

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Joshua Mitchum, Development Review Specialist
 JL Joel Lawson, Associate Director, Development Review
DATE: April 18, 2025

SUBJECT: BZA Case 21285: Request for special exception relief to expand an existing garage in the required rear yard.

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 § 207.1 (25 ft. required; 20 ft. existing; 12 ft. 5 in. proposed)

This application has been filed as requesting relief from the minimum rear yard requirement of Subtitle D § 207. However, the proposal is for a new accessory building, so the appropriate relief would be from D § 5004.1. OP discussed this with that applicant who concurred. As of the date of this report, the application had not been amended, but the review criteria for the two forms of relief are the same. The Applicant should make this amendment to the application to ensure that, should this application be approved, the Order reflects the correct relief to avoid issues at permitting.

OP also noted to the applicant that the proposed accessory building exceeds the maximum building footprint permitted under zoning, which is the greater of 450 sq.ft. or 30% of the required rear yard. On this large lot, it is expected that the by-right accessory building size will be 30% of the irregular required rear yard. The Applicant has advised that they are not requesting relief from this provision; rather the building size will be reduced to be not more than the amount permitted.

II. LOCATION AND SITE DESCRIPTION

Address:	1311 Floral Street NW
Applicants:	Dana and Dominic Ju c/o Patrick Welsh
Legal Description:	Square 2777; Lot 0033
Ward / ANC:	Ward 4; ANC 4A
Zone:	R-1B, Low Density Detached Residential
Historic Districts:	N/A
Lot Characteristics:	The 8,095 square foot corner lot is irregular in shape and has frontage along Floral Street NW as well as a public alley to the rear of the property.
Existing Development:	The lot is currently improved with a two-story single-family detached residential dwelling with a basement. The lot is also currently improved with a garage, deck, and two patios.

Adjacent Properties:	The property is bounded to the north, south, east and west by single-family detached homes in the R-1B Zone.
Surrounding Neighborhood Character:	The surrounding neighborhood is characterized by similar single-family detached homes in the R-1B Zone. The Walter Reed Medical Center facilities in the WR Zones are also nearby.
Proposed Development:	The Applicant is proposing to demolish an existing one-story garage in order to construct a new one-story garage in the rear yard.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1B Zone	Regulation	Existing	Proposed ¹	Relief
Lot Width D § 202 (302)	50 ft. min.	126.54 ft.	No change	None requested
Lot Area D § 202	5,000 sq. ft. min.	8,095 sq. ft.	No change	None requested
Height D § 5002	22 ft. max. 2 stories max.	Not given	Not given, but appears to be less than 22 feet	None requested
Maximum Building Area D § 5003	The greater of 30% of the required rear yard or 450 sq. ft. max.	220 sq. ft.	675 sq. ft.	None requested²
Front Setback D § 206	15 ft. min.	26 ft.	No change	None requested
Rear Yard D § 207	25 ft. min.	32 ft. 3 in.	No change	Sp. Ex. relief requested but not required
Accessory Building D § 5004	Not permitted in the required rear yard	N/A	Partly within required rear yard	Sp. Ex Relief to be requested in lieu of rear yard relief
Side Yard D § 207	8 ft. min. (None required for an accessory building)	10 ft. 40 ft.	No change	None requested
Lot Occupancy D § 210	40% max. by right 50% max by sp. ex.	24.18%	29.8%	None requested
Parking C § 701	1.0 space per dwelling unit min.	1.0 space	2.0 spaces	None requested

¹ Information provided by applicant.

² The Applicant did not request relief from Maximum Building Area, however, OP notes that the proposed addition would require relief, as it exceeds the regulation maximum of the greater of 30% of the required rear yard or 450 square feet. The applicant has advised that the size will be made conforming to the by-right amount permitted.

IV. OP ANALYSIS

Subtitle D § 5201 SPECIAL EXCEPTION RELIEF FROM CERTAIN REQUIRED DEVELOPMENT STANDARDS

5201.1 This section is not applicable to the subject application.

5201.2 *For a new or enlarged accessory structure to a residential building with only one (1) principal dwelling unit on a non-alley lot, the Board of Zoning Adjustment may grant relief from the following development standards 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 subject property is zoned R-1B, which has a maximum permitted lot occupancy of 40 percent by right, and 50 percent by special exception. No relief to maximum lot occupancy is requested with the subject application.

(b) *Maximum building area of an accessory building;*

Relief is not requested for the maximum building areas of the proposed accessory building and the building area will be made to be conforming to the maximum amount permitted.

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

Special exception relief is being requested from the minimum rear yard requirements of the R-1B Zone, as the proposed accessory structure would be partially within the required rear yard.³

(d) *Pervious surface.*

Relief is not requested from the minimum pervious surface requirements.

5201.3 This section is not applicable to the subject 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;*

³ As noted above, the applicant has requested relief from D § 207; the appropriate relief would be from D § 5004, but the review criteria are the same.

The proposed accessory structure, which would replace an existing, smaller one, should not unduly affect the light and air available to neighboring properties. The proposed building is at the rear of the lot, with alleys on one side and at the rear, and it is well set back from the only adjacent property to the east. Any additional shadows would mostly fall on the alley, as well on the rear most portion of the property to the east. The alleys and the large amounts of open space on the lot should ensure that adequate air flow is maintained.

