

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown Roberts, Case Manager
JL Joel Lawson, Associate Director for Development Review

DATE: October 20, 2022

SUBJECT: BZA #20796 – 6801 32nd Street NW – Request for special exception relief to construct a one-story rear addition to an existing, detached, one-story with basement principal dwelling unit in the R-1-A zone.

I. RECOMMENDATION

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

- D § 304 Lot Occupancy, pursuant to D § 5201 (41% existing, 40% permitted as a matter of right, 50% permitted by special exception, 48.9% proposed).
- D § 306 Rear Yard, pursuant to D § 5201 (24.3 ft. existing, 25 ft. required, 50% permitted by special exception, 17.3 ft. proposed).

II. LOCATION AND SITE DESCRIPTION

Applicant	Alan Korn and Claudia Simons
Address	6801 32nd Street, NW
Legal Description	Square 2366, Lot 23
Ward / ANC	3/3G
Zone	R-1-B, low density single family detached dwellings
Historic District or Resource	None
Lot Characteristics	Corner lot, trapezoidal in shape – 30 feet wide at 10 th Street, 35.77 ft. wide at the 15 ft. wide alley on the west. Hamlin Street abutting to the south.
Existing Development	Single family home which abuts the southern property line at the front of the building.
Adjacent Properties and Neighborhood Character	The subject square is predominantly developed with detached houses. The surrounding neighborhood is a mix of detached, semi-detached and rowhouses.
Proposal	Construct a new screened porch and deck at the rear of the house.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

Item	Regulation	Existing	Proposed	Relief
Lot Width D 302	30 ft. min.	32.9 ft.	No change	Conforming
Lot Depth	n/a	90 ft.	No change	Conforming
Lot Area D 302	3,000 sq.ft. min.	2,960 sq.ft.	No change	Existing Non-Conforming
Height D 303	40 ft. 3 stories max.	height not provided; 2 stories	No change	Assumed Conforming
Lot Occupancy D 304	40% max. 50% by spec. ex.	41%	48.9%	Requested
Rear Yard D 306	20 ft. min.	40.5 ft.	24.5 ft.	Conforming
Side Yard D 206.3	One 8 ft. min. side yard req. for semi-detached	6 ft. – North 0 ft. – South	No change	Existing non-conforming on north; conforming on south
Pervious Surface D 308	30% min.	Not provided	Not provided	Assumed Conforming

IV. ANALYSIS

Relief from lot occupancy can be granted pursuant to D § 5201; criteria reviewed below.

SUBTITLE D § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

- (a) **Lot occupancy;**
- (b) *Yards;*
- (c) *Courts;*
- (d) *Minimum lot dimensions;*
- (e) *Pervious surface; and*
- (f) *The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.*

The applicant seeks a special exceptions for lot occupancy.

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

- (a) *An addition to a building with only one (1) principal dwelling unit; or*
- (b) *A new or enlarged accessory structure that is accessory to such a building.*

The application would allow the construction of a new rear screened porch and deck.

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 existing house is a bungalow with a cellar, a first floor, and a partial second floor. The new screened-in porch would be an extension of the first floor and should not create a significant amount of new shadow on the property to the north. The deck is about six feet above the ground, which appears to be a similar height to the existing fence between the properties that already results in some shadow. The air flow available to nearby properties should not be significantly impacted.

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

The privacy of neighboring properties should not be unduly compromised. The new deck may allow some additional views into the property to the north; that property already has a deck that provides similar views into the subject property. The deck would be in line with the existing house so would not decrease the distance between the houses. As such, any potential impacts should not be unusual or undue.

(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 proposed deck would be visible from the side street, Hamlin, and from the rear alley, but should not visually intrude on the character of houses on the subject street frontage. Providing a screened porch and deck would not be out of character in a residential neighborhood. In this case, the adjacent property has a rear deck, and throughout the neighborhood there are a number of rear decks and other rear additions.

(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 application includes plans, elevations and photographs to represent the existing and proposed conditions.

(e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot as specified in the following table:

TABLE D § 5201.3: MAXIMUM PERMITTED LOT OCCUPANCY

<i>Zone</i>	<i>Maximum Lot Occupancy</i>
<i>R-3</i>	<i>70%</i>
<i>R-13</i>	

<i>Zone</i>	<i>Maximum Lot Occupancy</i>
<i>R-17</i>	
<i>R-20 – attached dwellings only</i>	<i>70%</i>
<i>R-20 – detached and semi-detached dwellings</i> <i>All Other R zones</i>	<i>50%</i>

The new deck would result in a lot occupancy of 48.9%.

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 recommends no special treatments.

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

The permitted use as a single family dwelling would continue.

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 conforming height of the house would not change.

Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS

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 proposal would be in harmony with the intent of the Regulations as it would not result in a building with a mass, height, or bulk that would be inconsistent with the intent of this low density residential zone. The applicant has adequately addressed how the requested relief addresses the relevant D § 5201 criteria.

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

As noted above, the location and size of the porch and deck addition would not result in undue impacts on neighboring property.

V. COMMENTS OF OTHER DISTRICT AGENCIES

As of this writing the record contains no comments from other District agencies.

VI. ANC COMMENTS

As of this writing the record contains no comments from the ANC.

VII. COMMUNITY COMMENTS

As of this writing the record contains no comments from members of the community.

VIII. VICINITY MAP

