

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Joshua Mitchum, Development Review Specialist
Joel Lawson, Associate Director, Development Review
DATE: November 18, 2025

SUBJECT: BZA Case 21375: Request for a special exception to construct a detached, two-story garage with second-story accessory dwelling in the rear of an existing, detached, two-story principal dwelling in the R-2 Zone.

I. BACKGROUND

The Office of Planning (OP) reviewed the initial submission of BZA Application No. 21375, which requested an area variance to construct a detached, two-story garage with a second-story accessory dwelling in the rear of an existing, detached two-story principal dwelling in the R-2 Zone.

During the initial review of the application, it was communicated to the Applicant that, due to the strict standards that need to be met in order to be issued a variance, OP would be unlikely to support the area variance based on the statements provided in the burden of proof. Furthermore, it was suggested that the Applicant amend their proposal to include a flat roof instead of a peaked roof, as it would likely bring the height of proposed accessory structure below 22 feet, thus eliminating the need for an area variance request.

Additionally, OP communicated to the Applicant that they may need to amend their application to request special exception relief from the maximum building area for accessory structures, as the proposed accessory structure would exceed the R-2 Zone's maximum accessory structure buildable area of 450 feet. The Applicant stated that they were aware of this and an updated Zoning Administrator referral memo from the Department of Buildings (DOB) has now been added at Exhibit 24.

The Applicant has submitted an updated set of plans to OP that shows a proposed 17-foot-tall accessory structure built on top of an existing 672 square foot concrete foundation. As the updated plans no longer propose a structure that would necessitate an area variance, this report has been written to analyze and offer a recommendation for a **special exception request** to construct a detached, two-story garage with second-story accessory dwelling in the rear of an existing detached, two-story principal dwelling in the R-2 Zone.

II. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning recommends **approval** of the following **special exception** pursuant to Subtitle X § 901:

- **Maximum Building Area, D § 5003.1** (450 sq. ft. max. required, 0 sq. ft. existing, 672 sq. ft. proposed)

III. LOCATION AND SITE DESCRIPTION

Address:	6122 Sligo Mill Road NE
Applicant(s):	Roberto A. Sicre & Maria Victoria Cerdenia
Legal Description:	Square 3720 ; Lot 0006
Ward / ANC:	Ward 4 / ANC 4B
Zone(s):	R-2, Low-Density Residential
Historic District(s):	N/A
Lot Characteristics:	The 7,842 square foot lot is irregular in shape and has 50.74 feet of frontage along Sligo Mill Road NE, and 62.81 feet of frontage along a 16-foot-wide public alley in the rear yard.
Existing Development:	The lot is currently improved with a detached, two-story principal dwelling with deck, and a concrete driveway.
Adjacent Properties:	The property is bounded to the north by detached residential dwellings in the R-2 Zone, to the south by attached and detached dwellings in the R-1B Zone, to the west by attached and detached dwellings in the R-2 Zone, and to the east by detached homes in the R-1B Zone.
Surrounding Neighborhood Character:	The surrounding neighborhood can be characterized by single-family detached dwellings.
Proposed Development:	The Applicant is proposing to construct a two-story, detached garage with a second-story accessory dwelling.

IV. ZONING REQUIREMENTS AND RELIEF REQUESTED

R-2 Zone	Regulation	Existing	Proposed	Relief
Lot Width D § 202 (302)	40 ft. min.	50.74 ft.	No change	None requested
Lot Area D § 202	4,000 sq. ft. min.	7,842 sq. ft.	No change	None requested
Height D § 203	40 ft. max. 3 stories max.	Not given 2 stories	No change	None requested
Accessory Structure Height D § 5002	22 ft. max.	-	17 ft.	No longer requested
Accessory Structure Maximum Building Area D § 5003	450 sq. ft. max.	-	672 sq. ft.	Special exception requested

R-2 Zone	Regulation	Existing	Proposed	Relief
Front Setback D § 206	Consistent with block face	-	No change	None requested
Rear Yard D § 207	20 ft. min.	120 ft.	No change	None requested
Side Yard D § 207	8 ft. min.	Not given	No change	None requested
Lot Occupancy D § 210	40% max. by right 50% max. by sp. ex.	18.21%	26.78%	None requested
Parking C § 701	1 space per dwelling unit 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 This section is not applicable to the subject application.

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*
- (b) Maximum building area of an accessory building;*
- (c) Yards, including alley centerline setback; and*
- (d) Pervious surface.*

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 special exception, if granted, should not unduly affect the light and air available to neighboring properties. The proposed accessory building would be located in the rear of the lot and set back from adjacent principal dwellings. Additional shadows cast by the proposed building would likely fall mostly on the public alley to the rear. The alleys and the open space on the lot should ensure that adequate air flow is maintained.

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

The special exception, if granted, should not unduly compromise the privacy of use and enjoyment of neighboring properties. The proposed structure does not feature windows that would face directly into adjacent principal dwellings, and no roof deck is being proposed.

- (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 special exception, if granted, should not substantially visually intrude upon the character, scale, and pattern of houses along the Sligo Mill Road NE or the alley frontage. The proposed accessory building would be designed so as to closely match the façade of the existing home. Furthermore, the proposed structure would be replacing a similar structure that was in existence prior to it being destroyed by a falling tree.

- (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, new building, or accessory structure to adjacent buildings and views from public ways.*

The Applicant has provided plans, color photographs and elevation drawings to sufficiently represent the relationship of the proposed accessory building 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 recommend special treatment for the property in this case.

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 special exception relief for maximum building area, if granted, would not permit the introduction of expansion of an existing nonconforming use, lot occupancy, height, or number of stories beyond what is authorized in this section.

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 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 special exception, if granted, would result in an accessory building that would be in harmony with the general purpose and intent of the Zoning Regulations and the R-2 Zone.

It would not result in a structure that is inconsistent with the R-2 Zone in terms of bulk or use, and would remain within the maximum height regulations of the zone.

(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 building should not adversely affect the use of neighboring properties. The proposed structure is replacing one that used to be on the existing concrete foundation, and the requested relief from the maximum building area of an accessory building does not represent a significant deviation from the by-right provisions.

(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 submitted a report (Exhibit 20) indicating no objections to the subject application. As of the date of this report, comments from other District agencies have not been added to the record.

VII. ADVISORY NEIGHBORHOOD COMMISSION

At Exhibit 25 is s memo from ANC 4B indicating that they take no position.

VIII. COMMUNITY COMMENTS

As of the date of this report, comments from the community have not been submitted into the record.

Attachment: Location Map

Location Map

