

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Crystal Myers, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: August 29, 2025

SUBJECT: BZA Case 21340: Expedited request for special exception relief related to the construction of a rear addition at 3048 Oliver St., NW.

I. OFFICE OF PLANNING RECOMMENDATION

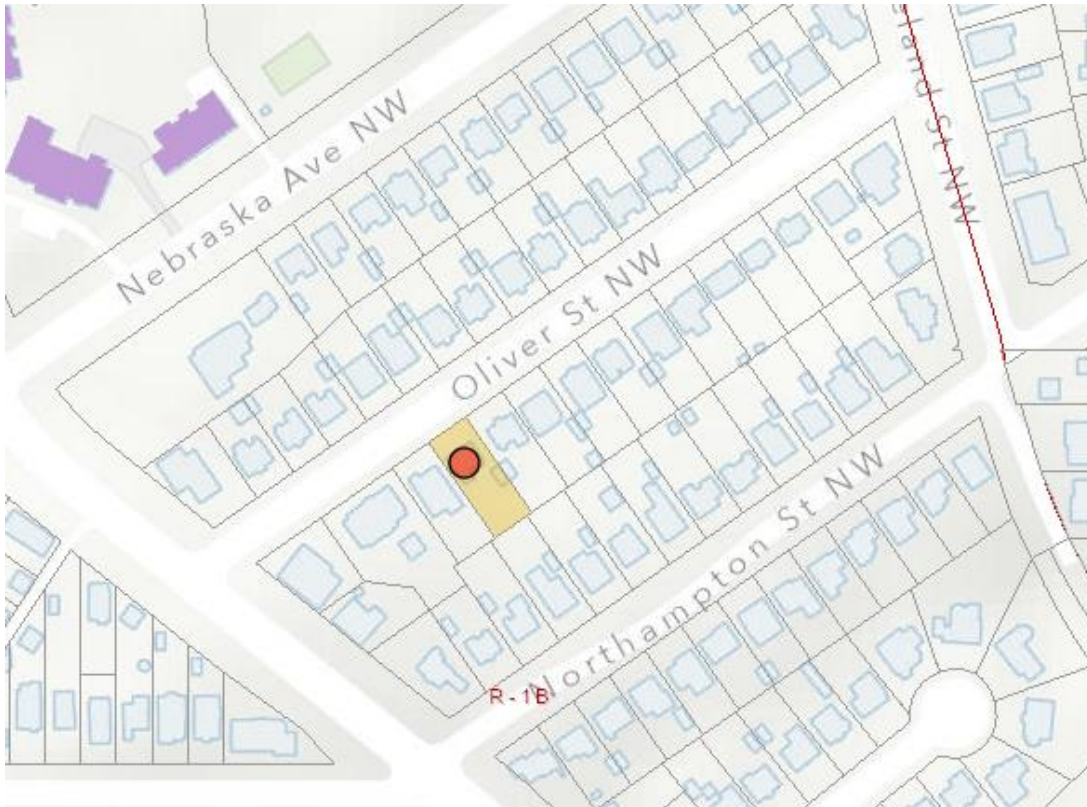
The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle D § 5201 and Subtitle X § 901:

- Side Yard, D § 5005 (accessory building is not permitted in the required side yard; the proposed house addition would result in the existing accessory building being partially within the required side yard).

II. LOCATION AND SITE DESCRIPTION

Address	3048 Oliver St. NW
Applicants	Shannon and Andrew McMahon
Legal Description	Square 2315, Lot 811
Ward, ANC	Ward 4; ANC 3/4
Zone	R-1B, low density residential
Historic Districts	None
Lot Characteristics	130 ft. x 50 ft. rectangular lot with a 15 ft. wide building restriction line in front of the property.
Existing Development	Single-dwelling detached house
Adjacent Properties	The adjacent properties are single dwelling detached houses
Surrounding Neighborhood Character	The surrounding neighborhood is primarily single-dwelling detached residential.
Proposed Development	The Applicant is constructing a by-right addition to the rear of the house. A result of the house addition would be that the existing accessory building located on the side lot line would be partially within the principal building required side yard and would not provide the required separation from the house.

III. LOCATION



IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1B Zone	Regulation	Existing	Proposed ¹	Relief
Lot Width D § 202	50 ft. min.	50 ft.	50 ft	
Lot Area D § 202	5,000 sq. ft. min.	6,500 sq. ft.	6,500 sq. ft.	Conforming
Rear Yard D § 207	25 ft. min.	48.8 ft.	48.8 ft.	Conforming
Lot Occupancy D § 210	40% max.	19.5%	28%	Conforming
Side Yard D § 208	East - 8ft West- 6ft	East- 10.9 West- 6ft	East- 10.9 West- 6ft	Conforming
Accessory Side Yard D § 5005	Accessory building not permitted in required side yard	Accessory building on side lot line	Accessory building partially within required side yard	Relief Requested

¹ Information provided by the Zoning Administrator's Office

V. OP ANALYSIS

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;*

Granting the relief would be in harmony with the general purpose and intent of the Zoning Regulations and Maps. The R-1B zone is intended for detached single family residential housing. Allowing the relief would allow this house to be expanded on a property but would result in the existing garage being partially within the required side yard. The garage has been on the property for many years, and the requested relief complies with D§ 5201 special exception criteria.

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

Granting the requested relief should not adversely affect neighboring properties. The garage is similar to the adjacent neighbor's garage and other garages on the street. Maintaining its location on the property would allow the Applicant to continue having on-site parking and not take up parking space on the street.

Subtitle D § 5201 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 ...*
(b) ***Yards**, including alley centerline setback; and*
(c) *Pervious surface.*

This request is for side yard relief to permit an existing accessory building, a garage, in the required side yard.

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 would not cause an undue impact on the light and air of the neighboring properties. It would allow the existing 1-story garage to remain in its current location.

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

The requested relief would not compromise the privacy of use and enjoyment of the neighboring properties. The garage on the adjacent property to the east is in a similar location and attached to the subject property's garage.

- (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 garage and the expanded principal building would not substantially visually intrude on the character of the street. Both have been part of the street character for a long time. The relief would allow for a rear addition to be constructed to the house but little if any of it would be visible from the street. The addition's design would be compatible with the existing building and with neighboring houses on the street.

- (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 submitted plans, photographs, and section drawings are sufficient.

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 treatment.

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 special exception relief should not result in the expansion of a nonconforming use and in development standards beyond what is authorized by special exception.

VI. OTHER DISTRICT AGENCIES

In an email to OP DDOT stated they have no object to the proposed relief. As of the date of this report, no other agencies have provided comments.

VII. ADVISORY NEIGHBORHOOD COMMISSION

There is no report from ANC 3/4G in the record at this time.

VIII. COMMUNITY COMMENTS

The owner of the adjacent house to the east (3044 Oliver St. NW) submitted a letter in support at Exhibit 17 and letters of support from nearby neighbors are also in the record (Exhibit 14, Exhibit 18 and Exhibit 19).