

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of Juleanna Glover
2146 Wyoming Avenue, NW (Square 2528, Lot 201)

I. INTRODUCTION.

This Statement is submitted on behalf of Juleanna Glover (the “**Applicant**”), owner of the property located at 2146 Wyoming Avenue, NW (Square 2528, Lot 201) (the “**Property**”). The Property is located in the R-3 Zone and is improved with a 3-story + cellar building used as a single-family dwelling (the “**Building**”). The Applicant is proposing to construct a 2-story accessory building at the rear of the property (the “**Accessory Building**”). The first floor of the proposed Accessory Building will be a garage space and the second floor will be an accessory apartment (the “**Accessory Apartment**”). The Accessory Building will occupy 33% of the Required Rear Yard and will increase the Property’s total lot occupancy to 50%. Accordingly, the Applicant requests special exception relief from the rear yard requirements of Subtitle D § 5004.1(b) and the lot occupancy requirements of Subtitle D § 210.1, pursuant to Subtitle D § 5201. In addition, the Accessory Apartment requires special exception relief from the permanent access requirements of Subtitle U § 253.8(c), for while the width of the alley adjacent to the property is 16 ft, it is more than 300 ft from the Property to a public street, and the alley narrows to a recorded width of 10 ft as it approaches Connecticut Avenue.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to X-901.2, D-5201, and U-253.

III. BACKGROUND.

A. Description of the Property and Surrounding Area.

The Property is located in the R-3 zone district. It is an interior lot measuring 5,376 square feet in land area. Abutting the Property to the north is Wyoming Avenue. Abutting the Property to the south is the alley. Abutting the Property to the east is 2144 Wyoming Avenue, NW, the Embassy of Barbados. Abutting the Property to the west is 2148 Wyoming Avenue, NW, an apparent chancery, or embassy use owned by Sri Lanka.

B. Proposed Project.

Apart from the requested relief, The Accessory Building is designed to be fully compliant with the applicable development standards for accessory structures in the R-3 Zone, including Building Area and Height.

The Accessory Apartment meets all applicable requirements of Subtitle U § 253, with the exception of the public access provision set forth in § 253.8(c). While that section requires the accessory building to be located within 300 feet of a public street accessible via an improved public alley with a minimum width of 15 feet, the closest public street – Connecticut Avenue - is approximately 500 feet from the Property. In addition, while the alley width adjacent to the property is 16 ft, the alley narrows to a recorded width of ten feet (10 ft.) as it approaches Connecticut Avenue.

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

A. Overview.

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 and U-253 of the Zoning Regulations.

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).

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

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 Property is located in the R-3 zone and “the purpose of the R-3 zone is to allow for row houses, while including areas within which row houses are mingled with detached houses, semi-detached houses, and groups of three (3) or more row houses.” The Property will remain a semi-detached single-family dwelling. The proposed rear yard, lot occupancy, and use requests are permitted via special exception approval. Accordingly,

the Accessory Building 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.

As described more fully below, the Accessory Building will not tend to adversely affect the use of neighboring properties.

C. Specific Special Exception Requirements of Subtitle D-5201.

5201.4: An Application for special exception relief under this section shall demonstrate that the proposed addition, new 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 Accessory Building will not unduly affect the light and air available to neighboring properties. Although the structure will occupy more than 30% of the required rear yard, it remains fully compliant with the applicable height and story limitations of the R-3 Zone. The requested relief relates solely to the percentage of required rear yard occupied by accessory structures and does not result in additional massing or height that would adversely impact adjacent properties.

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

The Accessory Building will not adversely affect the privacy or enjoyment of neighboring properties. The structure is located at the rear of the lot adjacent to existing parking and alley conditions, minimizing any potential privacy impacts. In addition, the relationship between the Accessory Building and the principal dwelling is internal to the Property and does not create adverse overlook or visibility concerns for neighboring lots.

(c)The proposed addition or accessory structure, together with the original 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 Accessory Building is located at the rear of the lot and will not be visible from Wyoming Avenue. There are several accessory buildings along the alley, including a two-story accessory building two lots away at 2142 Wyoming Avenue. This Property is located in the Sheridan-Kalorama Historic District. Accordingly, it is subject to review in terms of its compatibility with the character, scale, and pattern of surrounding buildings.

D. Specific Special Exception Requirements of U-253

U-253.8(f): (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**

The proposed Accessory Apartment is for residential use and as such is consistent with the surrounding neighborhood. The Accessory Building complies with Building Area and Height limits, is located at the rear of the Property, and includes a garage, which will negate any potential impacts related to traffic or parking. As such, it is not likely to create objectionable conditions for neighboring properties.

- (2) Evidence that there are adequate public utilities for the health and safety of the residents.**

The Property is already served by public water, sewer, and other utilities. The proposed Accessory Apartment will connect to these existing systems, which are adequate to serve the Property.

V. CONCLUSION.

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

Respectfully submitted,

Martin P Sullivan

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