



## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Karen Thomas, Development Review Specialist

*JL* Joel Lawson, Associate Director Development Review

**DATE:** October 17, 2025

**SUBJECT:** BZA Case 21359: Request for Special Exception relief to construct a new, detached, two-story accessory structure in the RF-1 zone:

### **I. RECOMMENDATION**

The Office of Planning (OP) recommends **Approval** of the following special exceptions pursuant to Subtitle X § 901:

- U § 301.1(e), Accessory Building pre-Jan. 1 2013: **Existing**-None **Proposed** - New structure
- E § 5003.1, Accessory Building Area: **Required**: 450 sf (max.) **Proposed**: 693.95 sf.
- C § 711.7, Access Requirement: Garage Entrance Setback: **Required**: 12 feet (min) **Proposed**: 7.6 ft. (Subject to DDOT's recommendation of approval).
- C § 711.7, Access Requirement: Garage Door Height: **Required**: 10 feet (min), **Proposed**: Info not provided (Subject to DDOT's recommendation of approval).

### **II. LOCATION AND SITE DESCRIPTION**

Address:	524 Taylor Street NW
Applicant:	Margaret Wedgwood and Erik Beith
Legal Description:	Square 1051; Lot 0113
Ward / ANC:	Ward 4; ANC 4C
Zone:	RF-1, which permits one or two principal dwellings on a property by right.
Historic Districts	N/A
Lot Characteristics:	Rectangular interior lot measuring
Existing Development:	Single-Family Rowhouse
Adjacent Properties:	Residential Rowhouses
Surrounding Neighborhood Character:	Moderate-Density Residential Neighborhood.



Proposed Development:	A new detached accessory structure is proposed, not meeting the area requirements of Subtitle U § 301.1 and access requirements of C § 711.7, described herein.
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### III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed <sup>1</sup>	Relief:
Density E § 201	2 principal units max.; accessory units prohibited.	1 principal unit	2 principal units (1 within principal structure and 1 in an accessory structure.)	None Requested
Lot Width E § 202	18 ft. min.	19 ft.	No Change	None requested
Lot Area E § 202	1,800 sq. ft. min.	2,708 sq. ft.	No Change	Existing Non-conformance.
Rear Yard E § 207	20 ft. min.	92 ft.	82 ft.	None requested
Side Yard E § 208	None required, but 5 ft. min. if provided	N/A	N/A	None requested
Lot Occupancy E § 210	60% max.	32.65%	59.84%	None requested
Acc. Building Height E § 5002	22 ft. and two stories maximum.	N/A	22 ft. and two stories.	None requested
Acc. Building Use E § 5006	1 principal dwelling unit and/or private vehicular garage.	N/A	1 dwelling unit and no garage.	None requested
Parking C § 701	1 space per 2 dwelling units	1 space	1 space	None requested
<b>Acc. Building Area E § 5003</b>	450 sq. ft. or 30% of the required rear yard, whichever is greater.	N/A	693.95 sq. ft.	<b>Relief requested</b>
<b>Access Requirement Garage Entrance C § 711.7</b>	12 ft. from the centerline of any alley.	N/A	7 ft 6 ins	<b>Relief requested</b>
<b>Access Requirement Garage Entrance Height C § 711.7</b>	10 feet minimum height	N/A	Not provided	<b>Relief requested</b>
<b>Accessory Building U § 301.1 (e)</b>	New dwelling unit allowed in an accessory building constructed pre-Jan. 1, 2013 <sup>2</sup>	N/A	New unit proposed in a new accessory building	<b>Relief requested</b>

<sup>1</sup> Provided by the applicant.

<sup>2</sup> An amendment to the zoning regulations to eliminate this specific accessory building timing requirement has been filed with the Zoning Commission and is scheduled as part of Omnibus Text Amendment Case 25-12 for a public hearing October 30, 2025.

## IV. OP ANALYSIS

### A. ACCESSORY STRUCTURE: Subtitle U Section 301 MATTER OF RIGHT USES (RF)

(c) A permitted principal dwelling unit within an accessory building subject to the following conditions of:

- (1) The accessory building was in existence on January 1, 2013;
- (2) No expansion or addition may be made to the accessory building to accommodate an apartment except as a special exception;

The accessory building does not exist and is proposed as part of this application.

- (3) There shall be permanent access to the accessory building dwelling from a dedicated and improved right of way; and

Access to the proposed structure would be via the 15-foot-wide public alley at the rear of the property.

- (4) Permanent access shall be provided by one (1) of the following:

A. An easement for a permanent passage, open to the sky, no narrower than eight feet (8 ft.) in width, and extending from the accessory building to a public street through a side setback recorded in the land records of the District of Columbia;

B. Through an improved public alley with a minimum width of twenty-four feet (24 ft.) that connects to a public street; or

C. **On an improved alley no less than fifteen feet (15 ft.) in width and within three hundred (300) linear feet of a public street;**

Permanent access is provided by the 15-foot-wide alley which is within 300 feet of New Hampshire Avenue, NW.

(d) An accessory building that houses a principal dwelling unit shall not have a roof deck;

A roof deck is not proposed.

(e) An accessory building constructed as a matter-of-right after January 1, 2013, and that is located within a required setback shall not be used as, or converted to, a dwelling unit for a period of five (5) years after the approval of the building permit for the accessory building, unless approved as a special exception.

Relief requested from the 5-year time-period prohibition of a principal unit in an accessory structure may be sought through special exception relief, as requested.

(f) An accessory building that houses a principal dwelling unit shall not be used simultaneously for any accessory use other than as a private vehicle garage for a dwelling unit on the lot, storage, or as an artist studio; and

A garage on the lower level and a residential unit on the upper level are proposed on the lot.

### **Specific Special Exception Requirements of Subtitle E § 5201.**

*5201.4: An Application for special exception relief under this section shall demonstrate that the proposed addition, new 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 two-story, 22 ft. tall structure would be located at the rear of the property, as permitted for matter-of-right structures. Accordingly, the Accessory Building will not unduly affect the light and air available to the neighboring properties.

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

Windows are not proposed on the east and west facades of the accessory building. Further, a roof deck is not proposed. Accordingly, the privacy of use and enjoyment of neighboring properties would not be unduly compromised.

(c) *The proposed addition or accessory structure, together with the original 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.*

The submitted architectural drawings and elevations indicate that the accessory structure would not be out of scale or character with existing units typically proposed for accessory structures. It would meet the height and number of stories permitted and the design

### **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 use of an accessory building for a second principal dwelling unit is otherwise permitted in the RF-1 zone. This would now constitute a flat on the property. Therefore, the proposal would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

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

The proposed unit would be accessible from the alley at the rear. There would be no east or west facing windows and a wood frame wall would be included on the sides of the interior facing deck to minimize views into the neighbors' yards. The windows on the north elevation facing the rear yard should not create views to neighboring properties that could not be achieved by-right. Based on the information provided by the applicant, the proposal should not unduly affect adversely the use of neighboring properties.

(c) *Will meet such special conditions as may be specified in this title.*

The Applicant stated that the proposed accessory building would need relief from other zoning regulations and requirements, as discussed hereafter. [See Plans at Exhibit 6](#)

## B. BUILDING AREA - *Subtitle E § 5003.1*

*The maximum building area for an accessory building in an RF zone shall be the greater of thirty percent (30%) of the required rear yard or four-hundred and fifty square feet (450 sq. ft.).*

The proposed structure would occupy 541.43 square feet of the lot. Additional area up to 693 square feet reflects the area of the stairs which are open to the sky. ([Exhibit 6 Sheet A001](#)). Relief can be granted pursuant to E § 5201 as follows:

5201.2 *For a new or enlarged accessory structure to a residential building 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 under Subtitle E § 5003 up to a maximum of seventy percent (70%) for all new and existing structures on the lot;*
- (b) *Yards, including alley centerline setback;*
- (c) *Courts; and*
- (d) *Pervious surface.*

The proposed area of the accessory building would not increase the overall lot occupancy of the site beyond the maximum permitted for a matter-of-right at 60%

5201.4 *An applicant for special exception under this section shall demonstrate that the proposed addition, new building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

- (a) *The light and air available to neighboring properties shall not be unduly affected;*

The light and air available to neighboring properties should not be adversely impacted as the accessory structure would not be within the required rear yard which would be 82 feet after the accessory building is constructed.

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

The structure would not have side windows facing onto neighbors' properties and the windows proposed would view into the rear yard onto a deck which would be screened on the sides to reduce views into the neighbor's rear yards. The proposed deck area at the second level would not be wide enough for large gatherings but would serve as passive recreation space for future residents.

- (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*

As viewed from the alley, the structure would not be architecturally different from other accessory structures, in terms of scale and density.

*(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.*

Required graphical representations are included in the record at [Exhibits 2, 5, and 6](#).

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 suggest special treatment or other features for the 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.*

The property would become a flat with the additional unit, which is permitted in the RF-1 district.

## **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 of the accessory structure would be in harmony with the Regulations as a flat is a permitted use in the zone district and the addition would not increase the site's density permitted as a matter of right.

*(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 use of neighboring property would not be adversely affected. An abutting neighbor at 522 Taylor Street is in support ([Exhibit 18](#)).

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

The special conditions were discussed prior under Subtitle E § 5201.

## **C. ACCESS REQUIREMENTS: Alley Centerline and Garage Door Height**

711.7 *Except for Alley Lots or as provided in Subtitle C § 711.11, when parking spaces are provided within a building or structure, all vehicular entrances or exits shall be a minimum height of ten feet (10 ft.) and shall be setback at least twelve feet (12 ft.) from the center line of any adjacent alley.*

*711.11 The Board of Zoning Adjustment may grant full or partial relief from the requirements of Subtitle C §§ 711.5 through 711.7 as a special exception under Subtitle X, Chapter 9, and subject to the following:*

*(a) The Office of Zoning shall refer any request under this subsection to the Office of Planning and the District Department of Transportation for review and comment, which shall include an evaluation of the applicant's satisfaction of the requirements of paragraph (b) of this subsection; and*

*(b) The applicant shall demonstrate to the Board's satisfaction:*

*(1) A reasonable difficulty in providing the full-sized driveway width or alley centerline setback; and*

The Applicant proposes a lower garage door height than the Regulations require, stating that typical garage doors for garages like this are not ten feet in height.

In addition, the Applicant states that the proposed garage would align with other similar structures which are on the property line and has provided a turning diagram as requested to support this request at [Exhibit 21](#)

*(2) Vehicle movement and turning diagrams demonstrating that the proposed relief would allow safe:*

*(A) Access for vehicles of average dimensions to and from the parking spaces for which the driveway or alley centerline setback provides access; and*

*(B) Use of the street or alley by pedestrians and vehicles.*

The Applicant has provided a vehicle turning diagram to show that there would be safe vehicle movement in the alley to and from the garage. DDOT may provide additional comments to the record separately. OP is in support of this relief and would defer if additional information is required by DDOT.

## **V. OTHER DISTRICT AGENCIES**

There are no comments from other District agencies in the record at the writing of this report.

## **VI. ADVISORY NEIGHBORHOOD COMMISSION**

ANC 4C submitted its recommendation in support of the requests at [Exhibit 22](#).

## **VII. COMMUNITY COMMENTS**

Letters in support of the project from nearby and an abutting resident are noted at [Exhibits 17 through 19](#).

Figure 1: Location Map

