

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application of
Robert F. Dodds, Jr.

BZA Application
ANC 2E

STATEMENT OF THE APPLICANT

This statement and the attached documents support the application of Robert F. Dodds, Jr. (the “**Applicant**”) for special exception relief from (i) the maximum permitted lot occupancy provisions of Subtitle D § 210.1, and (ii) the maximum permitted extension of a rear wall beyond the farthest rear wall of an adjoining principal residential building of Subtitle D § 207.4, to permit construction of an addition to the rear of an existing semi-attached single-family dwelling (the “**Building**”) at 3414 O Street, NW (Square 1228, Lot 0814) (the “**Property**”). Currently, the Property’s lot occupancy is approximately 33.5%, and if approved, the addition would increase the lot occupancy to approximately 46.7%, above the 40% maximum lot occupancy. The rear wall of the addition will extend to 11 feet, 11 inches beyond the rear wall of the adjoining building, further than the maximum 10 feet permitted. The requested special exception relief will permit the Applicant to make a significant investment in the Property and facilitate a more functional design of the Building that is also compatible with the Georgetown Historic District. The Property is located in the R-3/GT Zone District and within the Georgetown Historic District. The Applicant requests that the Board consider this application pursuant to its expedited review procedures of Subtitle Y § 401.

I. NATURE OF RELIEF SOUGHT

The Applicant requests that the Board of Zoning Adjustment (the “**Board**”) approve special exception relief from the maximum permitted lot occupancy provisions of Subtitle D § 210.1 and the maximum permitted rear wall extension of Subtitle D § 207.4 of the 2016 Zoning

Regulations of the District of Columbia, Title 11 of the District of Columbia Municipal Regulations (the “**Zoning Regulations**”).

II. JURISDICTION OF THE BOARD

The Board has the authority to grant the special exception requested in this application pursuant to the Zoning Act of 1938, D.C. Code § 6-641.07 *et seq.*, Subtitle D §§ 207.5 and 5201.1(a), and Subtitle X § 900.2 of the Zoning Regulations. The Board has the authority to consider the Application through its expedited review process pursuant to Subtitle Y § 401.2(b).

III. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

Located in Georgetown, the Property consists of approximately 1,570 square feet of land area and is bounded by O Street, NW to the north, a two-story, semi-attached single-family dwelling to the east, a residential garage to the south, and two-story detached rowhouse to the west. The Property is improved with the Building, a two-story structure with a cellar. The Building currently occupies approximately 526 square feet of lot area for a lot occupancy of approximately 33.5%. The Property adjoins a rear alley lot located at 3420 O Street, NW (Lot 849) that is used for the Applicant’s residential garage (the “**Residential Garage**”).

The Property is located within the Georgetown Historic District and is deemed a contributing building to the historic district. The proposed work received a recommendation for approval from the Old Georgetown Board (“**OGB**”) at its meeting on March 5, 2026.

IV. BACKGROUND AND PROJECT DESCRIPTION

In November 2021, the Applicant purchased the Property as its primary residence and in the following year, the Applicant purchased the Residential Garage. Since then, the Applicant has invested heavily in improving the Building and the Property, such as replacing the previous first floor sitting room with a new kitchen and dining room. Now, the Applicant wishes to take the next step with the renovation and modest expansion at the rear of the Building.

A. The Proposed Project

The Applicant now desires to make further improvements to the Property by (i) remodeling the Building's basement and converting space that consisted of a kitchen, dining room and bathroom to a den, sitting room, home office, and bathroom (the "**Remodel**"), and (ii) replacing the existing rear garden enclosures and stone patio with an addition with a roof deck and roof garden on top (the "**Addition**", together with the Remodel, the "**Project**"). As shown on the architectural plans for the Project attached as **Exhibit E** (the "**Plans**"), the top of the Addition will have a small deck accessible from the existing first floor French doors that open above the ground and appear to have been previously used for access to a deck that was later removed. The side of the Addition will be partially visible through the existing front gate of the Building. However, the Addition will not be visible if the Applicant replaces the gate with a wooden door, for which it received OGB approval in 2024. The Applicant is considering refurbishing the existing gate instead of replacing it with the proposed wooden door.

