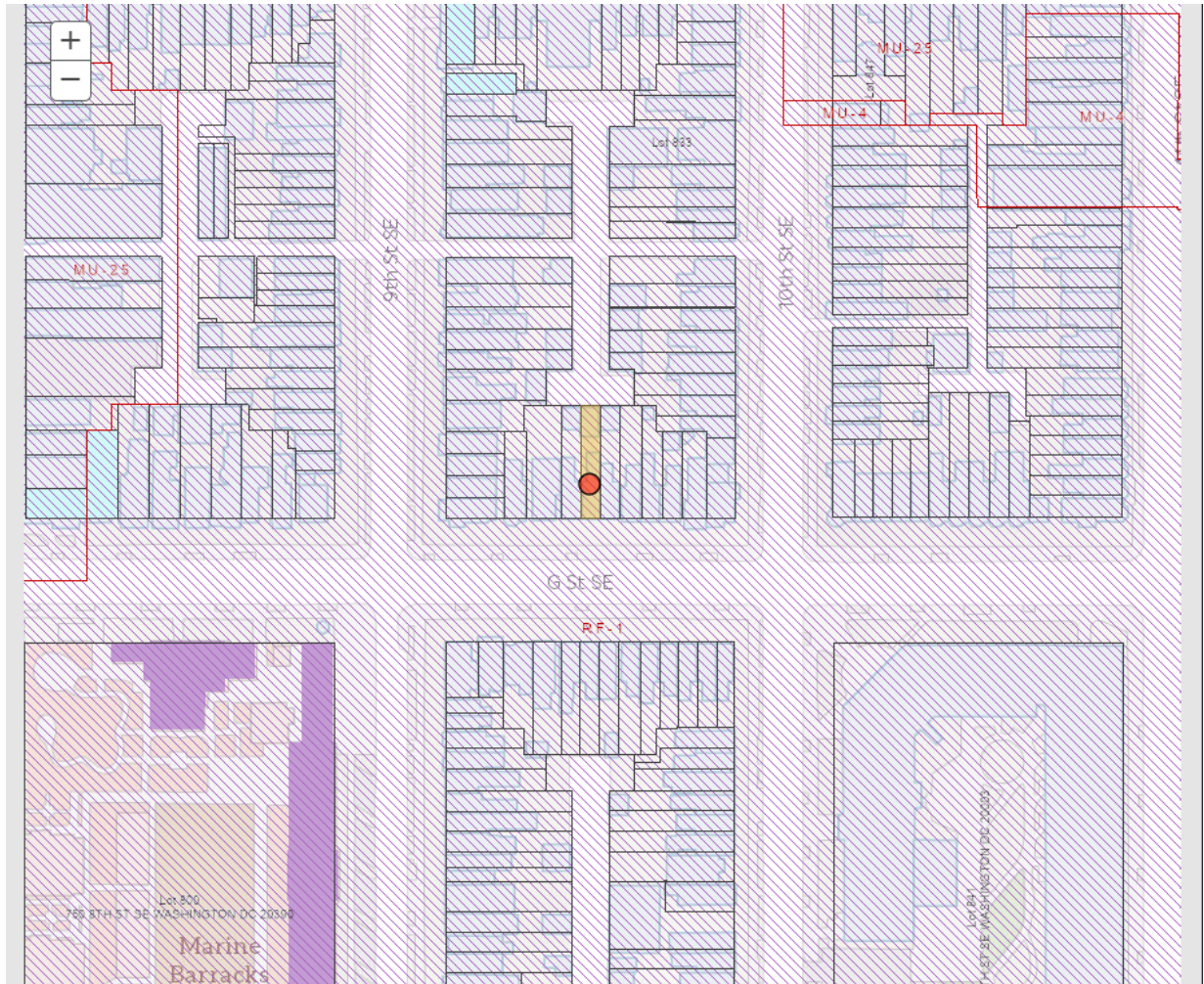
**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following **Special Exception** pursuant to Subtitle E § 5201 and Subtitle X Chapter 9:

- Subtitle E § 304.1 – 60% maximum lot occupancy allowed, 70% by Special Exception; 72% existing; 70% proposed to allow garage roof deck

**II. LOCATION AND SITE DESCRIPTION**

Address:	912 G Street, S.E.
Legal Description:	Square 0949 Lot 0056
Ward / ANC:	Ward 6 / ANC 6B
Zone:	RF-1, low to moderate density zone allowing one family dwellings and flats by right.
Historic District	Capitol Hill Historic District
Lot Characteristics:	1,409 square foot rectangular lot abutting the end of a 30 foot public alley to the rear (north).
Existing Development:	The lot is improved with a two-story attached single family dwelling with a detached garage at the rear of the lot.
Adjacent Properties:	There are row dwellings to the east and west on the block and across G Street SE to the south and along the alley to the north.
Surrounding Neighborhood Character:	The surrounding neighborhood is primarily low density residential. The Marine Barracks and a school are located across G Street S.E. and commercial uses are located along 8 <sup>th</sup> Street S.E.
Project Description	The Applicant proposes to construct a 305 square foot deck on the roof of the existing detached garage. There would be a trellis above the deck and horizontal lattice screening around the new deck with steps to the back yard.



**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

RF-1 Zone	Regulation	Existing	Proposed	Relief
Lot Area E § 201.1	1,800 sq.ft. min.	1,409 sq.ft.	No change	Existing non-conformity
Lot Width E § 201.1	18 feet min.	15.5 feet	No change	Existing non-conformity
Lot occupancy E § 304.1	60% max. 70% by Special Exception	72%	No change to overall site 70% including garage roof deck	<b>Relief requested</b>
Rear yard E § 306.1	20 ft. min.	38 ft.	No change	None required
Height E § 303.1	35 ft. and 3 stories max.	28 feet and 2 stories	No change	None required

#### IV. OP ANALYSIS

**Special Exception** from Subtitle E § 304.1– lot occupancy

##### **A. 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 Applicant has requested special exception relief from the lot occupancy provision. Although the existing lot occupancy, including the house and the garage is 72%, the garage roof deck is sized to meet the 70% lot occupancy permitted by special exception.

*5201.2 Special exception relief under this section is applicable only to the following:*

- (a) An addition to a residential building;*
- (b) A new or enlarged accessory structure that is accessory to such a building; or*
- (c) A reduction in the minimum setback requirements of an alley lot.*

The proposal is for a roof deck on the existing garage, which is an accessory structure to a residential building.

*5201.3 An applicant for special exception under this section shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

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

The light and air available to neighboring properties should not be unduly affected by the proposed roof deck on the garage, which is located adjacent to the end of an alley at the rear of the property. The garage is a one story structure and located adjacent to other garages on the alley. Neighboring houses are at least two stories in height, and located to the south of the subject garage, so should not be unduly impacted.

The height of the proposed roof deck screening would be below the permitted height for an accessory building in the zone. The property would continue to provide a rear yard that exceeds the minimum yard requirement in the zone, allowing for light and air between properties.

Both adjoining property owners filed letters in support of the application in Exhibit 22 and 23.

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

The proposed deck on the roof of the existing garage should not unduly compromise the privacy of use and enjoyment of neighboring properties. The garage roof deck would abut the alley and the subject property's rear yard and would not be located in very close proximity to the adjacent neighboring

residential buildings. There would be screening around the deck to minimize any sight lines and visibility and provide privacy.

Both adjoining property owners filed letters in support of the application in Exhibit 22 and 23.

- (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;*

The roof deck would not be visible from G Street SE because it is entirely behind a row dwelling and located on the garage at the rear of the property. The proposed roof deck on the garage should not visually intrude upon the character, scale and pattern of other buildings along the alley. The project, including the design of the trellis and lattice screening, has been approved by the Historic Preservation Review Board.

- (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; and*

The Applicant provided adequate photos and plans to represent the relationship of the addition to adjacent buildings and public ways.

- (e) *The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%).*

The proposed lot occupancy with the garage roof deck would be 70%.

*5201.4 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 does not recommend any special treatment.

*5201.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The property would continue the current, permitted residential use and no nonconforming use would be introduced.

*5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.*

The residential building on the property would continue be conforming for height and number of stories.

## **B. General Special Exception Standards – 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:*

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

The project with the requested zoning relief would be in harmony with the purpose and intent of the RF-1 zone. The zoning regulations allow for lot occupancy relief by special exception in the RF-1 zone and this project has demonstrated that it meets the applicable review criteria. The project would not result in a use or building form inconsistent with the intent of the zone.

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

As noted above in Section V-A, the proposed addition should not have an undue adverse effect on the use of neighboring property.

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

The DC Historic Preservation Review Board has reviewed and approved the project. No other agencies had filed a report into the record at the time of this report.

## **VI. ANC COMMENTS**

At Exhibit 24 is a memo from the ANC indicating support for the proposal.

## **VII. COMMUNITY COMMENTS**

There are two letters of support in the record from both adjoining property owners in Exhibits 22 and 23.