

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager

SB Shepard Beamon, Development Review Specialist

DATE: January 30, 2025

SUBJECT: BZA Case 21412: Request for special exception relief to allow construction of a detached, three-story with basement, principal dwelling unit, and an accessory apartment in the basement, in the R-1B zone.

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:

- D § 208.7 Side Yard (5 ft. min. required; 3 ft. (L (south)) 4 ft. 6 in. (R (north)) existing; 1 ft. (L (south) only) proposed); and
- D § 210 Lot Occupancy (40% max. permitted; 35.39% existing; 50% proposed).

The property owner originally filed for relief from the pervious surface requirements. However, in consultation with OP, the applicant has amended its plan to satisfy the pervious surface requirements. ([See Exhibit 34 Sheet 1](#))

Although relief was not requested or required, OP notes that the Applicant included an accessory apartment in rebuilding the principal structure of the damaged property. Based on OP's review of the revised plans at Exhibit 34, the accessory unit within the principal structure satisfies the matter-of-right conditions of Subtitle U § 253.7 (a) through (d) as follows:

- The gross floor area of the house exceeds 2,000 SF (2,483 SF is proposed)
- The accessory apartment would occupy 30% of the gross floor area, which is less than the maximum permitted 35%; and
- The additional entrance would not face the street as required.

Therefore, the site's redevelopment overall would not conflict with the intent of Subtitle U § 253, which is to maintain the single-household residential appearance and character of the R-1-B zone.

II. LOCATION AND SITE DESCRIPTION

Address	3708 24 th Street NE
Applicants	Taleesha Scott Richardson
Legal Description	Square 4242, Lot 44
Ward, ANC	Ward 5; ANC 5B
Zone	R-1B
Historic Districts	None

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Lot Characteristics	The lot is rectangular without significant grade changes
Existing Development	The property was developed with a detached two-story single-family dwelling currently in disrepair due to a fire.
Adjacent Properties	The abutting properties are developed with detached single-family structures.
Surrounding Neighborhood Character	The surrounding neighborhood is similarly developed, characteristic of homes in the R-1B District.
Proposed Development	The applicant proposes redeveloping the property as a three-story single-family dwelling with a detached garage structure and an accessory apartment within the basement of the principal structure.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1B Zone	Regulation	Existing	Proposed	Relief
Height D § 203	40 ft. max.	24ft. 11 in.	39 ft.	None required
Lot Width D § 202	50 ft. min.	25 ft.	25 ft.	None required Existing non-conformity
Lot Area D § 202	5,000 SF min.	2,588 SF	2,588 SF	None required Existing non-conformity
Lot Occupancy D § 210	40% max.	35.39 %	50%	S.E. Requested
Rear Yard D § 207	25 ft. min.	31 ft. 2 in.	27 ft. 11.25 in.	None required
Front Setback D § 206	18 ft. (max.)	18 ft.	18 ft.	None required
Side Yard D § 208	5 ft. min.	3 ft. (L) 4.5 ft. (R) (Existing non-conformity)	1 ft. (L) 4.5 ft. (R)	S.E Requested
Parking C § 701	1 min.	1 space	1 space	None required

IV. OP ANALYSIS

Subtitle D § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

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 subject to the following table:*

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

Zone	Maximum Lot Occupancy
R-3, R-13, and R-17 R-20 - Row dwellings	70%
R-20 - Detached and semi-detached dwellings All other R zones	50%

The project requires lot occupancy relief since the lot occupancy will be increased from 35.39% to 50%, as permitted under special exception review.

- (b) *Yards, including alley centerline setback; and*

Relief is also requested from the side yard requirement. The existing side yard is non-conforming, and the renovation further reduces the non-conformity from three feet to one foot on the left, or south, side yard due to the kitchen nook projection on the first floor and the garage structure at the rear.

- (c) *Pervious surface.*

OP is satisfied that the initially requested relief from the pervious surface requirement has been removed and the updated plans now at [Exhibit 34](#) reflects the required 50% per Subtitle D § 211.

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 subject to the following table:*

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

Zone	Maximum Lot Occupancy
R-3, R-13, and R-17 R-20 - Row dwellings	70%
R-20 - Detached and semi-detached dwellings All other R zones	50%

The project includes an accessory building in the rear yard and in combination with the principal building the lot occupancy would satisfy the R-1-B zone requirement.

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

The accessory building would satisfy the maximum permitted at 30%.

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

- (d) *Pervious surface.*

Pervious surface is satisfied based on the revised plans and therefore no relief is

needed.

5201.3 For a new or enlarged principal building on an Alley Record 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) Yards, including alley centerline setback; and*
- (b) Pervious surface.*

The subject lot is not an alley lot. This is 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 addition and third-story expansion have been carefully designed to ensure compliance with the zoning criteria, particularly with respect to preserving light and air for adjacent properties. The depth of the addition aligns with the neighboring property to the north, maintaining a consistent building line and minimizing any potential encroachment on access to natural light and ventilation.

While the requested relief may introduce a modest increase in shadow on the property to the north due to the orientation of the building, OP believes the impact would be minimal and would not constitute an undue effect on neighboring properties when compared to the matter-of-right development, as shown in the Applicant's shadow study ([Exhibit 37C](#))

Although the proposal introduces a third story, the overall height does not exceed the maximum permitted as a matter-of-right and would be compatible with some recently renovated homes, including the home across the street which features an increased roof height, contributing to a newer rhythm of vertical massing and mitigating any perception of disproportionate scale from public vantage points.

Additionally, the location of the one-story garage to the opposite side of the lot further enhances light and air for the immediate neighbor and harmonious with adjacent garage to the south, reinforcing contextual consistency while satisfying the intent of the zoning regulations.

For these reasons, the proposed design meets applicable standards and does not unduly affect light and air for adjacent properties

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

All new windows and doors are oriented on the north-facing façade only to preserve privacy between adjacent dwellings. Windows on the north elevation are minimal, including being deliberately positioned so they do not align with any windows on the neighboring structure, thereby preventing direct sight lines. These windows are located

at hallways and bathrooms primarily to provide light to this side of the structure and not for viewing purposes.

The expanded rear façade will maintain typical residential glazing patterns, avoiding excessive transparency or atypical openings. In addition, existing and proposed landscaping buffers will further mitigate potential visual impacts, ensuring that privacy for adjacent properties is maintained in accordance with zoning intent.

- (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 new buildings would not substantially visually intrude on the neighborhood's character. As discussed, while the height would include a third story, it does not exceed the matter-of-right height permitted in the zone. New homes in the immediate area include a third story, which is contemporary for today's design and desired living needs.

- (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 provided the required documents including: Color photographs: [Exhibits 6, 13](#); Revised Plat: [Exhibit 22](#); Revised Architectural drawings: [Exhibit 34](#)

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 for the proposed redevelopment of the site.

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 use would continue to function as a single-family residence within the bulk and height requirements authorized under this section.

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 proposed design is consistent with the purpose and intent of the Zoning Regulations and Zoning Maps. The addition's depth aligns with the neighboring property to the north and maintains the established building line based on the front setback which reinforces the block's

cohesive streetscape. The overall height with the third story remains compatible with the surrounding context, including a home across the street that features an increased roof height and three stories. This relationship creates a balanced rhythm of vertical massing and mitigates any perception of disproportionate scale from public vantage points. The building would continue to function primarily as a single-family home with subordinate accessory unit in the basement, as permitted in the R-1B zone.

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

The proposed addition will not adversely affect the use of neighboring properties in accordance with the Zoning Regulations and Zoning Maps. As discussed, the light, air and privacy would not be diminished to adversely affect the use of neighboring property any additional shadowing is minimal and does not constitute an undue impact. The alignment of the addition with the northern neighbor's building preserves direct sunlight and ventilation to the neighbor's rear façade and yard.

Privacy has also been carefully considered. All new windows are oriented to avoid direct alignment with neighboring windows, particularly on the north elevation. The expanded rear façade maintains typical residential glazing patterns, and landscaping buffers will further mitigate potential sight-line impacts. These measures ensure that privacy for adjacent dwellings is preserved.

Finally, the proposed home continues to function as a single-family residence, consistent with adjacent residential uses. No new commercial or incompatible activities are introduced. The resulting building form is harmonious with other three-story homes in the neighborhood, reinforcing contextual consistency while meeting the intent of the zoning regulations.

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

No specific conditions beyond what has been discussed are specified in this title.

V. OTHER DISTRICT AGENCIES

The District Department of Transportation expressed its support for the application to OP via email on 1/23/2026.

VI. ADVISORY NEIGHBORHOOD COMMISSION

The ANC 5D Single Member District Commissioner submitted a letter in support at [Exhibit 31](#). There is also a letter from ANC 5B in [Exhibit 36](#) in support of the revised plans and requested relief.

VII. COMMUNITY COMMENTS

There are neighbors' letters in support at [Exhibits 24, 27, 28, 29 and 30](#). The immediate neighbor at 3706 24th Street, NE, is noted in support at [Exhibit 20](#)

Location Map

