

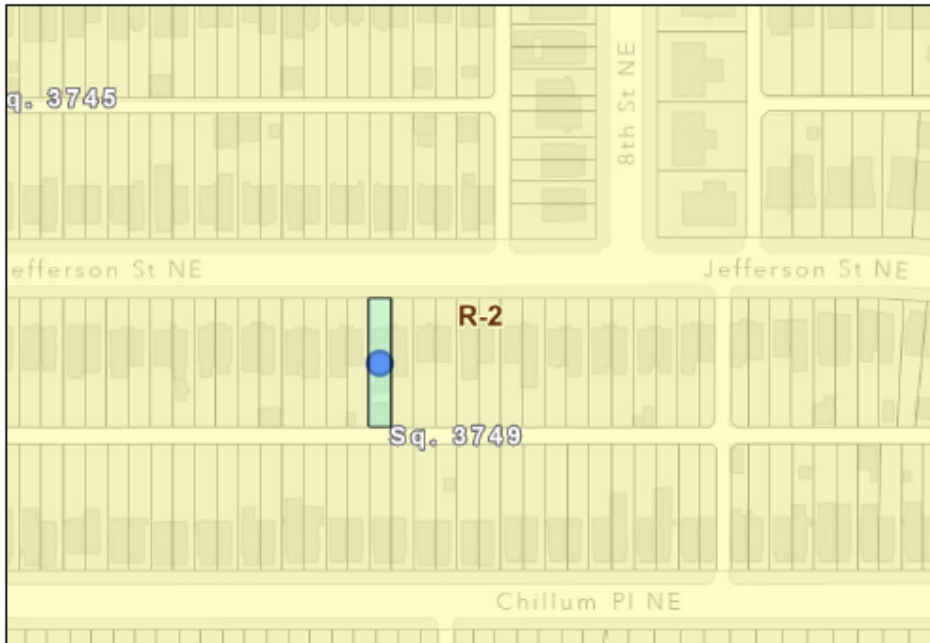
# **BZA Case No. 21365 – 701 Jefferson Street, NE (Square 3749, Lot 95)**

**Cheryl Jeannine Rich Trust**

Public Hearing  
November 5, 2025

**Holland & Knight**

# Property – 701 Jefferson Street, NE



- R-2 zone
- Land area – 2,794 sq. ft.
- Improved with two-story semi-detached row home with one-car garage to the rear



