

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Philip Bradford, AICP, Development Review Specialist
 JL Joel Lawson, Associate Director Development Review
DATE: May 21, 2025

SUBJECT: BZA Case 21306: Request for special exception relief to allow a two-story addition to an existing detached two-story with basement principal dwelling unit.

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, D § 5004.1(a) (Not permitted in required rear yard, rear addition causes existing accessory building to be within the required rear yard)

II. LOCATION AND SITE DESCRIPTION

Address	1142 44 th Place SE
Applicants	Helen & Zakiya Jackson
Legal Description	Square 5361, Lot 0841
Ward, ANC	Ward 7; ANC 7E
Zone	R-1B, low density residential
Lot Characteristics	Lot is rectangular in shape approximately 52 ft. wide and 99 ft. deep with a 15 ft. wide public alley at the rear.
Existing Development	Two story with basement principal dwelling unit.
Adjacent Properties	Single unit residential dwellings.
Surrounding Neighborhood Character	Low density residential.
Proposed Development	Two-story with basement rear addition.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R Zone	Regulation	Existing	Proposed ¹	Relief
Lot Width D § 202 (302)	50 ft. min.	52 ft.	No change	None required
Lot Area D § 202	5,000 sq.ft. min.	5,294 sq.ft.	No change	None required

¹ Information provided by the applicant

R Zone	Regulation	Existing	Proposed ¹	Relief
Height D § 203	40 ft. max.	23 ft.	23 ft. Addition 12.92 ft.	None required
Rear Yard D § 207	25 ft. min.	50.3 ft.	35.3 ft.	None required
Side Yard D § 207	8 ft. min.	6.5 ft.	6.5 ft.	None required
Lot Occupancy D § 210	40 % max. by right 50 % max by sp.ex.	31.03%.	37%	None required
Parking C § 701	1 min.	1	No change	None required
Accessory Building Rear Yard D § 5004.1(a)	Not permitted in required rear yard	No accessory building in required rear yard	Rear addition shifts required rear yard, locating existing accessory building within it	Special Exception Requested

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 ...*
- (b) Yards, including alley centerline setback; and*
- (c) Pervious surface.*

The request is for rear yard relief. While no new accessory structure is proposed by the applicant, there are two existing accessory structures in the rear yard would be located fully or partially within the required rear yard area with the proposed rear addition to the house

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;*

While the addition itself does not require relief, the addition now locates the existing accessory structures within the required rear yard, which requires relief. This should not result in an

undue impact on adjacent properties as the accessory structures are small and existing and the addition to the home is shorter than the existing structure, is well set back from side lot lines, and meets all development standards.

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

Privacy and use and enjoyment of neighboring properties should not be unduly compromised by approving this special exception. The applicant is proposing a rear addition with two new bay windows facing the rear yard at the basement and first floor level. This change should not impact privacy, or views onto adjacent properties beyond what currently exists on the property.

(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 the public street but would be visible from the public alley at the rear. The addition and existing accessory structures would be in keeping with the character, scale, and pattern of houses along the alley frontage.

(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, elevations, other drawings that sufficiently represent the relationship of the proposed addition to adjacent buildings and views from 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.

OP does not propose additional treatment for protection of nearby 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.

All use requirements would remain within the requirements of the residential zone.

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 addition to the principal building that causes the accessory structures to be located within the required rear yard remains in harmony with the purpose and intent of the regulations. Shifting the required rear yard rearwards by constructing a rear addition would not create any adverse impacts on adjacent properties.

- (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 neighboring properties would not be impacted by the proposed rear addition and having accessory buildings within the required rear yard.

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

N/A

V. OTHER DISTRICT AGENCIES

At the writing of this report, no District agencies have been submitted to the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

As of the date of this report, a memo from the ANC has not been filed to the record. At Exhibit 22, is a letter in support from ANC SMD7E02.

VII. COMMUNITY COMMENTS

At the writing of this report, no public comments have been submitted to the record.

Location Map:

