

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Anne Fothergill, Case Manager  
*J*Joel Lawson, Associate Director Development Review  
**DATE:** September 8, 2015  
**SUBJECT:** BZA Case 19064, 1007 F Street, N.E.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following variance relief for a proposed rear deck:

- § 403.2 lot occupancy (60% maximum allowed, 76.4% proposed);
- § 404.1 rear yard (20’ minimum required, 15’11” proposed); and
- § 2001.3

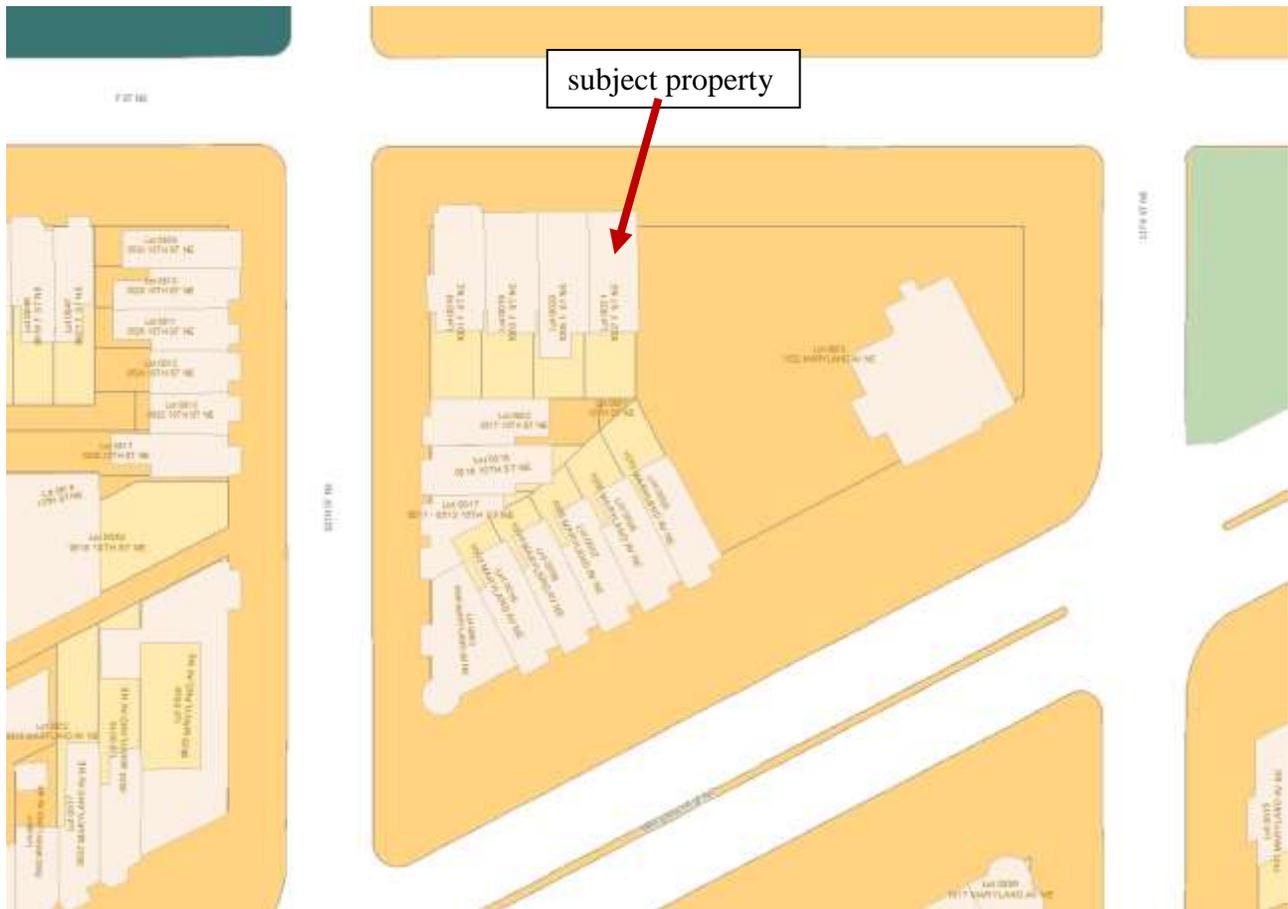
The existing lot is non-conforming for lot area (1800 SF minimum required, 1350 SF existing).

