

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Michael Jurkovic, AICP, Development Review Specialist
MBR
Maxine Brown-Roberts, Associate Director, Development Review

DATE: July 2, 2026

SUBJECT: BZA Case 21472: Request for special exception relief to a one-story deck addition at 5722 3rd Street, NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief, pursuant to Subtitle D § 5201 and X § 901.2:

- Subtitle D § 207.1 Rear Yard (20 ft. minimum required, 25 ft. existing; 14 ft. proposed)

II. LOCATION AND SITE DESCRIPTION

Address	5722 3 rd Street, NW
Applicants	Michelle Clancy on behalf of Janice Bashford & Darryl Maxwell
Legal Description	Square 3292; Lot 71
Ward, ANC	Ward 4; ANC 4B
Zone	R-2
Historic Districts	N/A
Lot Characteristics	Rectangular Interior Lot measuring 28.33 ft. x 97.11 ft. with a 16 ft. public alleyway to the rear.
Existing Development	Semi-detached Single Family Dwelling
Adjacent Properties	Single Family Dwellings in duplex buildings.
Surrounding Neighborhood Character	Low Density Residential Neighborhood with predominantly duplex buildings.
Proposed Development	Single story rear deck addition to a Single Family Dwelling.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1B Zone	Regulation	Existing	Proposed¹	Relief
Lot Width D § 202 (302)	30 ft. min.	28 ft.	No Change	Not Requested

¹ Provided by the ZA.

R-1B Zone	Regulation	Existing	Proposed¹	Relief
Lot Area D § 202	3000 sq. ft. min.	2751 sq. ft.	No Change	Not Requested
Height D § 203	40 ft. max.	Not provided	No Change	Not Requested
Rear Yard D § 207	20 ft. min.	25 ft.	14 ft.	Relief Requested
Side Yard D § 207	8 ft. min.	10 ft.	No Change	Not Requested
Lot Occupancy D § 210	40% max.	32%.	38%	Not Requested

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

Zones	Type of Structure	Maximum Percentage of Lot Occupancy (%)
All R-3 zones except R-3/GT	All Structures	70
R-3/GT	Row	
R-3/GT	Detached Semi-detached	50
All other R zones	All Structures	

(b) Yards, including alley centerline setback; and

(c) Pervious surface.

Through the construction of a rear deck addition to the primary structure, the proposal requires relief from the required rear yard.

5201.2 & 5201.3 not relevant to this 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 rear deck would serve to replace a previously removed above-grade first-floor landing and stairs with a new deck with stairs. The addition would be well below the maximum height, would be open, and should not have a significant impact on the availability of light or flow of air to the neighboring properties.

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

The rear deck addition should not have a significant impact on the neighbor's privacy, as views should not be substantially increased from what could be seen from the existing rear windows or the previous deck. Therefore, it should not have an undue impact on the neighbors' privacy.

- (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 addition would not be visible from the street but would be visible from the alleyway. Several homes along the alley have above-grade first-story rear decks similar to what is proposed in this application. As such, the addition should provide visual improvement to the rear façade where it currently exists with a Juliet balcony. Therefore, the addition of a first-story deck should not have a significant impact on the character, scale, and pattern of other development along the alleyway.

- (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 plans, photographs, and elevations to sufficiently represent the relationship of the proposed building 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.*

No special treatment is recommended.

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 proposed addition would comply with the R-2 development standards except for the requested rear yard. The proposed rear deck would not change the single family residential use of the property.

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 rear addition would be consistent with the intent of the R-2 zone requirements. Specifically, the requested relief would be allowed by special exception, and the applicant has successfully met the review criteria,

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

The proposed rear, one-story deck addition should not intensify any impact to the use of neighboring properties, as the proposal would maintain fourteen feet of rear yard and would otherwise be in conformance with the development standards of the R-2 zone.

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

The proposal meets the criteria of D § 5201, provided above.

V. OTHER DISTRICT AGENCIES

DDOT has informed OP that they have no objection to the relief requested and will not be filing a report.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 4B has provided a resolution in support at Exhibit #18.

VII. COMMUNITY COMMENTS

As of the writing of this report there are no community comments.

Attachment: Location Map

Location Map:

