District of Columbia
Office of Planning

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Shepard Beamon, Development Review Specialist
KMT for Maxine Brown-Roberts, Associate Director Development Review

DATE: November 6, 2026

SUBJECT: BZA Case 21513: Request for special exception relief for side yard relief to allow an accessory building to be located flush against the side wall of a detached principal dwelling located at 1300 Taylor Street NE.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle D § 520.2 and Subtitle X § 901:

- Accessory Building, Side Yard, D § 5005.1: **Required**: 8 feet minimum; **Existing**: non-conforming 6.09 feet; **Proposed**: 0.91 feet

Although the applicant refers to the proposed accessory building as a "shed", it is in fact considered an accessory building, as it would exceed 50 sq. ft., the maximum area allowed for a shed. The Zoning Administrator's determination at Exhibit 7 stated that the "*Proposed accessory structure (is) in a non-conforming side yard…*" The applicant has a nonconforming side yard of approximately 6 ft. and proposes reducing it to add the accessory building. OP believes the applicant may also need relief from the required minimum side yard of 8 ft. (D § 208). However, if the Board determines that side yard relief is needed, OP does not object to approval of the additional special exception relief.

II. LOCATION AND SITE DESCRIPTION

Address	1300 Taylor Street NE
Applicants	Poojitha Regulapat and Stephen Gern
Legal Description	Square 3972, Lot 12
Ward, ANC	Ward 5; ANC 5B
Zone	R-2
Historic Districts	None
Lot Characteristics	The 4,484 square feet property is a triangular-shaped corner lot at the corner of 13th Street, Taylor Street and Michigan Avenue N.E.
Existing Development	The property is developed with a single-family detached dwelling.
Adjacent Properties	There is one adjacent property to the north with a semi-detached dwelling.

Board of Zoning Adjustment
District of Columbia
CASE NO. 21513
EXHIBIT NO. 28

Surrounding Neighborhood Character	The property is immediately surrounded by semi-detached dwellings, and the surrounding neighborhood consists of detached, semi-detached and attached dwellings.
Proposed Development	The applicant proposes a 5'x16' (80 sq. ft.) accessory building in the side yard that will align with the north façade of the dwelling.

III. LOCATION



IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-2 Zone	Regulation	Existing	Proposed[1]	Relief
Density D § 201	1 principal dwelling unit and 1 accessory apartment	1 principal dwelling unit	No change	None requested
Lot Width D § 202	40 ft. min.	N/A	N/A	None requested
Lot Area D § 202	4,000 sq. ft. min.	4,484 sq. ft.	No change	None requested
Height D § 203	40 ft./3 stories	2 stories	No change	None requested
Front Yard D § 206	Within the range of front setbacks of all residential buildings on the same side of the street in the block	N/A	N/A	None requested
Rear Yard D § 207	20 ft. min.	+/- 38.0 ft.	No change	None requested
Side Yard D § 208	8 ft.	6.09 ft. (6 ft. 1.08 in.)	0.91 ft. (10 in. approx.)	Existing non-conformity None requested
Lot Occupancy D § 210	40% max.	24.11%	25.9%	None requested
Accessory Side Yard D § 5005.1	Accessory building not permitted in required side yard	N/A	Accessory building within non-conforming side yard	**Relief Requested**

V. OP ANALYSIS

Pursuant to Subtitle D § 5005.1, an accessory building other than a shed may be located in a side yard in an R zone, provided that it is removed from the side lot line a distance equal to the required side yard and from the principal building a minimum of 10 feet. The proposed accessory building would be in a nonconforming side yard and would be flush with the principal dwelling.

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

[1] Information provided by the Zoning Administrator's Office

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;

Granting the relief would be in harmony with the general purpose and intent of the Zoning Regulations and Maps. A principal building on a lot in any of the R-2 zones shall be a detached building or a semi-detached building. Granting relief would not change the primary use of the principal dwelling. The proposed accessory building will be ancillary to the principal dwelling and will not eliminate the entire use of the side yard.

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

Granting the requested relief should not adversely affect neighboring properties. According to the applicant, the proposed 50 square feet accessory building will be used for storage. The proposed location should not have adverse impacts to the light, air or privacy of the adjacent residence, as the neighboring property has a sufficient side yard and the accessory building would not exceed 10 feet in height.

(c) Will meet such special conditions as may be specified in this title.

OP does not recommend special conditions.

Subtitle D § 5201 RELIEF FROM CERTAIN REQUIRED DEVELOPMENT STANDARDS

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 …

(b) Yards, including alley centerline setback; and

(c) Pervious surface.

This request is for an accessory structure within the required side yard.

*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;

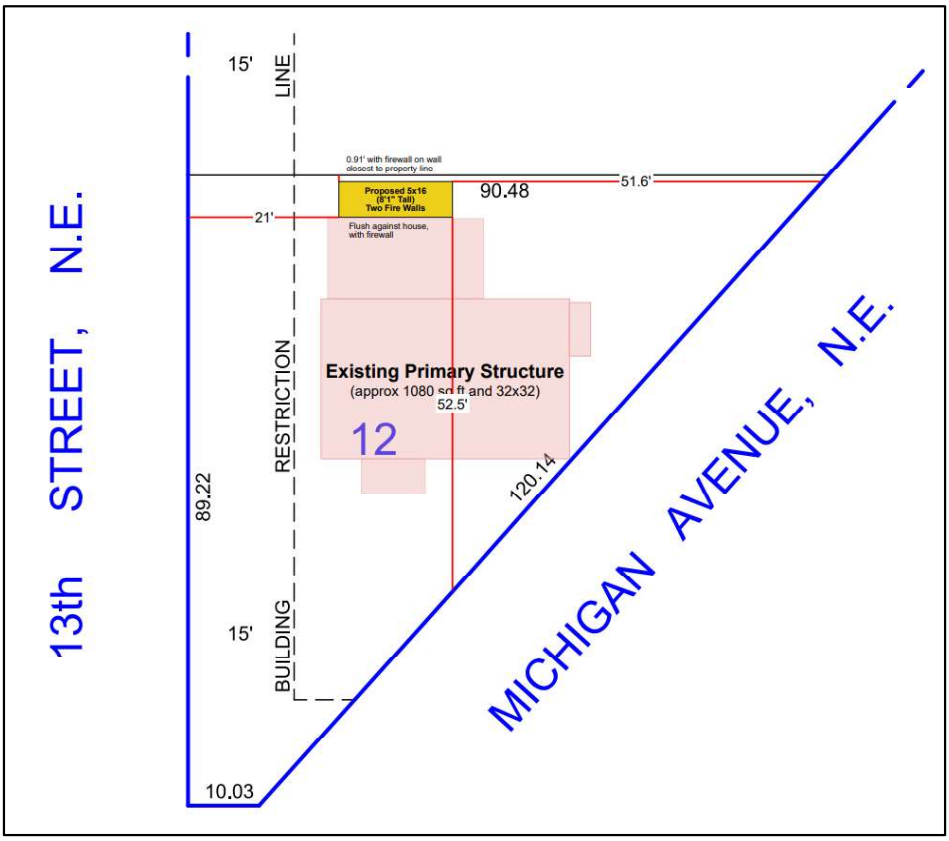
*(c) **Yards**, including setbacks from a rear or **side lot line**, or alley centerline setback; and*

(d) Pervious surface.

The new accessory structure would be located within a non-conforming side yard measuring approximately 6 feet where 8 feet is required. The structure would measure 5 feet (W) x 16

feet (L)X * feet (H) and as placed would occupy the width of the side yard for 16 feet. (See Surveyor's Plat (Exhibit 2) reproduced for reference below.

Surveyor's Plat (Exhibit 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 requested relief would not cause an undue impact on the light and air of the neighboring properties. The proposed structure would not result in a significant reduction of light and air available to the neighboring property to the north. The structure is limited to a width of only five feet and a height of eight feet, dimensions that are typical of accessory storage structures in residential neighborhoods.

Because the shed would be located within the side yard and largely adjacent to the existing principal dwelling, it would not introduce a substantial new massing beyond what currently exists for the existing house. Additionally, the narrow footprint of the shed limits its ability to cast extensive shadows or obstruct air across the adjoining property. As a result, the proposal is not expected to materially diminish the neighboring property's access to sunlight or ventilation.

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

The requested relief would not compromise the privacy of use and enjoyment of the neighboring properties. The proposed accessory structure is intended for household storage purposes and would not generate regular occupant activity associated with residential rooms.

Further, it does not appear to contain windows facing the neighboring property. At a height of eight feet, the structure would remain substantially lower than a typical two-story dwelling and would not create new opportunities for overlooking adjacent yards or windows. Therefore, the proposal would not result in a noticeable increase in visual intrusion or loss of privacy for the neighboring property.

The owner of the property immediately to the north, which shares a property line with the subject property and would be most directly affected by the proposal, submitted a letter in support of the application Exhibit 25.

(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 buildings would be visible from 13th Street NE, as the proposed accessory building would be located outside of the existing privacy fence. The applicant states that it is not feasible to have a building in the side and rear yard behind the fence due to limited outdoor space and a patio. The proposed accessory building will consist of steel, which is different from the principal dwelling's building material. However, considering the proposed purpose and scale of the accessory building, OP concludes that the accessory building should not significantly alter the character of the surrounding neighborhood. As stated below, OP recommends incorporating landscaping on the street-facing side of the accessory building to screen the building.

(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 plans (Exhibit 5), and Photos (Exhibit 3), of the proposed accessory building.

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 strongly encourages the applicant to incorporate landscaping, such as small tree plantings, in front of the accessory building to screen it from the street since the material differs from the principal dwelling; however, OP does not recommend making this a

condition for approval.

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.

Approval of the special exception relief should not result in the expansion of a nonconforming use and in development standards beyond what is authorized by special exception.

VI. OTHER DISTRICT AGENCIES

As of the date of this report, no District agencies have provided comments.

VII. ADVISORY NEIGHBORHOOD COMMISSION

There is no report from ANC 5B in the record at the writing of this report.

VIII. COMMUNITY COMMENTS

There are letters in support of the application at Exhibits 19 through 27.