

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Joshua Mitchum, Development Review Specialist
 JL Joel Lawson, Associate Director, Development Review
DATE: September 17, 2025

SUBJECT: BZA Application 21326: Request for special exception relief to construct a third-story addition to an existing 2-story w/ cellar principal dwelling AND a rear yard garage with an accessory apartment in the R-3/GT Zone.

I. BACKGROUND

The Application originally requested special exception relief from Subtitle D § 207.4., Subtitle D § 5004.1, Subtitle D § 210, and Subtitle U § 253. The Applicant has since submitted updated plans that reduced the overall size of the proposed principal building addition, which ended up eliminating the need for relief from Subtitle D § 210 with a newly proposed lot occupancy of 60%.

Furthermore, the Applicant has confirmed with the Zoning Administrator that the proposed screened porch is not subject to the 10-foot rear wall extension provision as stated in Subtitle D § 207.4, as the porch would not be roughed in to be converted to conditioned space.

II. 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 (Rear Extension), D § 207.4** (10 ft. max. required, 0 ft. existing; 16 ft. proposed)
- **Rear Yard (Accessory Buildings), D § 5004.1;** and
- **Accessory Apartment (R), U § 253**

III. LOCATION AND SITE DESCRIPTION

Address:	3546 Whitehaven Parkway NW
Applicants:	Ehsan Jazini c/o Martin Sullivan
Legal Description:	Square 1296; Lot 0384
Ward / ANC:	Ward 2 / ANC 2E
Zone:	R-3/GT, Georgetown Residential House Zones
Historic Districts:	N/A

Lot Characteristics:	The 2,549 square foot lot is rectangular, with approximately 16.88 feet of frontage along Whitehaven Parkway NW and 16.88 feet of frontage along a 20-foot public alley to the rear.
Existing Development:	The lot is currently improved with a two-story w/ cellar single-family row dwelling and a one-story garage.
Adjacent Properties:	The property is bounded to the north by Whitehaven Parkway NW and vacant land, to the south by a 20-foot public alley and row homes, and to the east and west by row homes, all in the R-3/GT Zone.
Surrounding Neighborhood Character:	The surrounding neighborhood can be characterized by primarily residential row home uses.
Proposed Development:	The Applicant is proposing to construct a third-story addition to the existing principal structure, and construct an accessory structure that will house a garage and an accessory apartment use.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-3/GT Zone	Regulation	Existing	Proposed	Relief
Lot Width D § 202 (302)	20 ft. min.	17.57 ft.	No change	None requested (existing nonconformity)
Lot Area D § 202	2,000 sq. ft. min.	2,549 sq. ft.	No change	None requested
Height D § 1101	35 ft. max.	25 ft.	35 ft.	None requested
Rear Yard D § 207	20 ft. min.	79 ft.	39 ft.	None requested
Rear Yard (Rear Extension) E § 207.4 (306.4)	10 ft. max. beyond adjoining principal res. rear wall	-	16 ft. (6-foot deviation)	Special exception requested
Rear Yard (Accessory Buildings) D § 5004	Accessory building cannot be in required rear yard	-	Accessory building in required rear yard	Special exception requested
Accessory Apartment (R) U § 253	Accessory apartment within a new accessory building permitted only by sp. ex.	-	Accessory apt. within an accessory building	Special exception requested
Side Yard D § 207	0 ft. min.	0 ft.	No change	None requested

R-3/GT Zone	Regulation	Existing	Proposed	Relief
Lot Occupancy D § 210	60% max. by right 70% max by sp. ex.	32.8%	60%	None requested ¹
Parking C § 701	1 space min.	1 space	No change	None requested

V. OFFICE OF PLANNING ANALYSIS

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

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:

Not applicable.

(b) Yards, including alley centerline setback; and

The Applicant is requesting special exception relief from the rear wall extension requirements of Subtitle D § 207.5.

(c) Pervious surface.

Not applicable.

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 as limited in Table D § 5201.1(a);

Not applicable.

(b) Maximum building area of an accessory building;

Not applicable.

(c) Yards, including alley centerline setback; and

The Applicant is requesting special exception relief from the accessory building rear yard requirements of Subtitle D § 5004.1 to allow an accessory structure in the required rear yard of a principal building.

(d) Pervious surface.

Not applicable.

¹ The Applicant had originally requested special exception relief from the lot occupancy requirements of Subtitle D § 210 (60% max. by right/70% max. by sp. ex., 32.8% existing, 62.9% proposed), but has since withdrawn the relief request due to a revision in architectural plans resulting in a proposed lot occupancy of 60%.

5201.3 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;*

The proposed addition, if granted, should not unduly affect the light and air available to neighboring properties. Per the Applicant's submitted shadow study, the impact to shadows cast onto neighboring properties would be mitigated by the design of the addition, which steps back on each story so that the top third story meets by-right provisions.

OP has communicated to the Applicant that the submitted shadow study could be improved to show a clearer relationship of the shadows cast by the proposed addition to adjacent properties, but as of the date of this report, an updated study has not been submitted to the record.

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

The proposed addition, if granted, should not unduly compromise the privacy of use and enjoyment of neighboring properties. Per the Applicant's submitted plans, the addition does not have any windows facing the east or the west of the property, and the adjacent property to the west of the subject property will be partially screened by an existing retaining wall.

- (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 and accessory structure, if granted, should not substantially visually intrude upon the character, scale, and pattern of houses along Whitehaven Parkway NW and alleyways. While the majority of homes along Whitehaven Parkway are two-story structures, there are similar third-story homes along the same block as the subject property, and the zone anticipates three story houses – relief is not requested or required for this.

Furthermore, the proposed addition is designed so that it would generally match the style of the existing building and the overall character of surrounding homes. The proposed accessory structure would also be generally in character and scale with other accessory structures in the alley.

- (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 graphical representations including plans, color photographs, and elevations to adequately represent the relationship of the proposed addition and accessory structure to adjacent properties 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 recommend special treatments for this application.

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 requested special exception relief would not result in the introduction or expansion of a nonconforming use or lot occupancy beyond what is authorized in the section, height, or a number of stories.

Subtitle U § 253 ACCESSORY APARTMENT (R)

253.5 Either the principal dwelling or accessory apartment shall be owner-occupied for the duration of the accessory apartment use.

Per the Applicant's statement, the principal dwelling will be owner-occupied.

253.6 The total number of persons that may occupy the accessory apartment shall not exceed three (3), except in the R-1B/GT or R-3/GT zone where the aggregate number of persons that may occupy the house, including the principal dwelling and the accessory apartment combined, shall not exceed six (6).

Per the Applicant's statement, an aggregate of no more than six persons will occupy the principal dwelling unit and the proposed accessory apartment.

253.7 Not applicable to the subject application.

253.9 An accessory apartment proposed in the R-1B/GT or R-3/GT zone shall be subject to the restrictions of Subtitle U §§ 253.5 through 253.8 and the following conditions:

(a) It shall only be permitted on the second story of a detached accessory building; and

Per the Applicant's submitted plans, the proposed accessory apartment would only be located on the second story of the proposed accessory building.

(b) Any balcony or projecting window shall not face a principal building in single household residential use; and provided the balcony is located entirely within the permitted footprint of the accessory building.

Per the Applicant's submitted plans, the proposed accessory building/apartment would not include balconies or projecting windows that face a principal building in a single residential use.

Subtitle X § 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 relief, if granted, would result in a principal structure and accessory structure that would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map. As stated above, it would not result in a structure that is inconsistent with the R-3/GT Zone in terms of height, bulk, or use.

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

As discussed above, the proposed accessory structure and principal addition should not unduly adversely affect the privacy and use of neighboring properties. The submitted shadow study indicates a minimal impact to the shadows cast onto neighboring properties when compared to a by-right addition, or result in undue impacts on light access, air, or privacy on this rowhouse street.

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

Special conditions have not been specified for the subject application.

VI. OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) has indicated to OP that it has no objection to the subject application as presented.

