

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: November 20, 2024

SUBJECT: BZA Case 21198: Request for special exception relief to allow an addition at 4426 Harrison Street NW.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle D § 5201 and Subtitle X § 901:

- Rear Extension Limit beyond the farthest rear wall of adjoining property, D § 207 (ten feet max. permitted; 16 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address	4426 Harrison Street NW
Applicants	Christos Demopoulos
Legal Description	Square 1581 Lot 0059
Ward, ANC	Ward 3; ANC 3E
Zone	R-2
Historic Districts	None
Lot Characteristics	The lot is an interior, rectangular 4,239 sq.ft. lot with unremarkable topography.
Existing Development	The lot is developed with a two-story brick with cellar semi-detached row dwelling.
Adjacent Properties	Adjacent properties are similarly developed single-family semi-detached row dwellings.
Surrounding Neighborhood Character	The surrounding neighborhood is within the R-2 district and the immediate neighborhood is developed with single-family detached and semi-detached homes
Proposed Development	The Applicant is proposing to construct a third-story addition on top of the existing residence and a three-story rear addition.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R Zone	Regulation	Existing	Proposed	Relief
Lot Width D § 202	30 ft. min.	27 ft.	No change	None required
Lot Area D § 202	3,000 sq.ft. min.	4,239 sq.ft.	No change	None required
Height D § 203	40 ft. max.	22.9 ft.	31.9 ft.	None required
Rooftop Elements/Solar D § 204	Shading more than 5%	No solar panels on abutting property	N/A	None required
Rear Yard D § 207	20 ft. min.	102 ft.	86 ft.	None required
Rear Extension E § 207.4 (306.4)	10 ft. min.	0 ft.	16 ft.	Relief requested
Side Yard D § 207	8 ft. min.	9.3 ft.	No change	None required
Lot Occupancy D § 210	40% max. by right 50% max by sp.ex.	30.1%.	36.7%	None required

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

Zones	Type of Structure	Maximum Percentage of Lot Occupancy (%)
All R-3 zones except R-3/GT	All Structures	70
R-3/GT	Row	
R-3/GT	Detached Semi-detached	50
All other R zones	All Structures	

The proposed lot occupancy would be 36.7%, which is within the matter-of-right limit and well below the maximum permitted by special exception at 50%.

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

(c) *Pervious surface.*

The Applicant has requested relief from the rear extension limits of a maximum of 10 feet for additions beyond an adjacent neighbor's rear wall. The requested rear addition would extend 16 feet beyond the adjacent resident's rear wall.

5201.2 & 5201.3 not relevant to this application

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 Applicant provided a sun study at [Exhibit 11](#) which indicates little increase in the amount of shadows beyond that of the matter-of-right condition at various times of the year, including to the most affected neighbor to the west (adjacent) and to the neighbor at the east. Therefore, based on the submitted sun study and architectural plans with elevations provided at [Exhibit 12](#) OP does not believe that light and air to the most affected neighbor to the west would be unduly affected.

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

Privacy should not be impaired beyond a matter-of-right addition, since no windows are proposed at the west elevation, as shown on [page 9 of Exhibit 12](#). The 3 feet parapet above the roof shown at the east and west elevation would be brick or opaque material, reducing visibility from the roof deck, particularly when seated. ([See Exhibit 10, views 6, 7](#))

(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 proposed addition would not visually intrude on the character of homes as viewed from the rear. There are similar additions in proximity to the proposed one, as well as in the neighborhood overall. There is a shed at the rear yard of the subject property which would hinder the view of the proposed addition from the alley.

(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 provided the required at [Exhibits 2, 5 6, 10 and 11](#)

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.

OP does not recommend any additional treatment.

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 property will remain a single-family residence as permitted under the R-2 zone.

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 proposed addition is within the intent and purpose of the Regulations which is to support single family dwellings within the low-density R-2 zones. The bulk and yards would remain with the requirements of the zone and no other relief has been requested or required. The addition satisfies the requirements under D § 5201 as discussed above.

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

The addition and continued use of the property as a single-family home would not adversely impact the use of neighboring property as discussed prior.

- (c) Subject in specific cases to the special conditions specified in this title.*

The criteria of D§5201 have been satisfied.

V. OTHER DISTRICT AGENCIES

At the writing of this report, there were no other agencies comments in the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

The ANC 3E report had not been submitted to the record at the writing of this report.

VII. COMMUNITY COMMENTS

No neighbors' comments have been filed to the record to date.

Attachment: Location Map

Location Map:

