

# Burden of Proof

## Special Exception Application

**3704 Brandywine Street NW**

**To:** The Office of Zoning  
Government of the District of Columbia  
Suite 210 South  
441 4th Street, NW  
Washington DC 20001

**From:** Rachel Kohli  
Owner  
3704 Brandywine Street NW  
Washington, DC 20016

**Date:** December 3, 2025

**Subject:** **BZA Application, Kohli Residence**  
3704 Brandywine Street NW (Square 1888, Lot 0037)

I, Rachel Kohli, am the owner of the property located at 3704 Brandywine Street NW, Washington DC 20016 (Lot 37: Block 1888), and I am submitting this application for special exception relief from the Zoning Regulations to allow the construction and use of an accessory dwelling unit (ADU) in an accessory building on the rear of my property.

### Existing Use of Property

The property currently has a principal single-family dwelling that serves as my primary residence. At the rear of the lot, there is an existing one-story garage that is approximately 15 feet tall that is used for storage and parking.

### Proposed Use of Property

We, the owners, propose to demolish/replace the existing one-story garage with a new two-story accessory building to serve as an accessory dwelling unit (ADU). The ADU will contain a completely independent two bedroom, two bathroom dwelling unit, including kitchen. The ADU will also include storage. It will be used either as a rental unit or as housing for elderly family members. The principal dwelling on the lot will remain in use as our primary residence.

### Relief Requested

In order to complete this project, I am requesting the following special exceptions as outlined on the chart:

ZONING			
	ALLOWABLE	EXISTING	PROPOSED
ZONING DISTRICT	-	R-1-B	-
USE	SINGLE FAMILY DETACHED	SINGLE FAMILY DETACHED	NO CHANGE
MIN LOT AREA	5,000	6432	-
MAX LOT OCCUPANCY	40% = 2572.8	House: 1756.5 Deck: 338 Garage: 328.3 total: 2422.8 = 37.7%	House: 1756.5 Exist Deck: 338 ADU: 665 total: 2759.5 = 43%
SIDE SETBACK	8' (5' MIN)	0'	5'
REAR YARD	25'	-	25'

1. **Special Exception from the lot occupancy requirements of Subtitle D § 210.1, pursuant to Subtitle D § 5201 and Subtitle X § 901.2.**

The proposed two-story accessory building will increase lot occupancy beyond what is permitted as-of-right to 43%.

2. **Special Exception from the accessory building maximum building area requirements of Subtitle D § 5003.1, pursuant to Subtitle D § 5201 and Subtitle X § 901.2.**

The new ADU structure will exceed the maximum accessory building area otherwise permitted. This is due to the shape of the lot and how it narrows at the rear (and southern end) of the lot where the proposed ADU structure will be located.

### Qualifications for Special Exception

#### 5201 Special Exception Review Standards

The proposed addition maintains the intent and purpose of the Zoning Regulations, maintaining the standards set forth in D 5201:

- (a) The light and air available to neighboring properties shall not be unduly affected;

The existing garage at 3704 Brandywine Street NW is located towards the southern end of the property. The proposed accessory dwelling unit will be erected in the same location and extend south on the property. The existing garage is approximately 15 feet tall and the new accessory dwelling unit will add approximately 7 feet in height for a total of 22 feet. The site already has multiple trees next to and extending over the site, a few of which are evergreens with coverage all year round.

The only property line that 3704 Brandywine Street NW touches is immediately to the west, at 3708 Brandywine Street NW, but the primary dwelling unit is on the north side of the property facing Brandywine Street NW over 50 feet in the northwest direction. Properties to the east facing Reno Road are separated by a 15-foot-wide alley and properties to the south facing Appleton Street are also separated by a 17-foot-wide alley. The houses facing Reno Road are on the east side of the properties and the houses facing Appleton Street are on the south side of their properties, providing more than 60 feet distance between the residences and the proposed accessory dwelling unit. Thus, the 7 feet increase in height to the garage, coupled with the extensive tree coverage in this location, will yield no adverse effects related to light and air on neighboring properties.

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

The proposed west façade of the accessory dwelling unit at 3704 Brandywine Street NW is a solid wall without any openings. The closest residence, 3708 Brandywine Street NW, is about 60 feet away from the accessory dwelling unit in the northwest direction. With no second story windows, 3708 Brandywine Street NW will not be able to see into the accessory dwelling unit. On the north facing first floor, two doors and small windows will face our residence and will be used for storage and recreation space. Facing south, there will be windows on the first and second floors and a front door, but the neighboring property is over 60 feet distance between the accessory dwelling unit and the dwelling unit to the south (3711 Appleton Street NW) and there is significant tree coverage. Facing east, there are windows on the second story and small windows above eye level with the dwelling unit (4532 Reno Road NW) being more than 60 feet away from the accessory dwelling unit. The separation provided by the public alley and the existing rear yards, coupled with the placement of the windows and doors, means the proposed garage will not unduly compromise the privacy of use and enjoyment of all neighbors.

(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

On the public alley where the proposed accessory dwelling unit is located, there are five garages of similar character and scale within a 100-foot radius. In addition, a two-story accessory dwelling unit is under construction at 3723 Appleton Street NW. The proposed accessory dwelling unit at 3704 Brandywine Street NW will use similar quality materials as the principal dwelling unit to provide cohesion to the overall character to the property.

(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.

## **902 Application Requirements**

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 expanded garage will be visible from the alley. It will be visible from Brandywine Street NW, however the structure will sit over 100 feet beyond the front property line. There will also be a 7' privacy fence along the alley frontage. The proposed accessory dwelling unit will be constructed with high quality materials and will be appropriate in scale for the existing alley.

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

As described more fully above, the addition will minimally impact the light and air or privacy of the neighboring properties.

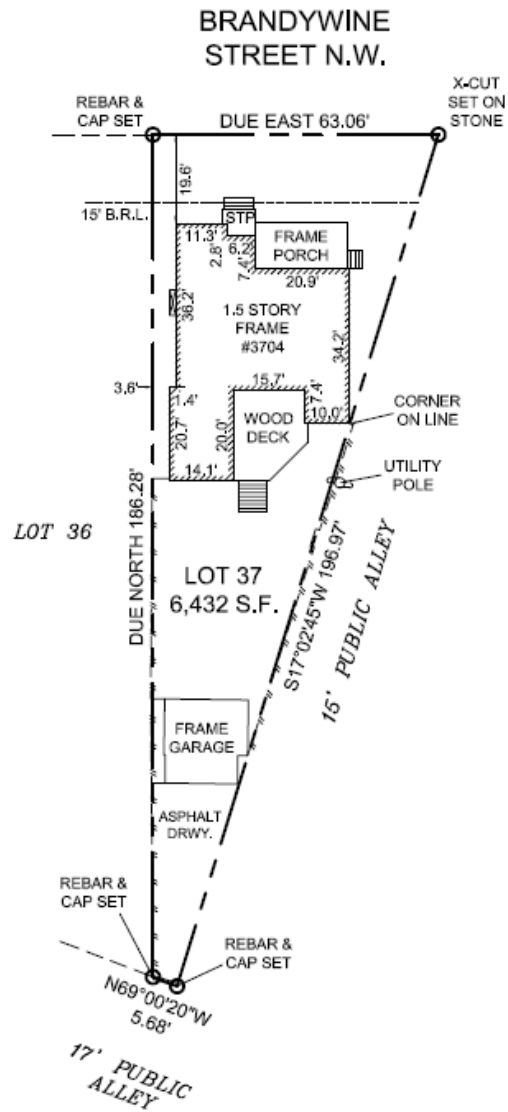
(c) Will meet such special conditions as may be specified in this title.

The proposed addition, as noted in the a fore mentioned responses, will comply with any special conditions as so directed by this title.

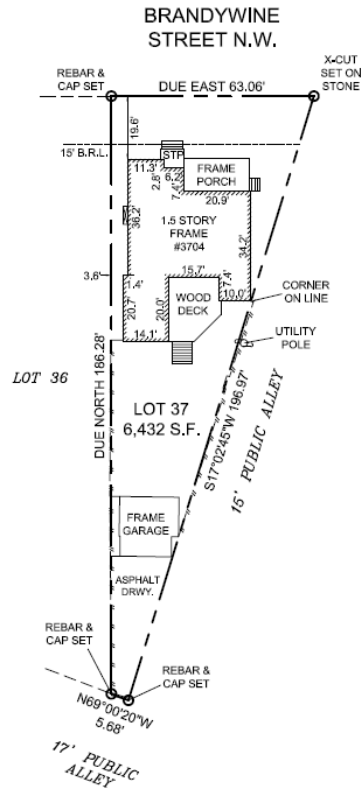
### **Intent and Purpose**

As detailed above, the proposed ADU will provide an additional, small-scale housing unit consistent with the District's goals of increasing housing opportunities and supporting aging-in-place for family members. The unit will remain clearly subordinate to the primary dwelling and will not adversely impact neighboring properties, as further described below. The design will respect the character of the surrounding neighborhood and will not result in undue adverse impacts with respect to light, air, privacy, or enjoyment of adjacent properties. The alley already has similar garage structures on our property and neighboring properties, another ADU under construction, and there is large tree coverage already around the property. The ADU will minimally modify the shade of adjacent properties. See photos with perspective arrows below for additional context.

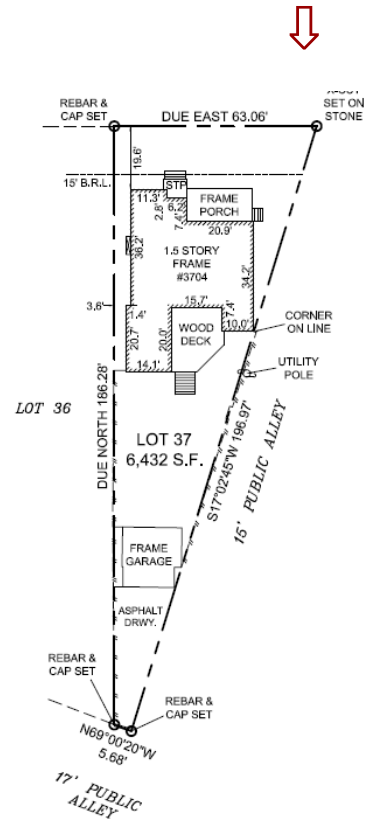
For these reasons, I respectfully request approval of the special exceptions necessary to permit this project.



South of Property Looking North



Northeast of Property Looking Southwest





North of Property Looking South

