

**Report of the Economic Development and Zoning (EDZ) Committee  
Advisory Neighborhood Commission (ANC) 6A  
June 18, 2014**

**Present:**

Members: Dan Golden (Chairman), Charmaine Josiah, Missy Boyette, Brian Carlson, and Stephanie Frang.

Dan Golden chaired the meeting.

**Community Comment**

There were no community comments.

**Status Reports**

**Resolution of Previously Heard BZA/HPA Cases:** Chairman Golden reported that the ANC adopted the EDZ Committee's May 2014 recommendations

**New Business**

1. 1425 North Carolina Avenue (BZA Case No. 18798): Owner seeks Bureau of Zoning Authority (BZA) approval for special exceptions from the lot occupancy requirement (§403.2), rear yard setback requirement (§404.1), and for additions to buildings that exceed permitted lot occupancy (§2001.3), in connection with the construction of a deck at the rear of the existing residence. In addition, if required by the Zoning Administrator, Owner will seek a variance from the definition of "yard" (§199), which prohibits any structure occupying more than 50% of a yard.
  - Martin Sullivan attended the meeting on behalf of the owner.
  - Existing house occupies 62% of lot.
  - Proposed deck is multi level. Upper level is above 4'-0" and would contribute to the lot occupancy and lower level is below 4'-0" in height and would not contribute to lot occupancy.
  - Existing House Lot Occupancy + Proposed Upper deck over 4'-0" height = 70% lot occupancy
  - Per comments made on the record at a recent BZA hearing (BZA 18595), BZA apparently considers structures both above and below 4'-0" height to count against the prohibition in the definition of "yard" against structures occupying more than 50% of a "yard."
  - Taken together, the upper and lower portions of the proposed deck would occupy more than 50% of the rear yard.
  - Accordingly, the applicant would like the committee to consider whether a variance from the definition of "yard" is warranted in the event that the Zoning Administrator and BZA deem one necessary.
  - Special Exception argument is that the house across the alley has a large rear deck with a 10'+ high fence and that building a smaller deck would make the remaining area of the rear yard unusable. Neighbors have written letters supporting the rear deck.
  - Issues were raised by the committee regarding the following:
    - o Access to the basement door and what the elevations are at various points under the deck.
    - o What will happen under the low deck since the space cannot be accessed? Will trash and other debris accumulate?

- **Motion:** The Committee recommends approval of the special exception allowing the property to build to 70% lot occupancy, have a rear yard setback less than 20', and allow the expansion of a non conforming structure. Motion was passed 5-0.
- **Motion:** The Committee recommends approval for variance relief of the total deck occupying more than 50% of the rear yard. Motion was passed 4-1.

## 2. Signage Discussion

Signage pamphlet was discussed and comments were made regarding language and examples used. Further discussion will take place at the next Committee meeting and the on a motion to implement the signage standards.

For more information, please contact Dan Golden at [dpgolden@gmail.com](mailto:dpgolden@gmail.com) or 202-641-5734