

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
MBR Maxine Brown-Roberts, Associate Director for Development Review

DATE: September 11, 2026

SUBJECT: BZA #21488 – 2146 Wyoming Avenue, NW – Request for relief to construct an accessory building with an accessory apartment

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following requested special exceptions:

- D § 5004.1(b), pursuant to D § 5201 – Rear Yard (Accessory building cannot occupy more than 30% of the area of the required rear yard; 33.5% proposed);
- D § 210, pursuant to D § 5201 – Lot Occupancy (40% maximum; 50% permitted by special exception; 43% existing; 50% proposed); and
- U § 253.8(c), pursuant to U § 253.8(f) – Permanent Access to Accessory Unit (various options for access; none of the options met; special exception requested).

II. LOCATION AND SITE DESCRIPTION

Applicant	Juleanna Glover, owner
Address	2146 Wyoming Avenue, NW
Legal Description	Square 2528, Lot 201
Ward / ANC	Ward 2, ANC 2D
Zone	R-3 – Moderate density single family row dwellings
Historic District / Resource	Sheridan-Kalorama Historic District
Lot Characteristics and Existing Development	Rectangular lot, 34.3' X 157'; Three-story plus cellar single family semi-detached dwelling; Parking pad at rear adjacent to 16'-wide alley.
Adjacent Properties and Neighborhood Character	Similar rowhouse-type buildings on Wyoming Avenue, with some larger apartment buildings across Wyoming and further east on the street; Large apartment buildings across the alley to the south.
Proposal	Construct a two-story accessory building with parking on the first floor and an accessory apartment on the second floor.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

Standard	Requirement	Existing	Proposed	Relief
Lot Width D 202	20'	34.3'	No change	Conforming
Lot Depth n/a	n/a	157'	No change	Conforming
Lot Area D 202	2,000 sf	5,376 sf	No change	Conforming
Height – princ. bld. D 203	40'	Not provided	No change	Assumed Conforming
Rear Yard D 207	20'	29.79'	No change	Conforming
Lot Occupancy D 210	40% 50% by sp. ex.	43%	50%	Requested
Acc. Bld. Height D 5002	22'	n/a	22'	Conforming
Acc. Bld. Building Area D 5003	Greater of 30% of req. rear yard or 550 sf	n/a	414 sf (OP estimate)	Conforming
Acc. Bld. Rear Yard D 5004	• Cannot occupy > 30% of req'd rear yard; • 7.5 ft. from alley CL	n/a	• 33.5% (OP Estimate) • 8 ft.	Requested Conforming
Acc. Unit Access U 253.8(c)	Permanent access to unit via: • 8'-wide passage to street; OR • 24'-wide alley; OR • 15'-wide alley w/i 300' of the street.	• 5.6' passage; • 16'-wide alley; • > 500' to street	No change	Requested

IV. ANALYSIS

Special Exceptions from Rear Yard and Lot Occupancy – Subtitle D §§ 5004.1(b) and 210, pursuant to D § 5201, and X § 901

The applicant proposes a new two-story accessory building that would expand the existing non-conforming lot occupancy, and would occupy more than the maximum percentage of the required rear yard. The applicant requests special exception relief from those provisions, and the Board is authorized to grant that relief pursuant to Subtitle D § 5201. The relevant criteria are analyzed below.

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

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;*

Granting the requested relief should not unduly impair the light or air available to nearby properties. The amount of shadow cast on adjacent properties should increase slightly, but the degree of change above the existing condition should not result in undue impacts.

Exhibit 17A is a sun study submitted by the applicant. The study, however, seems to exaggerate the potential changes to light availability because it does not take into account the tall buildings on the south side of the alley, or the existing fence on the east side of the subject property. An examination of photos included with Exhibit 6 – ground level photos taken in winter and aerial photos taken in the morning in spring or summer – show that the rear of the subject property and adjacent properties are currently highly shadowed. In many times of the year and day it would appear that the proposed building would not change the amount of shadow on nearby properties at all.

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

Granting the requested relief should have minimal impact on the privacy of adjacent properties. The accessory building would have windows on three sides and a solid face on the lot-line wall on the west side. The windows, however, should not provide views into or from the accessory building that would be substantially different than a matter of right building in the same location.

- (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 would not intrude upon the character of the alley. The alley features a variety of garages, fences and rear decks, including two two-story accessory buildings

and one three-story accessory building. The HPRB reviewed the building for compatibility with its surroundings and found that the building would be compatible in height, form, materials and fenestration with the alley and the historic district. Furthermore, any minor change to the character of the alley would not be to a degree that would have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property (§ 5201.4).

- (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 application materials include plans, elevations, photos, site plans, and a sun study.

- 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 recommends no special treatments.

- 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.*

Granting relief would not permit the introduction of a nonconforming use. A principal unit with an accessory unit is permitted in this zone.

Subtitle X § 901.2

- 901.2 (a) *[Granting the special exception] Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

Granting the requested relief should not impair the intent of the Regulations. The intentions of the rear yard and lot occupancy regulations are to ensure open space on a lot, and to facilitate adequate light and air both to the subject property and to adjacent properties. Granting relief should not impair those factors. The footprint of the accessory building is within the maximum allowance, and evidence in the record indicates that relief would not result in undue negative impacts to the light, air or privacy available to adjacent properties.

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

As addressed in the above analysis, the requested special exceptions for rear yard and lot occupancy would not appear to unduly affect the use neighboring property. There should be no undue impacts regarding factors such as light, air or privacy.

Accessory Unit Criteria and Permanent Access

An accessory unit in an accessory building is permitted as a matter of right, subject to the criteria of Subtitle U § 253.8. The project appears to meet all of the criteria except would not meet the “permanent access” criteria of § 253.8(c). The Board is authorized to grant special exception relief from that section pursuant to § 253.8(f). The standards of § 253.8 are reviewed below.

- 253.8 *An accessory apartment in an accessory building in an R zone, except the R-1B/GT or R-3/GT zone, shall be permitted as a matter of right subject to the following conditions:*
- (a) There shall be permanent access to the accessory building apartment;*
 - (b) The dwelling use of the accessory building shall be coterminous with the permanent access;*
 - (c) The permanent access shall be provided by one (1) of the following:*
 - (1) A permanent passage, open to the sky, no narrower than eight feet (8 ft.) in width, and extending from the accessory building to a public street through a side setback or shared recorded easement between properties;*
 - (2) Through an improved public alley with a minimum width of twenty-four feet (24 ft.) that connects to a public street; or*
 - (3) The accessory building is within three hundred feet (300 ft.) of a public street accessible through an improved public alley with a minimum width of fifteen feet (15 ft.);*

The project would not meet the above access requirements. The passage to Wyoming Avenue on the east side of the principal building is only 5.6 feet wide, and the alley is too narrow and too long to meet the other possible criteria. The applicant, therefore, requests special exception relief, which the Board is authorized to grant pursuant to subsection (f) of this section.

- (d) An accessory building that houses an apartment shall not be used simultaneously for any accessory use other than as a private vehicle garage, an artist studio, or storage for a dwelling unit on the lot;*

The proposed building would only be used for a garage and for an accessory apartment.

- (e) An accessory building that houses an apartment shall not have a roof deck; and*

The building is not proposed to have a roof deck.

- (f) An accessory apartment proposed within an accessory building that does not meet the conditions of this section shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, and subject the following conditions:*

- (1) *The accessory building shall be located such that it is not likely to become objectionable to neighboring properties because of noise, traffic, parking, or other objectionable conditions; and*
- (2) *Evidence that there are adequate public utilities for the health and safety of the residents.*

Granting relief to the width of the permanent access passage should not impair the intent of the Regulations, nor result in negative impacts to adjacent properties. Relief would not impact “noise, traffic, parking, or other objectionable conditions”. The proposed width of the access passage should not impair the intent of the Regulations because the new accessory building would have access to utilities such as water, sewer and electric that already serve the principal building. OP defers to other city agencies on the adequacy of the alley width for their service purposes, but the alley already provides access for trash trucks, and alley access to the site would be in a straight line from Connecticut Avenue.

V. HISTORIC PRESERVATION

The Historic Preservation Review Board (HPRB) granted concept approval to this project in April 2026 and delegated final approval to staff.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of this writing, there are no comments from other District agencies in the record.

VII. ANC COMMENTS

At Exhibit 16 is a memo in support from ANC 2D.

VIII. COMMUNITY COMMENTS

As of this writing, there are no comments from the community in the record.

IX. VICINITY MAP