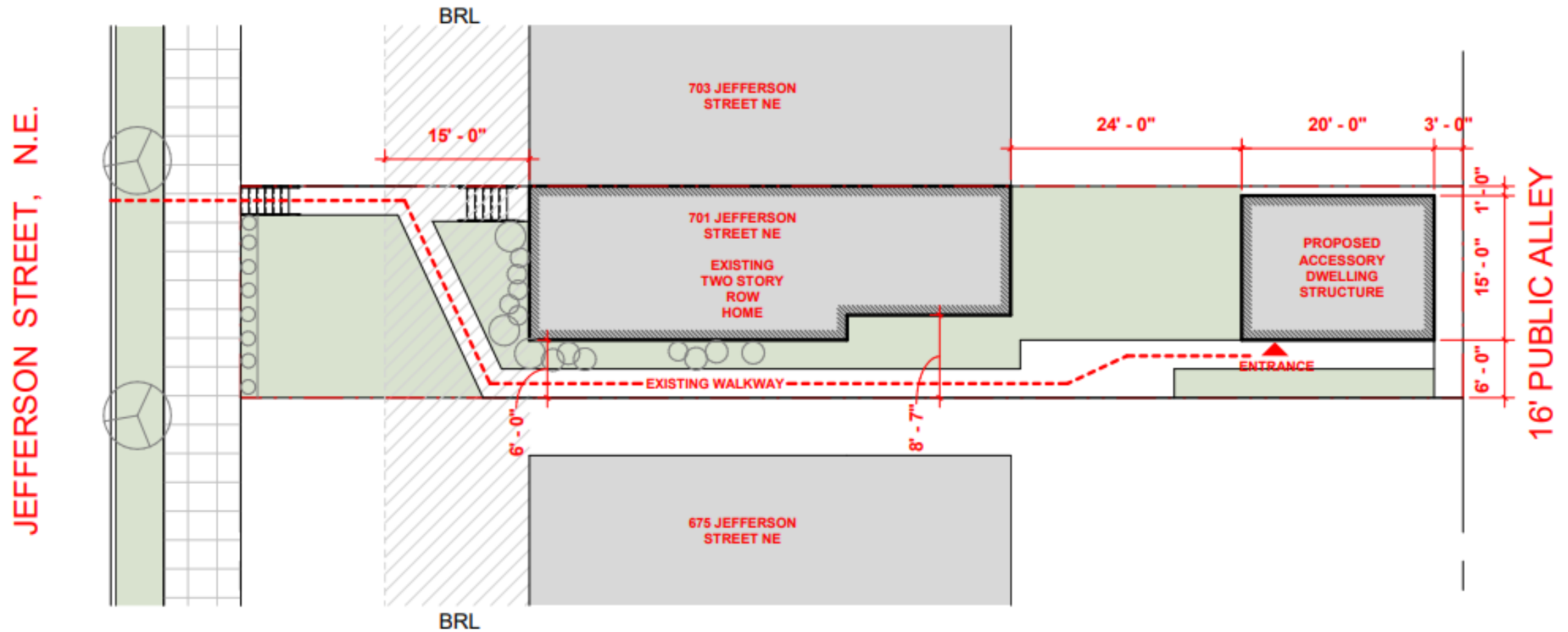
# Application Overview

- Project
  - Convert an existing one-car garage on the Property into a two-level accessory apartment
- Relief requested
  - Special exception relief from the accessory apartment access requirements of Subtitle U § 253.8(c)

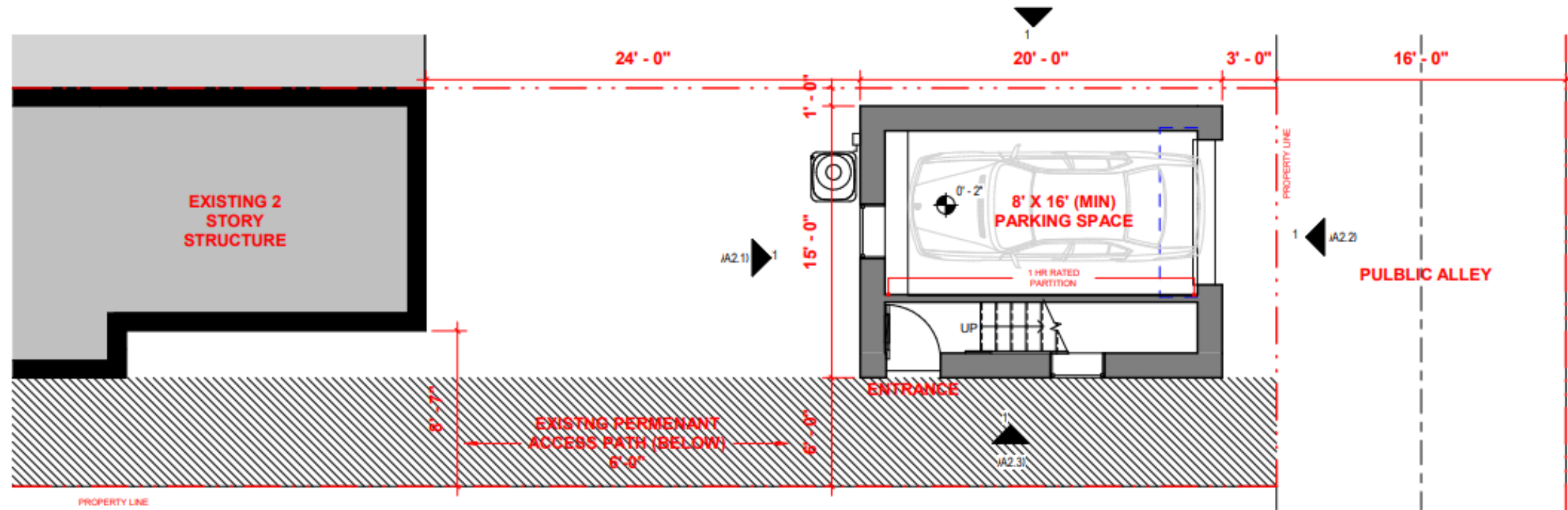


701 Jefferson Street NE  
Accessory Dwelling  
Unit

# Project – Site Plan

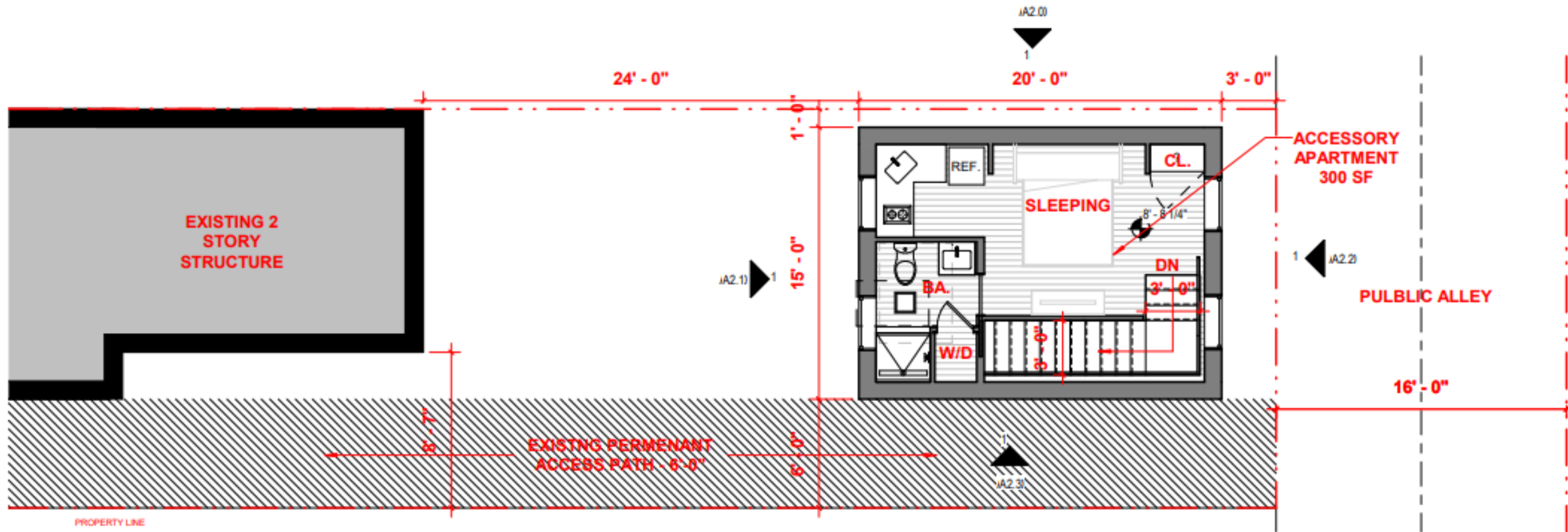


# Project – Proposed Level 1

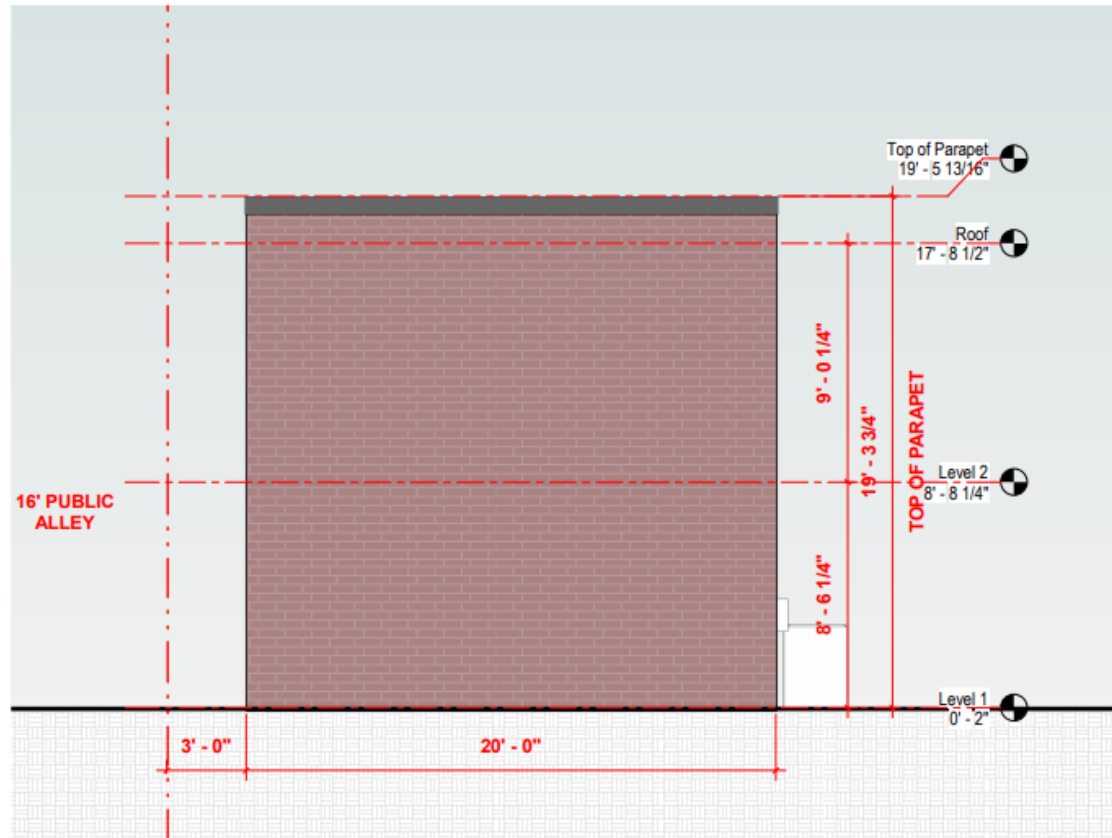




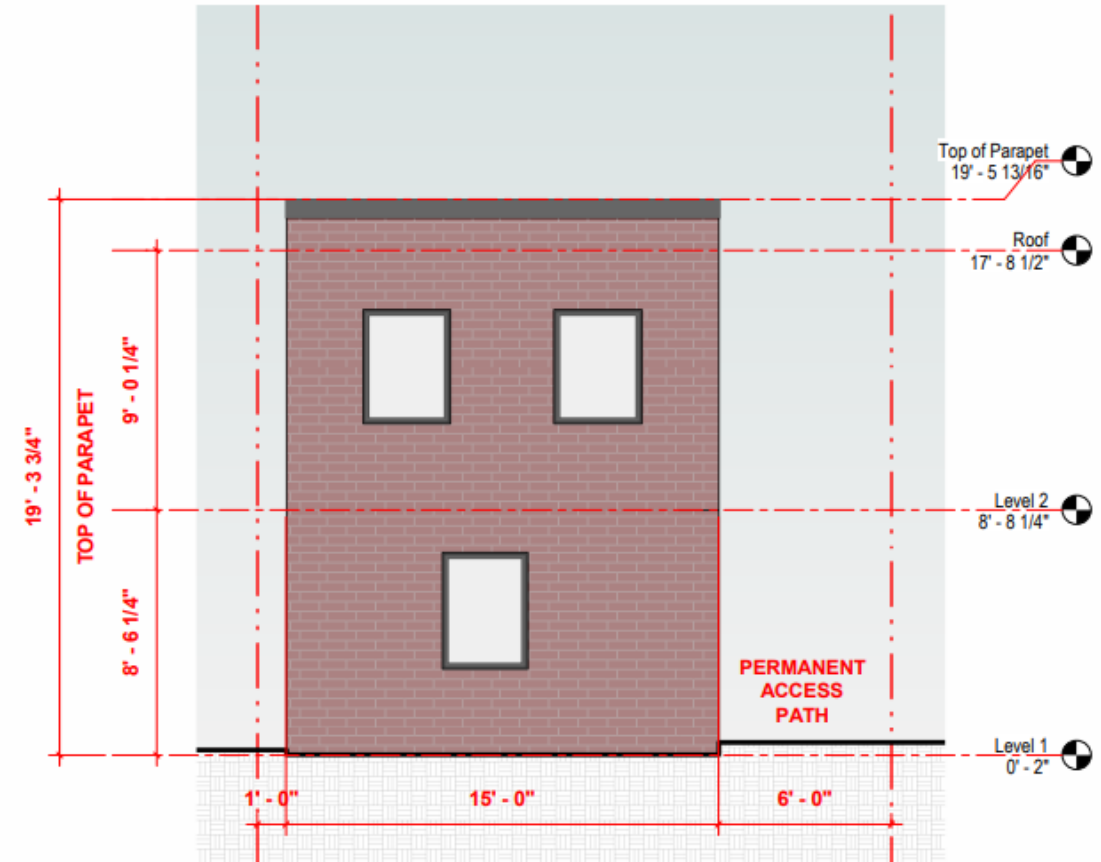
# Project – Proposed Level 2



# Project – Proposed Elevations

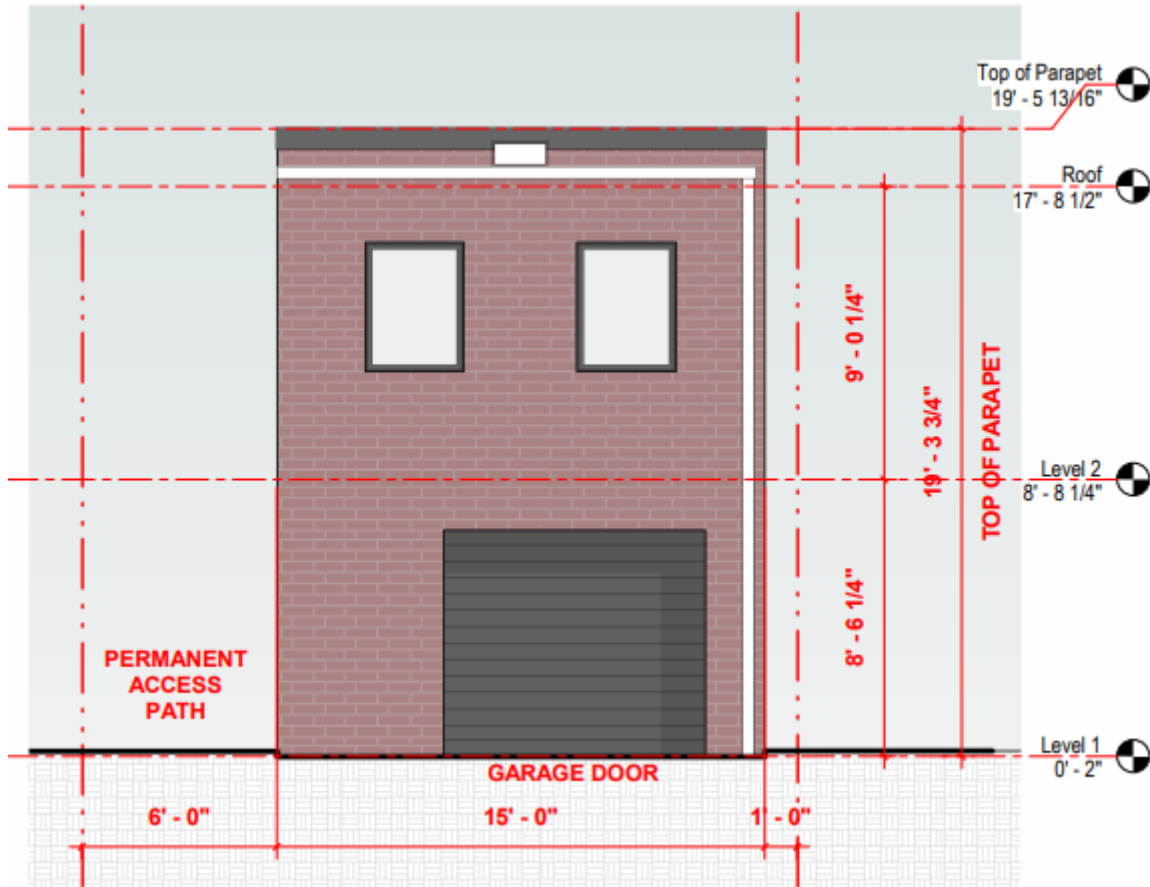


East Building Elevation (Along Property Line)

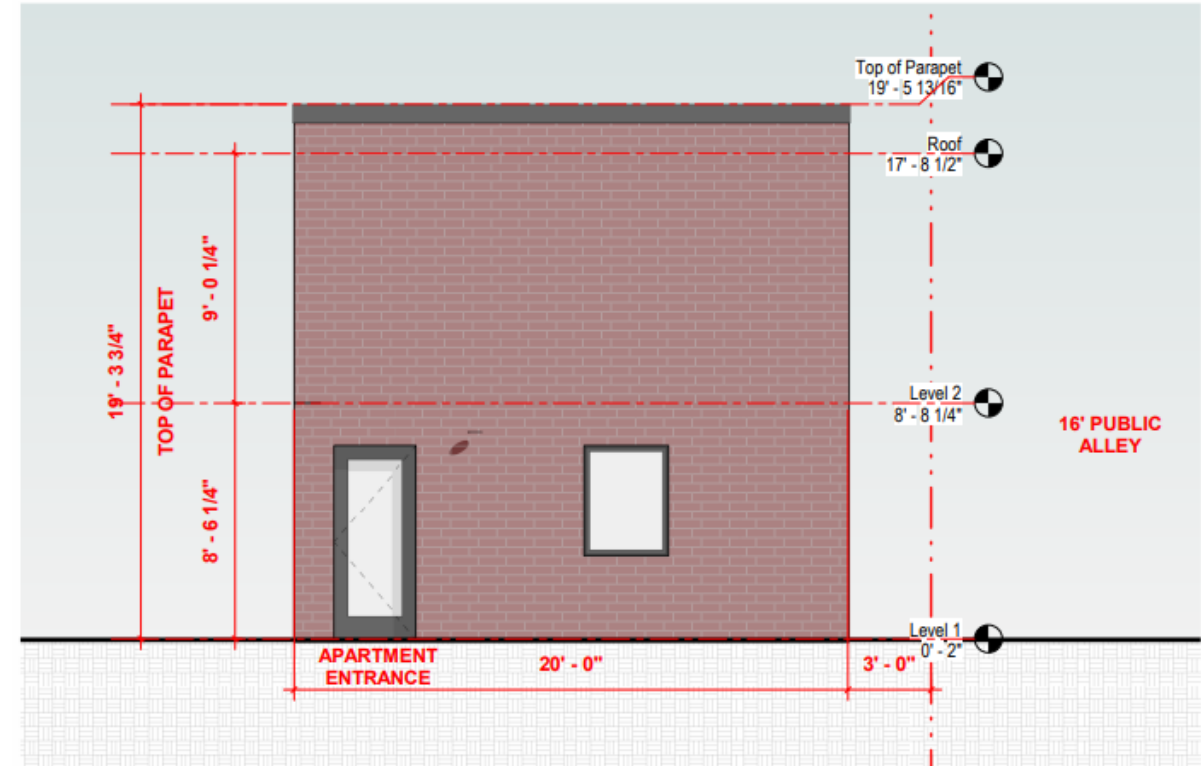


North Building Elevation (Along Existing Private Yard)

# Project – Proposed Elevations



South Building Elevation (Along Alley)



West Building Elevation (Along Permanent Access Path)



# Requested Relief – Special Exception

From permanent access requirements of Subtitle U § 253.8(c)

(c) The permanent access shall be provided by one (1) of the following:

- (1) 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 or shared recorded easement between properties;
- (2) Through an improved public alley with a minimum width of twenty-four feet (24 ft.) that connects to a public street; or
- (3) The accessory building is within three hundred feet (300 ft.) of a public street accessible through an improved public alley with a minimum width of fifteen feet (15 ft.);

1. Apartment unit access to Jefferson Street along western boundary: 6 ft. width (8 ft. req.)
2. Public alley south of Property: 16 ft. width (24 ft. req.)
3. Property is located mid-block between Jefferson Street and Chillum Place (more than max. of 300 ft.)

# Special Exception Criteria

## Subtitle X § 901.2

- 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;
  - (b)      Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
  - (c)      Will meet such special conditions as may be specified in this title.

Relief granted through a special exception **is presumed appropriate, reasonable, and compatible** with other uses in the same zoning classification, **provided the application satisfies the specific requirements for the relief requested.** In reviewing an application for special exception relief, “[t]he Board’s discretion . . . is limited to a determination of whether the exception sought meets the requirements of the regulation.”

First Baptist Church of Washington v. District of Columbia Bd. of Zoning Adjustment, 423 A.2d 695, 706 (D.C. 1981) (quoting Stewart v. District of Columbia Bd. of Zoning Adjustment, 305 A.2d 516, 518 (D.C. 1973)).

# Special Exception Criteria - Justification

Subtitle X § 901.2

(a) “Will ***be in harmony with the general purpose and intent*** of the Zoning Regulations and Zoning Maps”

- Relief would facilitate construction of an accessory apartment, which is in harmony with the general purpose and intent of the R-2 zone.
- R-2 zone permits a principal dwelling unit and one accessory apartment by-right

(b) “Will ***not tend to affect adversely affect*** the use of neighboring property”

- Proposed accessory apartment at the rear, its modest size, and availability of parking should not adversely affect the use of neighboring property.

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

- Meets the special conditions of Subtitle U § 253.8(f) (next slide).

# Special Exception Criteria - Justification

Subtitle U § 253.8(f) – Special Conditions of Accessory Building in an R zone

(1) “The accessory building shall be located such that it is ***not likely to become objectionable*** to neighboring properties because of noise, traffic, parking, or other objectionable conditions”

- Accessory building would be located at the rear and have direct access from the alley.
- Parking pad would be provided thus removing need for on-street parking.
- Building footprint and height of 17 ft. is compatible with current aesthetics of the block.

(2) “Evidence that there are ***adequate public utilities*** for the health and safety of the residents”

- DC Water has confirmed, that water is available for the proposed accessory apartment.
- Surrounding residential development in the neighborhood demonstrates the adequate public infrastructure to support the accessory apartment.

# Agency and ANC Review

- Office of Planning (OP)
  - Recommended approval in report on October 22, 2025 (Exhibit 19)
- District Department of Transportation (DDOT)
  - No objection to approval (See OP Report at Exhibit 19, pg. 5)
- ANC 5A
  - Resolution in support (Exhibit 22)



# **BZA Case No. 21365 – 701 Jefferson Street, NE (Square 3749, Lot 95)**

**Cheryl Jeannine Rich Trust**

Public Hearing  
November 5, 2025

**Holland & Knight**