


MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Philip Bradford, AICP, Development Review Specialist
 Joel Lawson, Associate Director Development Review

DATE: July 5, 2024

SUBJECT: BZA Case 21145: Request for special exception relief to permit a detached accessory building containing a second story dwelling unit at 813 7th Street NE.

I. OFFICE OF PLANNING RECOMMENDATION

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

- Accessory Building Expansion, Subtitle U § 301.1(e), pursuant to Subtitle U § 301.1(g) (An accessory building constructed as a matter-of-right after January 1, 2013, and that is located within a required setback shall not be used as, or converted to, a dwelling unit for a period of five years after the approval of the building permit for the accessory building, unless approved as a special exception)

II. LOCATION AND SITE DESCRIPTION

Address:	1311 S Street NW
Applicant:	Eric Teran for Daniel Ritterpusch, owner
Legal Description:	Square 0889, Lot 0019
Ward / ANC:	Ward 6, ANC 6A
Zone:	RF-1
Historic District:	Greater U Street Historic District
Lot Characteristics:	Rectangular interior lot measuring 19 feet in width by 116 feet in depth. The lot is bounded by 7 th ST NE to the west, a 16-foot public alley to the east, and residential lots to the north and south.
Existing Development:	Three-story (plus cellar) single household row dwelling.
Adjacent Properties:	Residential row buildings.
Surrounding Neighborhood Character:	The surrounding neighborhood character is predominantly residential row buildings, and medium density mixed-use development to the south on H Street NE.
Proposed Development:	The applicant proposes to construct a new two-story accessory building containing a private garage with one parking space on the ground floor accessed from the rear alley, and dwelling unit on the second floor.

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EXHIBIT NO. 21

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing ¹	Proposed	Relief
Height (ft.) E § 303	Principal: 35 ft. max./ 3 stories Accessory: 20 ft./ 2 stories	Principal: 30 ft. / 3 stories Accessory: N/A	Principal: No change Accessory: 21.9 ft. / 2 stories	None required
Lot Width (ft.) E § 201	18 ft.	19 ft.	No Change	None required
Lot Area (sq. ft.) E § 201	1,800 sq. ft.	2,204 sq. ft.	No Change	None required
Lot Occupancy E § 304	60% max.	37%	58.4%	None required
Rear Yard (ft.) E § 306	20 ft. min.	65.6 ft.	33.6 ft.	None required
Front Setback (ft.) E § 305	Setback must be in range of existing front setbacks	10 feet	No Change	None required
Side Yard (ft.) E § 307.3	No side yard is required for a principal row building	N/A	N/A	None required
Uses U § 301.1(e)	Accessory building constructed after January 1, 2013, and that is located within a required setback shall not be used as a dwelling unit for 5 years after approval, unless approved by sp.ex.	N/A	Garage with 1 vehicle parking space with one dwelling unit above	Special exception relief requested
Parking C § 701	1 parking space per dwelling	N/A	1 vehicle parking spaces	None required

IV. OP ANALYSIS

Special Exception - Subtitle U, Section 301.1(g), Expansion of Accessory Building to Accommodate Residential Use

(g) Any proposed expansion of an accessory building for residential purposes shall be permitted only as a special exception approval pursuant to Subtitle X, and shall be evaluated against the standards of this section.

(a) [The special exception] Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

The requested relief would allow the construction of an accessory building with a dwelling unit above the garage. This is consistent with the intent of the RF-1 zone, which allows for up to two dwelling units on a property. The accessory building would conform to all zoning requirements. Adding a second dwelling unit to the property would provide additional housing to the area.

(b) [The special exception] Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;

The proposed relief should not adversely impact the neighboring properties. The design does not

¹ Information provided by the applicant

include new windows that face the adjacent property, maintaining the existing level of privacy.

(1) *The accessory building was in existence on January 1, 2013;*

The subject property does not contain an existing accessory building. The applicant proposes a new accessory building containing a garage and a dwelling unit, built after January 1, 2013 to be immediately used as a dwelling unit, thus necessitating the special exception relief.

(2) *No expansion or addition may be made to the accessory building to accommodate an apartment except as a special exception;*

Not applicable. The applicant has requested relief required under the current regulations to allow the proposed dwelling unit within a new accessory building.

(3) *There shall be permanent access to the accessory building dwelling from a dedicated and improved right of way; and*

(4) *Permanent access shall be provided by one (1) of the following:*

(A) *An easement for a permanent passage, open to the sky, no narrower than eight feet (8 ft.) in width, and extending from the accessory building to a public street through a side Subtitle U-34 setback recorded in the land records of the District of Columbia;*

(B) *Through an improved public alley with a minimum width of twenty-four feet (24 ft.) that connects to a public street; or*

(C) *On an improved alley no less than fifteen feet (15 ft.) in width and within a distance of three hundred (300) linear feet of a public street;*

The DC Surveyor's Plat at Exhibit 20 shows the accessory building would have access to an improved public alley with a width of 16.17 feet, that connects to I Street, NE.

(d) *An accessory building that houses a principal dwelling unit shall not have a roof deck.*

The proposed accessory building does not include a roof deck.

(e) *An accessory building constructed as a matter-of-right after January 1, 2013, and that is located within a required setback shall not be used as, or converted to, a dwelling unit for a period of five (5) years after the approval of the building permit for the accessory building, unless approved as a special exception;*

The applicant has requested special exception relief to construct a new accessory building as a matter of right after January 1, 2013, and to be used as a dwelling once occupancy is obtained.

(f) *An accessory building that houses a principal dwelling unit shall not be used simultaneously for any accessory use other than as a private vehicle garage for a dwelling unit on the lot, storage, or as an artist studio; and*

The accessory building contains a ground floor garage with one vehicle parking spaces as allowed as a matter of right.

V. OTHER DISTRICT AGENCIES

DDOT advised OP that they have reviewed the application and have no objection to approval. No other District Agency submitted comment to the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

No comments from the ANC were received at the time this report was filed.

VII. COMMUNITY COMMENTS

At Exhibits 17 and 18 are letters of support for the application.

Location Map