VII. ADVISORY NEIGHBORHOOD COMMISSION

As of the date of this report, a report from ANC 2E has not been added to the record.

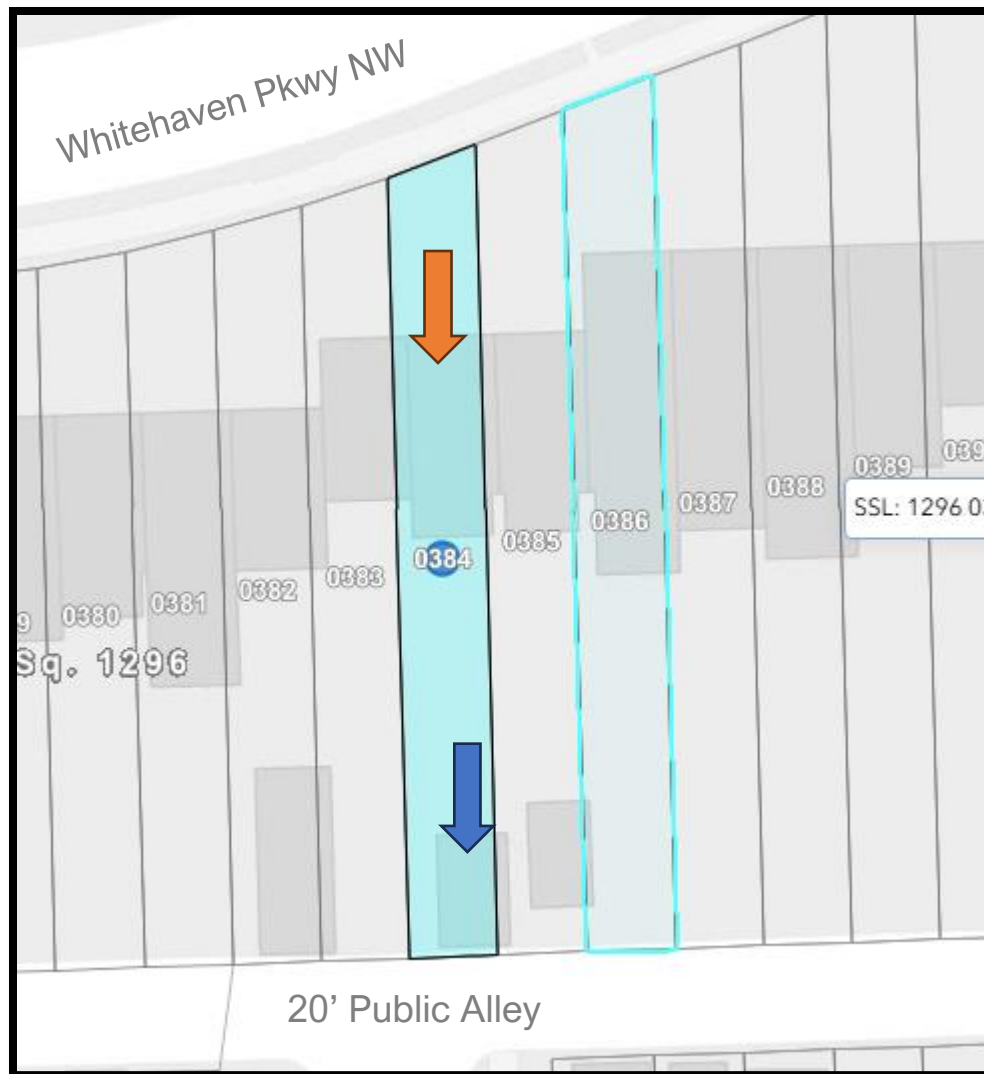
VIII. COMMUNITY COMMENTS

As of the date of this report, a letter in support of the subject application has been submitted into the record as Exhibit 18. There are also multiple filings regarding requests for party status in opposition, which have been granted by the BZA.

IX. ATTACHMENTS

Location Map

Location Map



The orange arrow indicates the location of the proposed principal building addition.

The blue arrow indicates the location of the proposed accessory structure and apartment.