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

The proposed accessory structure should not unduly compromise the use and enjoyment of neighboring properties. The structure is proposed to be a single story, and would be screened from view by an existing privacy fence. Furthermore, as the structure is only a single story, the proposed windows and doors should not create vantage points that would unduly compromise the privacy of use and enjoyment of 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 proposed accessory structure should not substantially visually intrude upon the character, scale, and pattern of houses along Floral Street NW, as it would be located to the rear of the existing house and well set back from the street. The proposed accessory building would be visible from the public alley to the rear, but would be screened by an existing privacy fence that surrounds the property. Furthermore, the primary volume of the structure will feature cementitious siding that will be consistent with the siding of the existing house.

- (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 plans, photographs and elevations that sufficiently represent the relationship of the proposed accessory structure to adjacent buildings and views from public rights-of-way.

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.

For the subject application, OP does not recommend the BZA require special treatment in the way of design, screening, lighting, or building materials for the protection of neighboring properties.

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 subject application does not represent the introduction or expansion of a nonconforming use, lot occupancy or other items beyond what is authorized in 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;*

The requested rear yard related relief should not result in an accessory building that would be inconsistent with the general purpose and intent of the Zoning Regulations and Zoning Maps. Other than its placement partly within the rear yard⁴, the accessory structure will be constructed in conformance with accessory structure standards of the R-1B Zone.

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

As stated above, the proposed accessory structure should not adversely affect the use of neighboring properties in accordance with the Zoning Regulations and Zoning Maps. The structure will be screened, and does not unduly affect the light and air available to neighboring properties.

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

This criterion is not applicable to the subject application.

V. OTHER DISTRICT AGENCIES

In an email dated April 14, 2025, the District Department of Transportation (DDOT) indicated that it had no objection to the approval of the subject application as presented.

VI. ADVISORY NEIGHBORHOOD COMMISSION

As of the date of this report, comments from ANC 4A have not been submitted into the record.

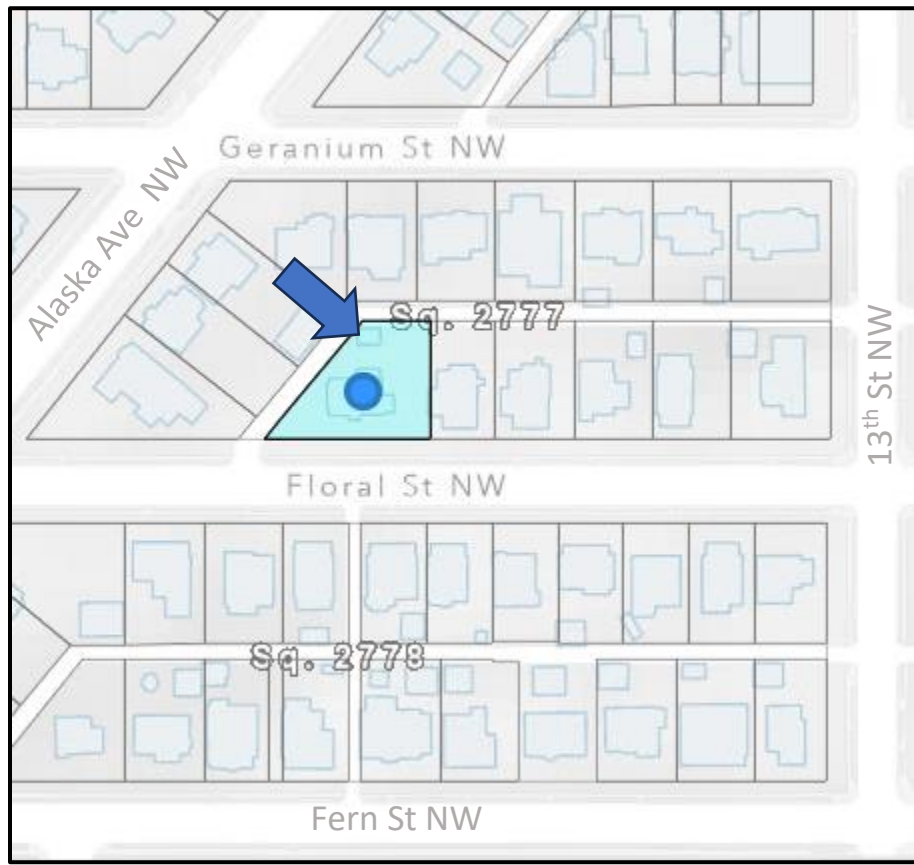
VII. COMMUNITY COMMENTS

As of the date of this report, no comments from the community have been received.

Attachment: Location Map

⁴ The Zoning Commission is currently considering amendments to the zoning regulations (ZC Case 24-10), which would allow an accessory building to occupy a portion of the required rear yard, as was the case under the previous iteration of the Zoning Regulations, ZR-58. These have not been approved, and calculations to determine if this proposal would still require relief have not been done.

Location Map



The blue arrow indicates the location of the existing garage.