The Project generally complies with the R-3/GT zoning requirements. At 23 feet, one (1) inch and two stories tall, the Building is within the 35-foot, three-story height limit for the R-3/GT Zone District. The Building is also compliant 20-foot rear yard setback requirement and the requirement that the front yard be set back consistent with at least one (1) immediately adjacent property on either side of it. However, modest relief from the lot occupancy requirements is necessary to accommodate the Addition. The Building's and Addition's combined lot occupancy will be approximately 46.7%, which exceeds the 40% maximum permitted lot occupancy limit for "other structures" in the R-3/GT Zone per Subtitle D § 210.1. In addition, relief is necessary from the requirement that a rear wall of a semi-detached building not be constructed to extend farther than 10 feet beyond the farthest rear wall of any adjoining

principal residential building on an adjacent property. 11-D DCMR § 207.4. The Property adjoins 3412 O Street, NW (the “**Adjoining Property**”) and the Addition extends 11 feet, 11 inches beyond that rear wall. The relief is minor, less than two (2) feet, from the maximum permitted and, as stated above, the Property continues to comply with the required rear yard and other setback requirements.

V. THE APPLICATION SATISFIES THE CRITERIA FOR THE REQUESTED RELIEF

The Applicant requests special exception relief from the (i) provisions of Subtitle D § 210.1 to exceed the 40% maximum permitted lot occupancy allowed for “other structures” in the R-3/GT Zone, and (ii) the provisions of Subtitle D § 207.4 to exceed the maximum permitted extension of 10 feet beyond the rear wall of an adjoining principal residential building. To obtain the requested relief, the special exceptions must be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, must not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps, and must meet such special conditions as may be specified in the Zoning Regulations. 11-X DCMR § 901.2. The special conditions provided in the Zoning Regulations include the requirement that the lot occupancy not exceed the maximum 50% lot occupancy permitted by special exception. 11-D DCMR § 5201.1(a). The special conditions also require that the Applicant demonstrate that the proposed addition will 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; (b) the privacy of use and enjoyment of neighboring properties shall not be unduly compromised; (c) the proposed addition, 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; and (d) in demonstrating compliance with subsections (a) – (c), the Applicant shall use graphical representations sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways. Subtitle D § 5201.4. For the reasons set forth below, the Project satisfies the special exception standards for relief from the maximum permitted lot occupancy provisions of Subtitle D § 210.1, and the maximum permitted extension of a rear wall pursuant to Subtitle D § 207.4.

A. The Requested Relief is in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps. (Subtitle X § 901.2(a))

The general purpose and intent of the Zoning Regulations and Zoning Maps is to promote the public health, safety, morals, convenience, order, prosperity, and general welfare. Subtitle A § 101.1. The Applicant requests relief from (i) the provisions of Subtitle D § 210.1 to exceed the 40% maximum permitted lot occupancy by constructing an addition to the rear of the Building that will increase lot occupancy to approximately 46.7%, and (ii) the provisions of Subtitle D § 207.4 to exceed the maximum permitted extension of 10 feet beyond the rear wall of the Adjoining Property. In granting such relief, the Board will enable the Applicant to be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps by promoting public prosperity through the Applicant's significant financial investments in the construction materials, labor, and professional services necessary to improve the Building and Property and realize the Project. The expansion to the Building is modest, and complements both the existing structure and the surrounding context. The addition is not intrusive and, aside from the relief requested, otherwise complies with the applicable development standards. The Project is also deferential to the surrounding structures with a low height and minimal visibility.

