

## **MEMORANDUM**

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

**SUBJECT:** BZA Case 21239: special exception relief to allow a rear addition to a singledwelling house 3220 Brothers Place SE

### **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:

- D § 208.7<sup>1</sup> Side Yard (5 ft. min. required, 5 ft. existing; 5 ft. proposed); and
- D § 210.1 Lot Occupancy (40% maximum by right, 42% existing; 42% proposed).

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

Address	3220 Brothers Place SE
Applicants	Ebenezer Olarewaju on behalf of John Hayman
Legal Description	Square 5990, Lot 0012
Ward, ANC	Ward 8; ANC 8C
Zone	R-2, low density residential
Lot Characteristics	Rectangular 25 ft. by 105 ft. lot with a 15 ft. wide public alley to the rear.
Existing Development	Single-dwelling detached house
Adjacent Properties	The adjacent lots are developed with single-dwelling houses.
Surrounding Neighborhood Character	The surrounding neighborhood is mainly composed of single-dwelling detached houses.
Proposed Development	The applicant intends to construct a 2-story rear addition to their house.

<sup>1</sup> OP does not believe the side yard relief is required, because an addition is permitted to extend an existing 5-ft side yard. However, analysis and recommendation is provided.

### III. LOCATION



### IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R Zone	Regulation	Existing	Proposed <sup>2</sup>	Relief
Lot Width D § 202	30 ft. min.	25 ft.	25 ft.	None requested
Lot Area D § 202	3,000 sq.ft. min.	2,625 sq.ft.	2,625 sq.ft.	None requested
Height D § 203	40 ft. max.	22 ft.	22 ft.	None requested
Rear Yard D § 207	20 ft. min.	47.8 ft.	37.06 ft.	None requested
Parking C § 701	1 min.	0 space	1 space	None requested
Side Yard D § 208.7	5 ft min. (existing non-conforming)	5 ft.	5 ft.	<b>Relief requested</b>
Lot Occupancy D § 210	40 % max. by right 50 % max by sp.ex.	40 %.	42 %	<b>Relief requested</b>

### V. OP ANALYSIS

#### 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*

<sup>2</sup> Measurements provided by Applicant

*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 proposal would be consistent with the purpose and intent of the R-2 zone, which is to provide for detached single-dwelling houses. The request is consistent with all other development standards in Subtitle D, Chapter 2, and the lot is a substandard sized lot for this zone, so the requested relief is reasonable, and would not result in a building height, bulk, or use that is inconsistent with the intent of the R-1 zone. Furthermore, the requested relief complies with Subtitle D§ 5201 as discussed below.

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

The requested relief should not result in an addition that would adversely impact the use of neighboring properties. As discussed below, it would comply with Subtitle D§ 5201 and have minimal if any undue impacts on the neighbors.

#### **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**

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

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

- (c) ***Pervious surface***.

The proposal requests relief for its proposed lot occupancy and side yard.

*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 proposed addition for which the relief if requested should not unduly impact the light and air of the adjacent neighbors. It would extend 9 feet beyond the rear walls of the adjacent houses and would be considerably under the allowed height of the zone.

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

The enjoyment and privacy of the adjacent neighbors should not be unduly compromised. The addition would maintain and extend the existing side yard of the house, so it should not have an undue impact on the adjacent neighbors. Furthermore, it would be beyond the rear walls of the adjacent houses and along their back yards.

*(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 only be visible along the rear alley. It should not substantially visually intrude on the character, scale, and pattern of the houses along the alley. According to the plans, the rear addition would have a typical residential appearance similar to the rear façades of other houses in this neighborhood. The addition would also be consistent with the scale and pattern of the neighboring buildings.

*(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 has provided adequate plans, photographs, and elevation drawings to represent the proposed addition.

*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.*

No special treatment is recommended.

*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 proposal includes a request for relief to increase the lot occupancy on the site within the amount allowed by special exception.

## **VI. OTHER DISTRICT AGENCIES**

In an email to OP, DDOT stated they have no objection to the approval of this project. As of the writing of this report, there are no other comments from District agencies in the record.

## **VII. ADVISORY NEIGHBORHOOD COMMISSION**

As of the writing of this report there is no report from ANC 8C in the record.

## **VIII. COMMUNITY COMMENTS**

As of the writing of this report, there are no community comments in the record.