


MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: February 13, 2025

SUBJECT: BZA Case 21246: Expedited Request for special exception relief to allow a two-story rear addition to an existing two-story principal dwelling unit with accessory apartment.

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 Yard, D § (20 ft. required, 20 ft. existing; 10 ft. proposed); and
- Side Yard, D § (5 ft. required, 2 ft. existing; 2 ft. proposed)
- Lot Occupancy, D § (40% maximum, 28.4% existing; 50.4% proposed)
- Pervious Surface, D § (20 % minimum, 10% existing; 10 % proposed)

II. LOCATION AND SITE DESCRIPTION

Address	1956 Fendall Street SE
Applicants	Darren Comedy, on behalf of Bobby Henry
Legal Description	Square 5764, Lot 0047
Ward, ANC	Ward 8; ANC 8A
Zone	R-3
Historic Districts	Anacostia Historic District
Lot Characteristics	Rectangular lot 85.06 ft. x 18.34 ft. with a 16 ft. public alley to the north and east.
Existing Development	Two story with basement row dwelling with accessory apartment.
Adjacent Properties	The property is surrounded by other two-story row dwellings and multi-family apartments located in the MU-4 zone to the west.
Surrounding Neighborhood Character	The surrounding neighborhood is primarily residential in character, with mixed uses to the northwest along Marion Berry Ave SE.
Proposed Development	Two story addition at the rear of an existing two story with basement row dwelling

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R Zone	Regulation	Existing	Proposed	Relief
Lot Width D § 202 (302)	18 ft. min.	18 ft.	No change	None required
Lot Area D § 202	2,000 sq.ft. min.	1,553 sq.ft.	No change	None required
Height D § 203	40 ft. max. 3 stories max.	32 ft. 2 stories	32 ft. 2 stories	None required
Front Setback D § 206	Within range of existing front setbacks	19 ft.	19 ft.	None required
Rear Yard D § 207	20 ft. min.	20 ft.	10 ft.	Special Exception requested
Side Yard D § 207	5 ft. min.	2 ft.	2 ft.	Special Exception requested
Lot Occupancy D § 210	40 % max. by right 70 % max by sp.ex.	28.4 %.	50.4%	Special Exception requested
Pervious Surface D § 211	20 % max.	10 %.	10 %	Special Exception requested
Parking C § 701	1 min.	No parking	No change	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	

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

(c) *Pervious surface.*

The proposal requires relief from the maximum lot occupancy, minimum side and rear yard development standards, and previous surface development standards.

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 requested relief should not result in a rear addition that would have an undue impact on light and air available to neighboring properties. The neighboring property to the south has an existing rear addition which will align with the proposed rear addition on the subject property. Therefore, no impact on light and air is anticipated on the adjacent property. The subject property is bound by the public alley to the north and east which limits any impact to properties across the public alley.

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

The proposed addition contains additional windows facing the alley on the first and second floor. The neighboring property is separated by a privacy fence and the proposed addition does not contain windows facing the adjacent property. The proposed addition should not have an impact on privacy and use and enjoyment of the neighboring properties.

(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 is not visible from the public street, but is visible from the public alley. The materials used and the overall character and scale of the addition is appropriate for the pattern of houses along the alley frontage. Similar additions are present on adjacent properties.

(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 photographs, plans, and elevations to the record that sufficiently represent the proposed addition and its relationship to the adjacent buildings and public ways.

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 applicant is requesting special exception relief to increase the lot occupancy, required side and rear yards, and pervious service within the amount allowed by special exception.

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 proposal would be consistent with the purpose and intent of the R-3 zone, which is to provide for attached rowhouses on small lots. The request is consistent with all other development standards in Subtitle D, Chapter 2, and the lot occupancy is within that which is allowed by special exception. It would not result in a building bulk, height, or intensity of use that is inconsistent with the intent of the zone.

- (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 requested relief should not unduly or adversely impact the use of neighboring properties, as it would otherwise be in conformance with the other development standards and intent of the R-3 zone.

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

The form of relief is within the allowed criteria of D § 5201, provided above.

V. OTHER DISTRICT AGENCIES

DDOT advised OP that they reviewed the application and have no objection to approval. At the writing of this report, there are no comments from any other District agencies in the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

At the writing of this report, there are no comments from ANC 8A in the record.

VII. COMMUNITY COMMENTS

At the writing of this report, there are no comments from members of the community within the record.

Attachment: Location Map