B. The Requested Relief Will Not Tend to Affect Adversely the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps. (Subtitle X § 901.2(b))

The Applicant is simply seeking approval to construct a modest addition to the rear of the Building that increases its footprint by only approximately 208 square feet. The relief requested will not tend to affect adversely the use of neighboring property because the neighboring properties can and will continue their current use as single-family dwellings. These adjacent structures will not experience any adverse impacts to light and air, privacy, views, or any other consideration. In fact, the views from these neighboring parcels into the Property will be improved through the Project design. As a result, the Applicant has received support for the Project from the adjacent neighbor to the west of the Property and the adjoining neighbor to the east of the Property, which indicates that the neighbors agree that the Project will not adversely affect their use of their properties.

C. The Requested Relief Meets the Special Conditions Specified in the Zoning Regulations. (Subtitle X § 901.2(c))

Subtitle D §§ 5201.1(a) and 5201.4 provide the special conditions specified in the Zoning Regulations that the requested relief must meet.

1. *The Requested Relief Must Not Exceed 50% Standard for Maximum Permitted Lot Occupancy by Special Exception. (Subtitle D § 5201.1(a))*

The provisions of Subtitle D § 5201.1(a) that set forth the 50% standard for maximum permitted lot occupancy by special exception are met because the Addition will increase lot occupancy to only approximately 46.7%.

2. *The Proposed Addition Will Not Have a Substantially Adverse Effect on the Use or Enjoyment of Any Abutting or Adjacent Dwelling or Property. (Subtitle D § 5201.4)*

- (a) *The light and air available to neighboring properties shall not be unduly affected. (Subtitle D § 5201.4(a))*

As mentioned above, the Addition will not impede or unduly affect the light and air available to neighboring properties. The Addition has a high section with entry from the garden level which is approximately 11'-2" in height with approximately 3'-6" at or above the Building's first-floor elevation and the remainder at the cellar level or below grade; and a lower section with deck that is at the same elevation as the first floor. The roof of the Addition is at approximately the same height as the wooden fence separating the rear yard of the Property from the adjoining neighboring property. A 36-inch protective railing will sit above and border the Addition's roof. Since this protective railing is modest in height and the Addition is approximately as tall as the existing fencing, the Addition will have no impact on adjoining or adjacent properties' access to light and air. Further, the neighbor support received by the Applicant indicates that the neighbors agree that the Project will not adversely affect the availability of light and air to their properties.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised. (Subtitle D § 5201.4(b))

The privacy of use and enjoyment of neighboring properties will not be unduly compromised. Although the Project will include a rear deck atop the Addition from which someone may view into neighbors' backyards, this is already possible from the Building's rear windows and French doors. There will also be minimal changes in noise impacts because the Applicant can already host guests in the rear of the Property, and there is little difference in whether the noise is coming from behind the shared fence separating the properties or from an elevated space that is at approximately the same height as the fence. Further, the Addition would not generate additional noise beyond the low levels of noise already extant at the Property. As mentioned above, the support the Applicant received from its neighbors implies that they agree that the Project will not unduly compromise the privacy of use and enjoyment of their

properties. Accordingly, the Project will not unduly compromise the existing privacy of use and enjoyment of the neighboring properties.

- (c) *The proposed addition, 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. (Subtitle D § 5201.4(c))***

When viewed from the street, alley, or other public way, the Project will not substantially visually intrude upon the character, scale, and pattern of houses along the street. As mentioned in Section IV(A) above, the Addition is to the rear of the Building and will be only partially visible through the existing front gate. Depending on whether the Applicant chooses to replace the gate with the OGB-approved wooden door, the Addition may not be visible at all. For these reasons, the Project will not substantially visually intrude upon the character, scale, and pattern of houses along the street.

- (d) *In demonstrating compliance with (a), (b), and (c) above, the Applicant shall use graphical representations sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways. (Subtitle D § 5201.4(d))***

Attached in the Plans, the Applicant has provided plans, photographs, and elevation and section drawings sufficient to represent the relationship between the proposed Addition to adjacent buildings and reviews from public ways.

VI. CONCLUSION

For all the above reasons, the Applicant respectfully requests the Board approve the requested special exception relief in this case.

Respectfully submitted,

_____/s/_____
Jeffrey Utz
Lee Templin

Date: June 11, 2026