



Government of the District of Columbia Advisory Neighborhood Commission 4B

[DRAFT] RESOLUTION #4B-22-0903

**Supporting Request for Special Exceptions to Lot Occupancy & Rear Yard Requirements to Replace Rear Deck, 609 Quintana Place, NW (BZA 20788)
Adopted April 25, 2022**

Advisory Neighborhood Commission 4B takes note of the following:

- Shannon Collier and Seth Horstmeyer (the Applicants) reside at 609 Quintana Place, NW (Square 3200, Lot 232) in a semi-detached row home in the R-2 Zone located within the boundaries of Advisory Neighborhood Commission 4B.
- The Applicants have sought to replace an unsafe deck that does not comply with current code requirements and was built without a permit by the prior owner. The proposed new deck would be built to current code and safety standards to restore the integrity of the structure, align the deck with the neighborhood character, and contribute value to the owners and the community. The proposed new deck is smaller in size than the deck that was in place when the Applicants purchased the home. The previous deck, which was removed as part of this project, was nearly twice the allowable size and was not built to past or current DC code requirements. The Applicants will continue to use the property as a single-family dwelling.
- The proposed screened-in deck will increase the lot occupancy and decrease the rear yard, requiring special exceptions. Specifically, the Applicants have requested the following:
 - (1) a special exception from the lot occupancy requirements in 11 DCMR Subtitle D § 304.1, which provides a maximum of 40% lot occupancy, where the proposed lot occupancy with the deck would be 44.7% of the lot; and
 - (2) a special exception from the rear yard requirements of 11 DCMR Subtitle D § 306.2, which requires a minimum rear yard of 20 feet, where the proposed rear yard with the deck would be 12.87 feet.

They are seeking relief under 11 DCMR Subtitle X § 901.2 (special exception review standards), which allows the Board of Zoning

Adjustment to grant special exceptions that will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps; will not tend to affect adversely impact the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and will meet such special conditions as may be specified in the regulations.

- The Applicants have demonstrated no undue adverse impact. See 11 DCMR Subtitle X § 901.2; 11 DCMR Subtitle D § 5201.3(a)–(c). As noted in the Applicants’ Statement to the Board of Zoning Adjustment, the light and air available to neighboring properties will not be unduly affected; the privacy of use and enjoyment of neighboring properties will not be unduly compromised; and the proposed deck, as viewed from the street, alley, and other public way, will not substantially visually intrude upon the character, scale, and pattern of houses along the street. The proposed replacement deck is smaller in size than the deck that was in place when the Applicants purchased their home. The previous deck, which was removed as part of this project, was nearly twice the allowable size and was not built to past or current code requirements.
- The Applicants have submitted a solar study concluding that “that there is 0% new shadows created by the new deck that would affect the solar panel array of any neighboring home.”
- The Applicants have communicated with Advisory Neighborhood Commission 4B and provided all underlying materials to the Commission. As stated by the Applicants in their Statement to the Board of Zoning Adjustment, both of the adjacent residential properties have similar structures. The Advisory Neighborhood Commissioner for Single Member District 4B04 has visited the residence and finds the proposal in keeping with rear decks and additions at other residences in the surrounding area.

RESOLVED:

That Advisory Neighborhood Commission 4B supports the application for special exceptions for 609 Quintana Place, NW (BZA 20788) and recommends that it be approved.

FURTHER RESOLVED:

That the Commission designates Commissioner Brenda Parks, ANC 4B04, to represent the Commission in all matters relating to this Resolution.

FURTHER RESOLVED:

That, in the event the designated representative Commissioner cannot carry out their representative duties for any reason, the Commission authorizes the

Chair to designate another Commissioner to represent the Commission in all matter relating to this Resolution.

FURTHER RESOLVED:

That, consistent with DC Code § 1-309, only actions of the full Commission voting in a properly noticed public meeting have standing and carry great weight. The actions, positions, and opinions of individual commissioners, insofar as they may be contradictory to or otherwise inconsistent with the expressed position of the full Commission in a properly adopted resolution or letter, have no standing and cannot be considered as in any way associated with the Commission.

ADOPTED by voice vote at a regular public meeting (notice of which was properly given, and at which a quorum of seven members was present) on September 28, 2022, by a vote of _ yes, _ no, _ abstentions.

DRAFT