



## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** *JL* Joel Lawson, Associate Director Development Review  
**DATE:** July 12, 2023

**SUBJECT:** Expedited BZA Case 20942 - request for special exception relief to construct a second story rear addition to an existing one-family detached dwelling at 4726 Sedgwick Street, N.W.

### **I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of this application pursuant to D § 5201, to permit a rear addition to one-family detached dwelling at 4726 Sedgwick Street, N.W., requiring special exception relief as follows:

- D § 206.7, to extend an existing side yard of 1.9 feet to a second floor (minimum 5 feet required)

In 2010, the BZA approved case 18125 for this property, which provided for relief for a 1.9 ft. wide side yard for a one-story rear addition, which was since constructed. Current owners now wish to extend this addition up to the second floor.

### **II. LOCATION AND SITE DESCRIPTION:**

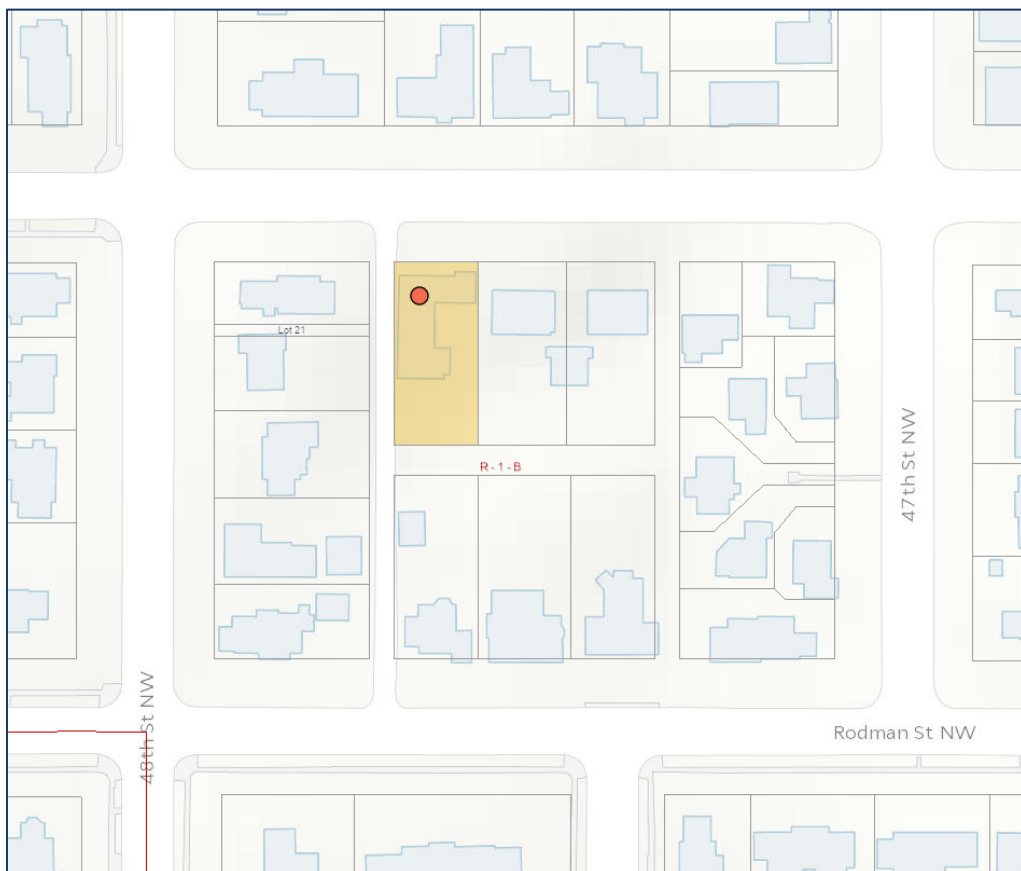
Applicant	Robert Weaver for Christopher Rodriguez, owner
Address	4726 Sedgwick Street, N.W.
Legal Description	Square 1526, Lot 47
Ward / ANC	Ward 3; ANC 3D
Lot Characteristics	Rectangular lot with alley access on the side and to the rear
Zoning	R-1-B – high density one-family detached dwellings
Existing Development	One-family detached dwelling, permitted in this zone
Adjacent Properties	One-family detached dwellings
Surrounding Neighborhood Character	Predominantly one-family detached residential dwellings
Proposal	Second-story rear addition



### III. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed	Relief
Lot Width D § 302 (min.)	50 ft.	54 ft.	54 ft.	None required
Lot Area D § 302 (min.)	5,000 sq.ft.	6,345 sq.ft.	6,345 sq.ft.	None required
Height D § 303 (max.)	40.0 ft.	23.3 ft.	23.3 ft.	None required
Lot Occupancy D § 304 (max)	40%	29.4%	29.4%	None required
Rear Yard D § 302.1 (min.)	25.0 ft.	46.4 ft.	46.4 ft.	None required
Side Yard D § 302.1 (min.)	8.0 ft.	1.9 ft.	1.9 ft.	<b>Relief requested</b>

#### Location Map



### IV. OP ANALYSIS:

#### Subtitle D § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

*5201.1 For an addition to a principal residential building with one (1) principal dwelling unit on a non-alley lot or for a new principal residential building on a substandard non-alley record lot as described by Subtitle C § 301.1, the Board of Zoning Adjustment may grant relief from the following development standards of this subtitle as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:*

- (a) *Lot occupancy subject to the following table:*

**TABLE D § 5201.1(a): MAXIMUM PERMITTED LOT OCCUPANCY BY SPECIAL EXCEPTION**

Zone	Maximum Lot Occupancy
R-3, R-13, and R-17 R-20 - Row dwellings	70%
R-20 - Detached and semi-detached dwellings All other R zones	50%

- (b) *Yards, including alley centerline setback; and*

- (c) *Pervious surface.*

The proposal would remain conforming for lot occupancy. Side yard relief is requested.

*5201.2 and 5201.3 not applicable*

*5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:*

- (a) *The light and air available to neighboring properties shall not be unduly affected;*

The proposed second level addition would be well below the permitted height for a building in this zone, and would be closest to a 16-foot wide public alley which provides additional separation from the neighbors to the west who back onto the alley. To the east, a side yard more than 23 feet wide would be provided for the addition. Additional shadow resulting from the requested side yard relief should mainly fall on the applicant's property or on the alley. Therefore, light and air available to neighboring properties should not be unduly affected.

- (b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The proposed second level addition would have some new windows facing the side lot line, some of which appear to be up near the roof line. Across the alley from the proposed addition are two properties - the neighbor across the alley that is closest to the proposed addition has indicated support for the proposal; the other neighbor has a deep rear yard from the alley. There appears to be a fence, hedges and trees along the alley that would further maintain privacy. As such, privacy and other impacts on adjacent neighboring properties should not be undue.

- (c) *The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage; and*

The addition would be only obliquely visible from Sedgwick Street but is designed to be in character with the existing house and the general streetscape. The addition would be visible from the alley but would be well under the permitted building height

and would be residential in appearance and consistent with existing surrounding development.

- (d) *In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The applicant submitted plans, photographs and elevation drawings in support of the application.

*5201.5 The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

The Office of Planning does not recommend any special treatments.

*5201.6 This section shall not be used to permit the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized in this section, height, or number of stories as a special exception.*

The requested relief would not result in the introduction or expansion of a nonconforming use.

#### **Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS**

*901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:*

- (a) *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The requested relief would result in a dwelling that would remain within the bulk and height anticipated in the zone. Allowing the second-floor addition on top of the existing wing of the house could minimize site disturbance and potential lot occupancy impacts.

- (b) *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

As noted above, the proposed addition should not result in an undue impact on neighboring properties.

#### **V. OTHER DISTRICT AGENCIES**

By email, DDOT informed OP that they have no objection to the approval of this application.

#### **VI. ADVISORY NEIGHBORHOOD COMMISSION**

At Exhibit 18 is a memo from ANC 3D in support of the application.

#### **VII. COMMUNITY COMMENTS**

At Exhibit 19 is a letter in support from a neighbor directly across the alley from the subject site.