

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: February 3, 2017

SUBJECT: BZA Case 19398 (1922 First Street, N.E.) for area variances to permit the expansion of a rear deck

I. OFFICE OF PLANNING RECOMMENDATION

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

- C § 202.2, Extend a Nonconforming Structure;
- E § 304.1, Lot Occupancy (60 percent permitted, 63.33 percent existing; 81 percent proposed); and
- E § 306.1, Rear Yard (20 feet required, 22 feet existing, 9.7 feet proposed).

Subject to the following conditions:

1. That the applicant contact the Urban Forestry Administration (UFA) at DDOT concerning recommendations for the protection of the large deciduous tree within the rear yard, and that implements any and all recommendations are implemented as directed by UFA.

II. LOCATION AND SITE DESCRIPTION

Address	1922 First 1 st Street, N.E.
Applicant	Jim Borbely
Legal Description	Square 3532, Lot 23
Ward, ANC	Ward 5, ANC 5E
Zone	RF-1
Lot Characteristics	Rectangular lot with rear alley access
Existing Development	One-family row house with 16-foot wide 8-foot deep rear deck
Adjacent Properties	Row houses
Surrounding Neighborhood Character	Moderate density residential
Proposed Development	Expansion of rear deck

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone: RF-1	Regulation	Existing	Proposed	Relief
Height E § 303.1	35 feet & 3-story max.	2-stories	2-stories	None Required
Lot Width E § 201.1	18-foot min.	18 feet	18 feet	None Required
Lot Area E § 201.1	1,800 sq. ft. min.	1,080 sq. ft.	1,080 sq. ft.	None Required
Lot Occupancy E § 304.1	60% max.	63.33%	81%	Required
Rear Yard E § 306.1	20-foot min.	22 feet	9.7 feet	Required

IV. OFFICE OF PLANNING ANALYSIS

Variance Relief from E § 304.1, Lot Occupancy and E § 306.1, Rear Yard

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property is improved with a row house. There is a large, mature deciduous tree within the rear yard. A rear addition onto the adjacent row house to the south extends approximately eight feet further into the rear yard than the rear wall of the subject property, not including a rear deck that was constructed onto the back of the adjoining row house. The combination of the deck and rear addition on the adjoining property, plus the large deciduous tree on the subject property, results in little direct sunlight into the applicant's rear yard. Combined with the exposed root system from the large tree, the applicant is unable to grow grass or create a level usable surface from which to enjoy the yard.

ii. No Substantial Detriment to the Public Good

The proposed expanded deck would allow the applicant to build over and create a durable surface within the rear yard for outdoor activities without damaging the root system of the tree, or requiring the paving of the rear yard to create a usable surface. The deck would be consistent with other decks constructed within other rear yards within the square. However, to ensure the existing tree is adequately protected during and after construction the applicant should contact the Urban Forestry Administration at DDOT for recommendations and suggestions for the protection and care of the tree.

iii. No Substantial Harm to the Zoning Regulations

The proposed extended deck would allow the applicant to utilize the rear yard as private open space in a manner anticipated by RF-1 zone, without significantly impacting the appearance of bulk on the lot.

V. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT, in a memorandum dated January 24, 2017, stated that it had no objection to the requested variances.

No other comments were received from District agencies.

VI. COMMUNITY COMMENTS

No comments were received from ANC 5E.

No other community comments were received.

Attachment: Location Map

