

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Development Review Specialist
MBR
Maxine Brown Roberts, Associate Director, Development Review

DATE: September 18, 2026

SUBJECT: BZA Case 21501: Request for special exception relief to allow a one-story rear addition at 3900 Alton Place, N.W.

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:

- Rear Yard, D §207.1 (25 feet min. required, 20.49 feet existing; 20.49 feet proposed); and
- Lot Occupancy, D§ 210.1 (40% max. permitted; 41% existing; 45.78% proposed)

II. LOCATION AND SITE DESCRIPTION

Address:	3900 Alton Place, N.W.
Applicants:	Gohar Sedighi and Michael Donovan
Legal Description:	Square 1779, Lot 814
Ward / ANC:	Ward 3/ ANC 3E
Zone:	R-1B: typical of areas intended to provide for predominantly developed areas with detached houses on moderately sized lots.
Historic Districts:	N/A
Lot Characteristics:	The lot is a large, rectangular, corner lot (2,975 square feet) fronting on both Alton Place and 39 th Street, NW.
Existing Development:	The property is developed with a two-story detached single-family house.
Adjacent Properties:	Properties to the north, east and south are similarly developed with detached, single-family houses with a church to the west of the property. All are typical of the R-1B zone.
Surrounding Neighborhood Character:	The in general, the neighborhood is characteristic of low-density, single family detached houses on large lots all within the R-1B district.
Proposed Development:	The Applicant proposes a second and third story rear addition to their house. The proposed addition would not increase the width of the non-conforming side and rear yards but would increase the lot occupancy as shown on Sheet 8 – Plans and Elevations of Exhibit 6 .

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-1B Zone	Regulation	Existing	Proposed	Relief
Lot Area D § 202	5,000 sf min.	2,975 sf	No Change	None required
Lot Width D § 202 (302)	50 ft. min.	42.50 ft.	No Change	None required
Height D § 203	40 ft. max.	25 ft. 10 ins.	33 ft. 9 ins.	None required
Rear Yard D § 207	25 ft. min.	20.49 ft. (2nd floor)	20.49 ft. (2nd & 3rd floors)	Relief required
Side Yard D § 207	8 ft. min.	7 ft. 9 in. and 5 ft. 7 in.	No Change	None required (Existing non-conformity)
Lot Occupancy D § 210	40% max. (MOR) 50% max. (Sp. Ex.)	41%.	45.78 %	Relief required
Parking C § 701	1 space min.	1 provided	No change	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

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 front setback and alley centerline setback; and

(c) *Pervious surface.*

The project requires relief from the non-conforming rear yard requirement. However, the proposed third floor addition would maintain the existing 20.49 feet 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;*

Lot Occupancy: The proposal expands the second floor over the existing balcony, increasing lot occupancy from 41% to 45.78%. This increase is attributable solely to the second-floor addition, with the proposed third floor constructed within the same footprint. The addition faces 39th Street and Alton Place and would not cast appreciable new shadows on the immediately affected neighbor to the south at 4412 39th Street, NW, due to the effective separation between the homes and the modest increase in building mass. That neighbor has submitted a letter of support at [Exhibit 18](#). Given these conditions, OP finds that the **4.78%** increase in lot occupancy would not unduly affect the light and air available to the adjoining property.

Rear Yard: As demonstrated in the Applicant's architectural plans ([Exhibit 6](#)) and the Surveyor's Plat ([Exhibit 2](#)), the rear yard depth of 20.49 feet—a non-conforming condition—would remain unchanged because the addition does not extend beyond the existing first floor. Any incremental shadowing resulting from the third floor's additional height of approximately eight feet would fall within the subject property's rear yard and, at certain times of year, into the alley. Across the alley is a church property, and no residential neighbor's light or air would be adversely affected given the separation distance and the mature vegetation along the rear property line. (See color photos – Sheets 5 and 6)

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

Lot Occupancy: The second- and third-floor additions consist primarily of bedrooms with south-oriented windows toward the neighboring property. These windows are intended for light and ventilation, and typical interior screening would maintain privacy for both homes. As a result, the increase in lot occupancy is not expected to diminish the privacy of the adjoining neighbor beyond existing conditions.

Rear Yard: Because the rear yard depth would remain unchanged, and as shown in the Applicant's photographic documentation, the relationship between the subject property and the most affected neighbor would remain consistent with current conditions. Therefore, the project is not anticipated to adversely impact privacy and use of enjoyment of the neighbor's property due to the non-conforming rear yard.

- (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 differ from the scale and pattern of homes in the

neighborhood with respect to scale, massing and material use. It is also noted that the ANC 3E at its regularly scheduled meeting on 9/10/2026 voted unanimously to support the application. The ANC's report would be submitted separately to the record.

- (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 included the required submissions at Exhibit 2 (Surveyor's Plat); Exhibit 5 (Color Photos); and Exhibit 6 (Architectural Plans and Elevations).

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 additional treatment for protection of adjacent properties.

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 property would continue to be a residential use.

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 proposed addition of living space would allow the property to continue functioning as a one-family residence consistent with the R-1B zone, which is intended to maintain low-density residential character and protect the established pattern of detached homes, yards, and open space. Although relief from the rear yard and lot occupancy requirements are required, the addition's scale and placement remain compatible with the neighborhood's development pattern and do not alter the property's residential use or its conformity with the zone's overall intent. The project maintains the low-density character envisioned for R-1B neighborhoods and is therefore in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

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

As discussed under Section 5201, the uses of neighboring property would not be adversely affected, and the only abutting neighbor has indicated their support to the record at [Exhibit 18](#).

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

Special conditions are not specified in this title.

V. OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) informed OP via email on 9/3/2026 that they have no objection to approval of the application.

VI. ADVISORY NEIGHBORHOOD COMMISSION

The ANC 3E's comments were not included to date.

VII. COMMUNITY COMMENTS

The adjacent neighbor at 4412 39th Street, N.W. submitted a letter in support at [Exhibit 18](#).

Attachment: Location Map

Location Map:

