

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Ron Barron, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: March 12, 2025

SUBJECT: BZA Case 21278: Request for special exception relief to allow a new one-story rear addition, to an existing, detached, two-story plus basement, principal dwelling unit in the R-2 zone at 3841 Warren 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:

- Accessory building rear yard requirements of Subtitle D § 5004.1(a) (No accessory structure in a required rear yard, Existing Garage is partially within the required rear yard); and
- Rear yard requirements of Subtitle D § 207.1 (20 ft. required, 39.9 ft. existing; 32.9 ft. proposed to the rear lot line; 15.5 ft. existing and 8.5 ft. proposed to the accessory building).

The requested relief from the rear yard requirements of D § 207.1 appears to not be required - the minimum rear yard requirement is 20 ft., and the applicant would have more than 32 ft. of rear yard with construction of the proposed addition. However, the review criteria are the same, OP would support special exception relief from D § 207.1 should the Board determine it is necessary.

II. LOCATION AND SITE DESCRIPTION

| | |
|------------------------------------|---|
| Address | 3841 Warren Street, NW |
| Applicants | Stephen Voss |
| Legal Description | Square 1833, Lot 23 |
| Ward, ANC | Ward 3; ANC 3E |
| Zone | R-2, low density residential |
| Lot Characteristics | A regular lot with 50 ft. front and rear lot lines and 91.6 ft. side lot lines. |
| Existing Development | Existing 2-story detached single-family home. |
| Adjacent Properties | The property abuts a public alley to the north, a detached single-family property at 3837 Warren St. NW, to the south, Warren St. NW and the west, a detached single-family property at 4301 39TH St. NW. |
| Surrounding Neighborhood Character | The neighbor is predominately detached, single-family homes. |
| Proposed Development | Construct a one-story addition to the rear of the Principal Building. |

III. ZONING REQUIREMENTS and RELIEF REQUESTED

| R Zone | Regulation | Existing | Proposed | Relief |
|--|---|--|---|--|
| Lot Width D § 202 | 40 ft. min. | 50 ft. | No Change | None requested |
| Lot Area D § 202 | 4,000 sq.ft. min. | 4,582 sq.ft. | No Change | None requested |
| Height D § 203 | 40 ft. max. | 30 ft. | No Change | None requested |
| Front Setback D § 206 | In-line with neighboring properties | Conforming | No Change | None requested |
| Rear Yard D § 207 | 20 ft. min. | 39.9 ft. (15.5 ft. to garage) | 32.9 ft. (8.5 ft. to garage) | Sp. Ex. Relief Requested but may not needed |
| Accessory Structures in a Required Rear Yard D § 5004 | No accessory structures | 4.5 ft. in required rear yard | 11.5 ft. in required rear yard | Sp. Ex. Relief Requested |
| Side Yard D § 207 | 8 ft. min. | ft. | No Change | None requested |
| Lot Occupancy D § 210 | 40% max. by right max by sp.ex. | 31.5%. | 35% | None requested |
| Parking C § 701 | 1 min. | 1 | No Change | None requested |

IV. OP ANALYSIS

The applicant is proposing to construct a one-story rear addition to an existing two-story detached single-family home. The addition would be conforming in all respects, except for the existing accessory structure currently 4.5 feet within the required rear yard. The proposed addition would increase this to 11.5 ft.

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 principal building has a one-car garage accessory structure that currently encroaches on the required rear yard by approximately 4.5 ft. Approval of the requested special exception would increase this nonconformity to approximately 11.5 ft. This is permitted under the special exception review criteria of this section.

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 addition would have minimal impact on the light and air available to neighboring properties. The addition would add only an additional 7 ft. to the rear of the building and have only one story, and it would provide the required side yard setbacks.

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

Approval of the requested special exception would be unlikely to unduly compromise the privacy of use and enjoyment of neighboring properties. The addition would not add any significant new views as it would not have windows on the side walls, other than a new entry door which would be set well back from the common lot line with the neighboring lot.

- (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 visible from Warren Street NW. Visibility from the alleyway would be substantially obscured by the accessory structure.

- (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 complied with the requirements of this section.

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 special treatments for the proposed construction.

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.

Approval of the requested special exception would not permit the introduction or expansion of a nonconforming use, or lot occupancy beyond what is allowed by this section.

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;*

Approval of the requested special exception would be in harmony with the general purpose and intent of the R-2 zone. The principal structure is a single-family house, which is consistent with the zone. Approval would not affect that use. The requested relief would not result in a building that would be inconsistent with the bulk, height or use intended in this zone.

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

Approval of the requested special exception would not affect adversely, the use of neighboring property. The proposed addition would be minimal in size and impact.

V. OTHER DISTRICT AGENCIES

The Department of Transportation advised OP that they have no objection to the approval of this application.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 3E submitted a resolution at [Ex. 22](#) in which indicates support for the application.

VII. COMMUNITY COMMENTS

Letters in support from community members have been submitted at Exhibits [14](#), [15](#), [16](#), [17](#) and [18](#).

Attachment: Location Map

Location Map:

