

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Philip Isaiah, Development Review Specialist
Joel Lawson, Associate Director, Development Review

DATE: January 7, 2026

SUBJECT: BZA Case 21398: Request for Expedited Review of a special exception relief to an addition to an accessory building.

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:

- Maximum Building Area for an Accessory Building, D § 5003.1 (30% of required year yard or 450 sq ft. – whichever is greater required; 181 sq ft existing; 588 sq ft. proposed);

II. LOCATION AND SITE DESCRIPTION

Address:	3432 Newark Street, NW
Applicants:	3432 Newark, LLC
Legal Description:	Square 2078, Lot 0048
Ward / ANC:	Ward 3 / ANC 3C
Zone:	R-1B, Low Density Residential
Historic Districts:	Cleveland Park Historic District
Lot Characteristics:	The 10,899 irregularly-shaped interior lot is a consolidation of 4 former record lots totaling at more than double the minimum lot size of 5,000 sq ft for the R-1B Zone. Despite a historical notch in the rear yard caused by the adjacent Macomb Recreation Center, the existing rear yard alone contains about 5,350 sq ft in area with rows of vegetative screening present along the rear and western edges of the lot.
Existing Development:	The property is developed with a two-story stucco and wood sided single family detached dwelling with a one car wide driveway along the east side of the lot traversing from the front to the rear yard where a 1 story 181 sq ft stucco shed is located.
Adjacent Properties:	All adjacent properties are also zoned R-1B. The Macomb recreation center is located southeast of the subject parcel on which a softball diamond is located pointing southeast, away from the proposed garage. All other adjacent lots contain single family detached dwellings.

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Surrounding Neighborhood Character:	The surrounding neighborhood contains larger single family detached and semi-detached dwellings on variously sized parcels, characterized by mature vegetation and historic dwellings
Proposed Development:	<p>The applicant requests to convert an existing 181 sq ft shed to a 588 sq ft two-car garage where the current maximum permitted floor area for an accessory building is 450 sq ft. The one-story garage would be 10.8 feet in height from the lowest point and located at the southeast corner of the lot. The structure would be located 6.2 feet from the southeastern rear lot line and 18.7 feet from the rear of the main house. It would be constructed with stucco siding to match the existing dwelling.</p> <p>While the southern bulb of the driveway would be expanded in the side and rear yards to accommodate vehicular access to the new garage, the applicant proposes to also convert to permeable pavement and/or remove at least 948 sq ft of impervious surface on the lot to keep within the required limitation of 50%.</p>

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1B Zone (Accessory Structures)	Regulation	Existing	Proposed ¹	Relief
Height D § 5002	22 ft. max.	10.1 feet	10.8 feet	None requested
Maximum Building Area D § 5003	30% of the required rear yard, or 450 sq. ft. – whichever is greater.	181 sq. ft.	588 sq. ft. ²	Special exception relief requested
Lot Width D § 202	50 ft. min.	90 ft.	No change	None requested
Lot Area D § 202	5,000 sq. ft. min.	10,899 sq. ft.	No change	None requested
Lot Occupancy D § 210	40% max.	22.5%	27.8%	None requested
Pervious Surface D § 211	50% max.	Not Provided	50%	None requested
Accessory Building within the Rear Yard D § 5004.1 (b)	Accessory building can occupy 30% max. of the required rear yard.	Approx. 3.1% (per staff calculation)	Approx. 7.4% (per staff calculation)	None requested