**II. LOCATION AND SITE DESCRIPTION**

Address	1007 F Street, N.E.
Legal Description	Square 0961, Lot 0021
Ward	6
Lot Characteristics	A rectangular lot with an area of 1,350 square feet
Zoning	R-4- row dwellings and flats are allowed in this district
Existing Development	Row dwelling, permitted in this zone.
Historic District	N/A
Adjacent Properties	Adjacent properties to the west, south and north include rowhouse dwellings and to the east is a detached residential facility for youth
Surrounding Neighborhood Character	The area is predominantly residential.

**III. APPLICATION IN BRIEF**

The applicants propose to construct a wooden deck off the rear of the first floor of the house. The deck would be 16’4” wide and 11’3” deep with 3’ wide stairs to grade. The proposed deck has the same dimensions as the rear deck on the adjacent house to the west.



**IV. ZONING REQUIREMENTS and RELIEF REQUESTED**

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max.	27 ft.	27 ft.	None required
Lot Width § 401	18 ft. min.	20 ft.	20 ft.	None required
Lot Area § 401	1800 SF min.	1350 SF	1350 SF	Relief required
Floor Area Ratio § 402	None prescribed			None required
Lot Occupancy § 403	60% max.	59.8%	76.4%	Relief required
Rear Yard § 404	20 ft. min.	27’ 2”	15’ 11”	Relief required

## V. OFFICE OF PLANNING ANALYSIS

**a.** Area variance relief (§ 3103.2) from:

§ 403.2 lot occupancy

§ 404.1 rear yard

**i. Exceptional Situation Resulting in a Practical Difficulty**

The subject property has physical characteristics that create a practical difficulty for the owner to comply with the zoning requirements. The house is located at the end of a row of houses with an easement across the back of each lot that functions as an alley for the property owners. The proposed deck and 15 foot rear yard would not limit the alley access for others and the owners would continue to use the alley for vehicular access and storage in their walk-out basement. As shown in the applicants' supplemental filing (Exhibit 32), there is a steep grade change with tall retaining walls and privacy fencing around the rear yard creating a canyon effect which restricts the owners' access to light and air at grade. The proposed deck would allow the owners to access the outdoors directly from the first floor.

**ii. No Substantial Detriment to the Public Good**

The requested rear yard and lot occupancy relief would not be detrimental to the public good or substantially intrude upon the character, scale and pattern of houses in the square. The rear deck would not adversely impact the adjacent properties and should not unreasonably impose on neighbors' privacy or light and air. The adjacent neighbor has a deck of the same dimensions. The ANC and multiple neighbors support the requested relief.

**iii. No Substantial Harm to the Zoning Regulations**

The relief to allow increased lot occupancy and a reduced rear yard setback for this property would not cause substantial harm to the zoning regulations. The requested variance would not substantially impair the intent, purpose and integrity of the R-4 zone. The rear deck would be in conformance with all other provisions of the Zoning Regulations. The granting of this variance would permit the construction of a rear deck to allow access off the rear of the first floor of a row dwelling.

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

The District Department of Transportation submitted a report stating they have no objection to the requested relief. (Exhibit 31)

## **VII. COMMUNITY COMMENTS**

Adjacent and nearby property owners at 1005 F Street, NE, 1003 F Street, NE, 517 Tenth Street, NE, and 515 Tenth Street, NE have written letters of support for the zoning relief. (Exhibits 10, 11, 12, and 13)

ANC 6A voted to support the variance request. (Exhibit 29)