

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Joshua Mitchum, Development Review Specialist
MBR
 Maxine Brown-Roberts, Associate Director, Development Review

DATE: June 6, 2026

SUBJECT: BZA Application No. 21429: Request for special exception relief to raze an existing accessory structure and construct a new accessory structure with an accessory apartment in the rear of an existing detached, two-story principal dwelling in the R-1B Zone.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exceptions pursuant to Subtitle D § 5201 and Subtitle X § 901:

- **Lot Occupancy, D § 210.1** (40% max. required, 43% proposed); and
- **Maximum Building Area for Accessory Buildings, D § 5003.1** (450 sq. ft. max. permitted, 665 sq. ft. proposed)

II. LOCATION AND SITE DESCRIPTION

Address:	3704 Brandywine Street NW
Applicant:	Rachel Kohli
Legal Description:	Square 1888, Lot 0037
Ward / ANC:	Ward 3 / ANC 3E
Zone:	R-1B, Moderate-Density Detached Residential
Historic Districts:	N/A
Lot Characteristics:	The 6,432 square-foot lot is triangular in shape and has 63 feet of frontage along Brandywine Street NW, and 196.97 feet of frontage along a 15-foot-wide public alley.
Existing Development:	The lot is currently improved with a two-story detached single-family principal dwelling, deck, framed porch, and garage.
Adjacent Properties:	The property is bounded to the north, south, east, and west by detached, single-family homes in the R-1B Zone.
Surrounding Neighborhood Character:	The surrounding neighborhood can be characterized by detached, residential uses.

Proposed Development:	The Applicant is proposing to construct a 665 square foot accessory dwelling unit to the rear of an existing detached, two-story dwelling.
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III. ZONING REQUIREMENTS AND RELIEF REQUESTED

R-1B Zone	Regulation	Existing	Proposed	Relief
Lot Width D § 202	50 ft. min.	58.5 ft.	No change	None requested
Lot Area D § 202	5,000 sq. ft. min.	6,432 sq. ft.	No change	None requested
Height (Acc. Structure) D § 5002	22 ft. max. 2 stories max.	15 ft. 1 story	22 ft. 2 stories	None requested
Front Setback D § 206	Within range of existing residential front setbacks	Not given	No change	None requested
Rear Yard (Acc. Structure) D § 5004	7 ft. 6 in. min. from alley centerline	-	7 ft. 6 in.	None requested
Side Yard (Acc. Structure) D § 5005	Removed from the side lot line at a distance equal to the required side yard and a min. of 10 ft. from the principal building	-	-	None requested
Lot Occupancy D § 210	40% max. by right 50% max by Sp. Ex.	37.7%	43%	Special Exception requested
Pervious Surface D § 211	50% min.	44%	51%	None requested
Maximum Building Area (Acc. Structure) D § 5003	30% of the req. rear yard OR 450 sq. ft. max.	-	665 sq. ft.	Special Exception requested
Parking C § 701	1 space per principal dwelling min.	1 space	No change	None requested

IV. OFFICE OF PLANNING ANALYSIS

Subtitle D § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 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 as limited in Table D § 5201.1(a);

The Applicant has requested to increase the lot occupancy to 43%.

(b) Maximum building area of an accessory building;

The Applicant has requested special exception relief from the maximum building area of 450 square feet to 665 square feet.

(c) Yards, including alley centerline setback; and

(d) Pervious surface.

5201.3 Not applicable to the subject application.

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 accessory structure should not unduly affect the light and air available to neighboring properties. The structure would be surrounded by multiple on-site trees, would be partially screened by an existing privacy fence, and its proposed height of 22 feet should not result in excessive shadows to adjacent properties. The closest adjacent properties from the proposed accessory structure would be at least 60 feet away on either side.

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

The proposed accessory structure should not unduly compromise the privacy and use of enjoyment of neighboring properties. The west façade of the proposed accessory structure will not feature any windows or openings, and the north façade will feature two doors and two windows that only face the principal dwelling of the property. The south and east facades will feature external windows that face a neighboring property; however, the neighboring property is over sixty feet away and will be partially obscured by existing trees.

(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 proposed accessory structure should not substantially visually intrude upon the

character, scale, or pattern of houses along Brandywine Street NW and its alley frontage. The structure would be approximately 22 feet, which would be within the maximum permitted height for accessory buildings in the R-1B Zone. Furthermore, the proposed accessory structure would be using similar materials as the principal dwelling to be in line with the existing character of neighborhood.

- (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 graphical representations such as plans, photographs, and elevations (Exhibit 4) that adequately represent the relationship of the proposed accessory structure 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 in the case of the subject application.

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 would not permit the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized, height, or number of stories. Therefore, this criterion has been satisfied. The property would continue its residential uses and ADU/accessory apartments are permitted by special exception which is the subject of this application. The increase in lot occupancy is within that allowed by special exception and the building height is within that permitted as a matter-of-right.

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 special exception relief would be in harmony with the general purpose and intent of the R-1B Zone. The proposed accessory structure would not change the principal structure's current use as a single-family residential dwelling, but would house an accessory apartment use, which is permitted by right in the R-1B Zone. As such, it would not result in a level of development on the lot that would be inconsistent with the bulk, height, or use anticipated by the zone.

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

The special exceptions, if granted, would not adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. As stated above, the proposed accessory structure is within the maximum building height for accessory structures in the R-1B Zone. Furthermore, the proposed future use as an accessory apartment is a by-right use in the zone.

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

The proposed future use of the addition as an accessory apartment is a by-right use pursuant to the special conditions specified in Subtitle U § 253.8.

V. OTHER DISTRICT AGENCIES

The Department of Transportation (DDOT) has provided comments stating no objection to the proposal at Exhibit 30.

VI. ADVISORY NEIGHBORHOOD COMMISSION

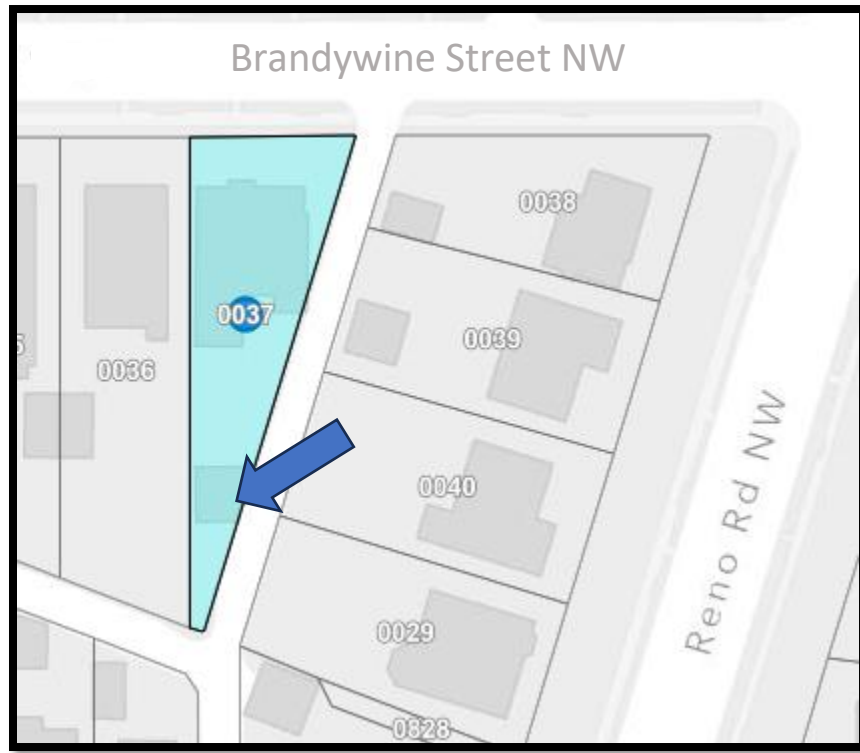
A report from ANC 3E indicating support (contingent upon the owners' installation and use of at least one rain barrel/garden) for the subject application has been submitted into the record as Exhibit 16.

VII. COMMUNITY COMMENTS

One (1) letter in opposition to the subject application has been submitted into the record as Exhibit 15. A petition signed by several neighbors in support of the subject application has been submitted into the record as Exhibit 17.

Attachment: Location Map

Location Map:



The blue arrow indicates the proposed location of the accessory dwelling unit.