

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: January 22, 2025

SUBJECT: BZA Case 21223: to allow a two story rear addition at 3544 W Place NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle D §§ 207.5, 5201 and Subtitle X § 901:

- D § 207.5 Rear Wall Extension (Max. 10 ft. permitted beyond abutting rear wall; 14 ft. proposed)

II. LOCATION AND SITE DESCRIPTION

Address	3544 W Place NW
Applicants	Melissa Brand
Legal Description	Square 1300 Lot 513
Ward, ANC	Ward 3; ANC 3B
Zone	R-3
Historic Districts	None
Lot Characteristics	The mid-block lot is irregularly shaped at the rear.
Existing Development	The property is developed with a two-story wood frame, single-family row dwelling.
Adjacent Properties	The abutting properties are similarly developed.
Surrounding Neighborhood Character	The surrounding neighborhood is within the R-3 zone with predominantly row dwellings and semi-detached dwelling.
Proposed Development	The Applicant proposes a two story, 14-feet deep rear addition which exceeds the maximum 10.0 feet from the furthest rear wall of the adjoining property to the west (3546 W Pl. NW).

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R Zone	Regulation	Existing	Proposed	Relief
Height D § 303	40 ft. max.	Not provided	No change	None requested
Lot Width D § 302	20 ft. min.	20 ft.	No change	None required

R Zone	Regulation	Existing	Proposed	Relief
Lot Area D § 302	2,000 sf. min.	1,854 sf	No change	None required
Lot Occupancy D § 304	60% max.	40%.	53% %	None required
Rear Yard D § 207.4	20 ft. min.	36.5ft.	22.5 ft.	None required
Rear Wall D § 207.5	Extension 10 ft (max)	0 ft, (west) 0 ft (east)	14 feet (west) 9 feet (east)	Relief Requested
Parking C §	1 space min.	1	1	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

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%

The proposed lot occupancy at 53% is well below the required special exception limit of 70%.

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

The proposed 14 feet addition would extend beyond the abutting neighbor at 3546 W Place, 4 feet beyond the 10-foot maximum permitted as a matter-of right.

(c) *Pervious surface.* N/A

5201.2 & 5201.3 N/A

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 addition should not adversely impact light and air to the abutting residences at 3542 and 3546 W Place, NW. The addition would be 4 feet beyond the matter-of-right (10 feet) abutting the most affected residence at 3546 W Place, and would be within the permitted building height, so that any loss of light would not be significant beyond an addition that could

be permitted as a matter of right.

Similarly, the addition would be 9 feet beyond the abutting neighbor's rear wall to the east which should not present an adverse impact beyond a matter-of-right scenario.

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

The proposed addition would not have windows on the west elevation, facing the potentially most affected neighbor at #3546. With respect to the other residence #3542, the addition proposes a small balcony off the bedroom on the second floor, off the east elevation. The impact to privacy in this instance would be minimal as it is a private bedroom which is not anticipated to accommodate guests to the home. Further the impact would be no more than a regular deck on the second floor that could be built as a matter of right.

(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 be highly visible from the street, and would not present a visual intrusion on the neighborhood as viewed from the rear 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 record includes the requirements including the plat at [Exhibit 3](#); the photographs at [Exhibit 6](#); and the plans at [Exhibit 4](#).

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 special treatment in his case.

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's use, bulk and yard requirements would not be expanded beyond the limits of the special exception for the R-3 zone and the use would remain a single-family home.

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 Application meets the general purpose and intent of the Zoning Regulations, including

for properties within the R-3 zone. The yard and bulk requirements would remain well within the limits prescribed for the district.

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

As discussed, the use of neighboring properties should not be adversely impacted, including the abutting neighbors' privacy and use of enjoyment of their properties. The use of the subject property as a home would continue.

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

Special conditions are not specified.

V. OTHER DISTRICT AGENCIES

At the writing of this report, there were no comments from District agencies.

VI. ADVISORY NEIGHBORHOOD COMMISSION

The ANC3B recommended approval of the application in its submission at [Exhibit 20](#).

VII. COMMUNITY COMMENTS

Community comments were not added to the record at the writing of this report.

Location Map:

