

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of Saam Jahanbeen
4405 Greenwich Parkway, NW (Square 1350, Lot 114)

I. INTRODUCTION.

This Statement is submitted on behalf of Saam Jahanbeen (the “**Applicant**”), owner of 4405 Greenwich Parkway, NW (Square 1350, Lot 114) (the “**Property**”). The Property is located in the R-3 zone. The Property is improved with a two-story + cellar single-family row dwelling (the “**Building**”). The Applicant is proposing to demolish the existing deck and construct a one-story + cellar addition and deck addition (the “**Addition**”) to the rear of the Building. The proposal meets all development standards of the R-3 Zone, except that the Addition will extend 10.67 feet past the rear wall of the adjacent building to the west. The Applicant requested but was denied a minor deviation approval from the Zoning Administrator.¹ Accordingly, the Applicant must obtain special exception relief from the rear yard requirements of D-207.5 subject to the standards of D-5201(a)-(c).

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to X-901.2 and D-5201.

III. SURROUNDING AREA & THE PROPOSED PROJECT.

The Property is located in the R-3 zone district. It is an interior lot measuring 2,648 square feet in land area. Abutting the Property to the north is the alley. Abutting the Property to the west is 4407 Greenwich Parkway, a single-family row dwelling. Abutting the Property to the east is 4403 Greenwich Parkway, a single-family row dwelling. Abutting the Property to the south, is Greenwich Parkway. The area is made up of residential row dwellings.

The Property is improved with a two-story single-family row dwelling, including a cellar. The Applicant is proposing to demolish the existing deck and construct a one-story + cellar addition and deck addition to the rear of the Building. The Addition will extend 10.67 feet beyond the adjoining rear wall of the building to the west. Other than the requested relief, the proposal meets all development standards for the R-3 zone as follows:

¹ The .67-foot extension beyond the 10-foot mark resulted from a construction-related error. The project, mid-construction, failed a wall check, and the Zoning Administrator would not grant minor deviation relief.

Development Standard	Minimum	Maximum	Proposed
Height	NA	40 ft., 3 stories	27 ft. 4 in, 2 stories
Lot Occupancy	NA	60%	41.65%
Rear Yard	20 ft.	NA	80.57 ft.
10 ft. Rule	NA	10 ft. past	10.67 ft.
Parking	1 space	NA	1 space

IV. THE APPLICATION MEETS THE REQUIREMENTS FOR SPECIAL EXCEPTION RELIEF.

A. General Special Exception Requirements of Subtitle X § 901.2.

Pursuant to Subtitle X-901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under D-5201 of the Zoning Regulations.

1. Granting of the Special Exception will be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps.

The granting of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The proposed Addition is still within the other bulk and density requirements of the R-3 zone, including the rear yard, height, and lot occupancy requirements. Accordingly, the proposed Addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

2. The granting of the special exception will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps.

The granting of the special exception will also not tend to adversely affect the use of neighboring properties as described more fully below.

B. Specific Special Exception Requirements of Subtitle D- 5201 (10-Foot Rule).

In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000).

The Applicant is seeking relief in order to extend 0.67 feet beyond the rear wall of the adjoining building to the west pursuant to D-5201.4(a)-(c).

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 Addition will not unduly affect the light and air available to neighboring properties because it extends only 0.67 feet (approximately 8 inches) beyond the permitted 10 feet. Furthermore, the Addition is limited to a single story, ensuring that its height does not create substantial shading or airflow obstruction for adjacent properties. The modest scale of this extension, combined with its single-story design, ensures that any potential effect on light and air is negligible.

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

The proposed Addition shall not unduly compromise the privacy of use and enjoyment of neighboring properties as the Applicant is not proposing windows on the east or west side of the Addition.

(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;

The requested relief will not substantially visually intrude upon the character, scale, and pattern of the houses on the street as viewed from the alley. The request for 10 ft. rule relief is being made in relation to the rear addition. An additional 0.67 feet past the 10-ft. rule should not

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be perceptible from the alley, given that the proposal maintains a rear yard of 80.57 feet and the existing accessory building and fence will largely block the view of the home from the alley.

V. CONCLUSION.

For the reasons stated above, this application meets the requirements for special exception relief by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

Martin P Sullivan

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