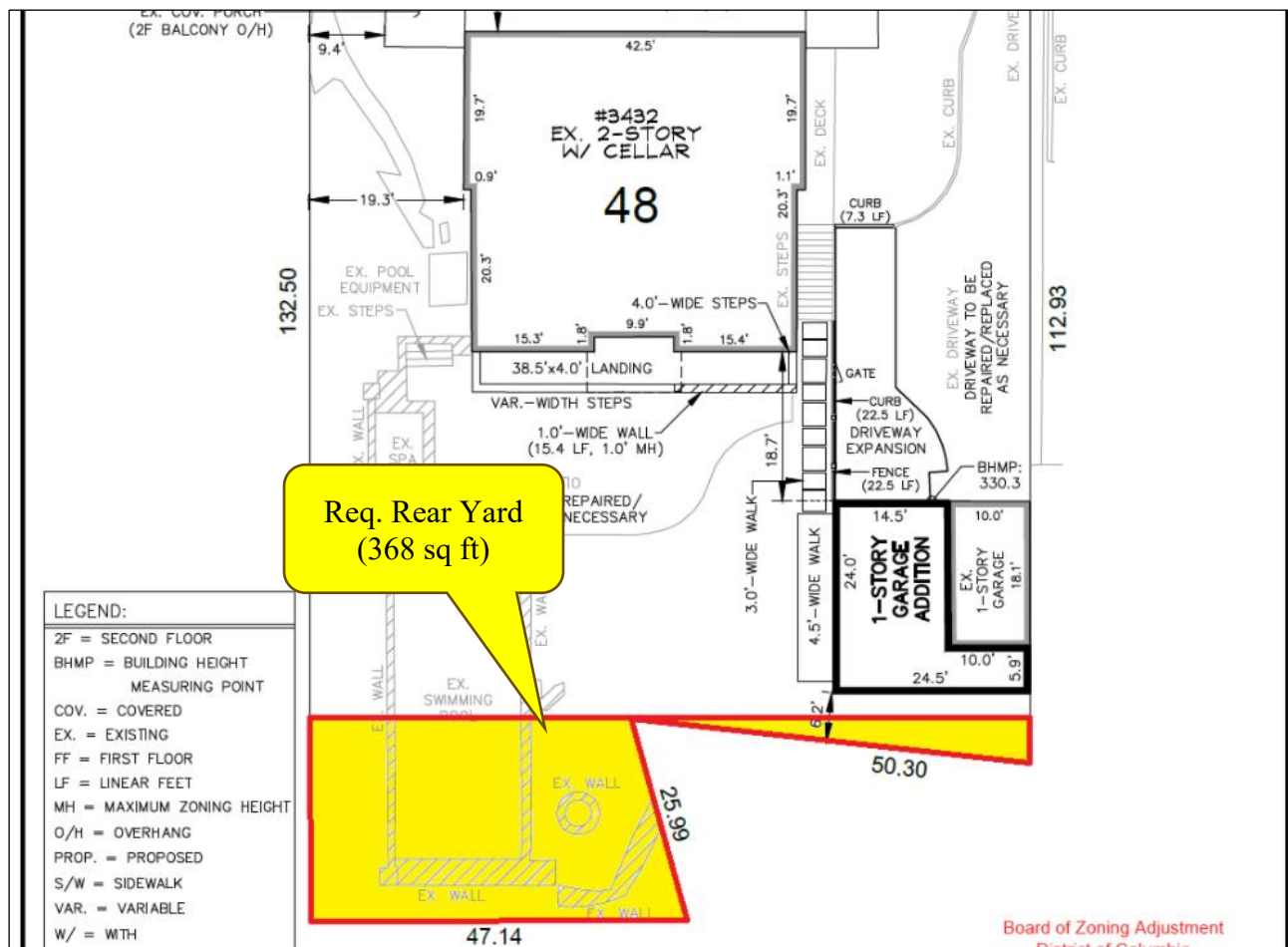
¹ Information provided by applicant

² As part of Omnibus Zoning Text Amendment Case 25-12, the Commission has taken proposed action to approve a modification to allow an accessory building with a footprint of 650 sq.ft. maximum in this zone.

IV. OP ANALYSIS

While the lot is large in nature, normally qualifying an accessory structure's maximum area to 30% of the required rear yard, the parcel's configuration creates an anomaly that instead restricts accessory structure size to 450 sq ft.

For properties zoned R-1B, the required rear yard is typically measured from the rear wall of the principal building toward the rear lot line. However, under Subtitle B § 318.5 of the Zoning Regulations, if a lot is irregularly shaped, the rear yard is instead measured from the rear lot line toward the building. In this case, due to the southwestern notch in the lot, the property is considered irregular. This significantly reduces the required rear yard area to approximately 368 sq ft, making applicable maximum size for an accessory structure 450 sq ft according to Subtitle D § 5003.



Subtitle D § 5201.2 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 - 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 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:

TABLE D § 5201.1(a): MAXIMUM PERMITTED LOT OCCUPANCY BY SPECIAL EXCEPTION

Zone	Type of Structure	Maximum Lot Occupancy
All R-3 Zones except R-3/GT	All Structures	70%
R-3/GT	Row	70%
R-3/GT	Detached Semi-Detached	50%
All other R Zones	All Structures	50%

- (b) Maximum building area of an accessory building;

- (c) Yards, including alley centerline setback; and

Relief from the minimum yard requirements is not being requested with the subject application.

- (d) Pervious surface.

The applicant requests to enlarge an accessory structure in the rear yard to a floor area of 588 sq ft where the maximum required building area is 450 sq ft. Standard (b) is applicable.

5201.3 – Not Applicable.

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 one-story accessory building would be 10.8 feet in height where the neighboring lots contain 2 story dwellings. The accessory structure does not appear to rise to a height that would negatively impact light and air to neighboring properties.

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

The accessory building would be located in the rear yard partially in the location of the existing shed, so would be located no closer to the dwelling on lot 45 to the east and a public use is located adjacent to the southern expansion of the structure. As such, no undue compromise to neighboring properties would result from the subject proposal.

- (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 expanded garage would be located in the rear, southeast corner of the lot where no alley adjoins the property's rear. The structure would be finished on all sides with stucco sidings to

match the principal structure and would be clearly subordinate to the dwelling. As such, the proposal is harmonious in character and scale with the existing pattern of houses on this street, and meets this standard.

(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 submitted plans, photographs, and elevation drawings that sufficiently represent the relationship of the proposed accessory structure to adjacent buildings and views from public rights-of-way.

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.

The existing vegetation to the south of the structure and along the western side of the rear yard should reasonably screen the garage from the adjacent recreation center. The proposed design is harmonious with the principal dwelling and the 5 light fixtures proposed on the elevations should not be egregious in nature. OP does not propose special treatment in accordance with this standard.

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.

A garage as an accessory structure to the single-family detached dwelling is a permitted use in the R-1B zone. This standard is met.

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 subject property is a consolidation of four former record lots, resulting in a lot that is significantly larger than others on the block. It exceeds both the minimum lot area and minimum lot width for its zone by more than double. Given the subject property's substantial size, the construction of a two-car garage would occupy only a small portion of the rear yard and be accessory to support a residential use, therefore meeting the intent of the R districts.

Further, the omnibus zoning text amendment under consideration by the Zoning Commission (ZC case 25-12) proposes raising the minimum floor area for accessory structures to 650 sq ft in the R-1 and R-2 zones, which would render the subject proposal matter-of-right. Therefore,

the proposed garage would be consistent with the purpose and intent of the Zoning Regulations.

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

The subject proposal should not adversely impact neighboring properties, because of the large subject property, placement in the lot's southeast corner, similar façade to the main dwelling, clearly subordinate nature of the building, and existing screening in the rear yard. .

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

Other applicable standards to accessory buildings in R districts are found in Subtitle D Ch. 50 of the Zoning Regulations.

V. OTHER DISTRICT AGENCIES

As of the date of this report, no comments from other District agencies have been received.

VI. ADVISORY NEIGHBORHOOD COMMISSION

At Exhibit 17 is a memo from ANC 3C indicating no issues or concerns.

VII. COMMUNITY COMMENTS

Exhibits 15 and 16 of the record contain two letters of support.

Location Map:

