

**SUPPLEMENTAL REPORT**

TO: District of Columbia Board of Zoning Adjustment

FROM: Megan Rappolt, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: April 5, 2016

SUBJECT: BZA Case #18983 – OP Supplemental Report regarding a request for special exception for an accessory structure on the property located at 5236 Sherrier Place, NW.

SUPPLEMENTAL ANALYSIS of REQUESTED RELIEF

At the January 26, 2016 hearing, the BZA asked the Office of Planning (“OP”) to provide information regarding accessory dwelling regulations in the future Zoning Regulations which are anticipated to become effective on September 6, 2016 (known herein as “ZR 16”). In addition, OP provides an amended recommendation of **approval** with regard to the Applicant’s request.

ZR 16

With regard to ZR 16 as it applies to the Applicant’s property, the accessory apartment provisions were debated at multiple public hearings and meetings by the Zoning Commission and the public. The approved regulations are generally more permissive for accessory apartments in the low density zones, in that one accessory apartment within the house is permitted by right, subject to a series of conditions, or within a detached accessory building on the property, subject to a number of conditions (Subtitle U § 253). .

Specifically, an accessory unit would be permitted on this property in a detached accessory building if:

- the accessory unit or principle dwelling is occupied by the owner of the property (Subtitle U § 253.5);
- There are no more than three people residing in the accessory unit (Subtitle U § 253.6); and
- there is adequate permanent access provided to the accessory unit from the street (Subtitle U § 253.8).

This property appears to meet these general accessory apartment conditions, for an accessory apartment in either the principal dwelling or in an accessory building as proposed.

OP Recommendation

Since the hearing in January, it appears the Applicant has made changes to its submission based on direction from the BZA and due to feedback from interested parties. Such changes are depicted on the recently submitted drawings (Exhibit 48, 49 and 50) in the record. The changes result in a smaller accessory structure with less impact to adjacent neighbors, and therefore OP recommends the BZA **approve** the revised accessory structure, per the relief cited in DCRA’s March 23, 2016 memorandum of necessary relief (Exhibit 52), which includes relief for a lot occupancy of 48% and an expansion of a nonconformity (lot occupancy).

