

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

3938 17th Street NE

Square 4152, Lot 30 — Brookland, Washington, D.C.

APPLICATION FOR SPECIAL EXCEPTION

Accessory Exercise Studio Within the Required Rear Yard

11 DCMR Subtitle D, §§ 5004.1, 5004.2 and § 5201.2(b) | Subtitle X, §§ 900.2 and 901.2

PRELIMINARY · FOR HEARING PREPARATION · REVISED JULY 2026

Board of Zoning Adjustment
District of Columbia
CASE NO. 21529
EXHIBIT NO. 11

PROPERTY OVERVIEW

3938 17th Street NE, Washington, D.C. 20018

SQUARE / LOT	Square 4152, Lot 30
ZONE DISTRICT	R-1-B (Residential House)
ANC / SMD	5B02
NEIGHBORHOOD	Brookland
LOT AREA	5,801 sq. ft. (min. required 5,000 sq. ft.)
LOT WIDTH	49.03 ft. (min. required 50 ft. — existing condition)
EXISTING USE	One-family detached dwelling (3 stories + cellar)



Google Street View, June 2022

Plat of Lot 30, Square 4152

REAR CONDITION

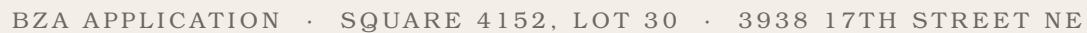
EXISTING STRUCTURE

PROPOSED STRUCTURE

REAR YARD

SIDE YARDS

6 ft. and 8 ft.+ (8 ft. required on one side per current standards)



EXISTING CONDITIONS

Site Photographs



Front (east) elevation from 17th Street NE



Side (north/rear) elevation, existing conditions



Rear yard, facing the alley



Front elevation, opposite angle

EXHIBIT

Architectural Drawings

Prepared by WashDesignGroup, LLC for Darry Simmons. Submitted in satisfaction of Subtitle D § 5201.3(d), which requires graphical representations sufficient to represent the relationship of the proposed accessory structure to adjacent buildings and views from public ways.

CS-1	Cover Sheet — code analysis, zoning data, index of drawings
SITE	Site Plan — Square 4152, Lot 30 (scale 1 in. = 20 ft.)
A00-1	Proposed Elevation Plan — north, south, east and west elevations; slab plan
A00-1	Proposed Elevation Plan — issue dated 10.08.24

Alteration and repairs · Existing 4 in. concrete slab

Site Plan — Square 4152, Lot 30

LOT DATA

REAR CONDITION

EXISTING SLAB

PRINCIPAL DWELLING

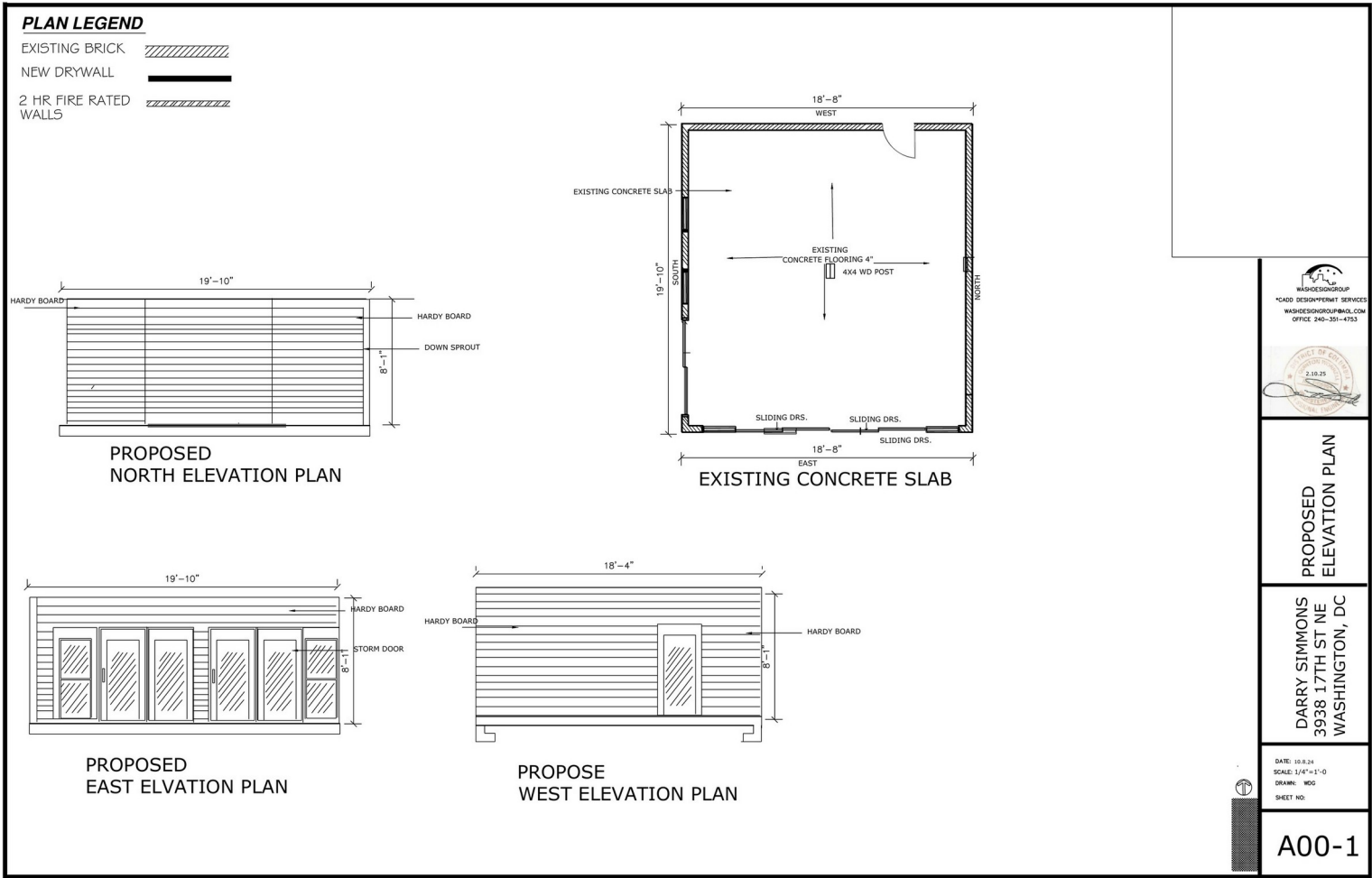
BOUNDARY

4 ft. and 6 ft. chain-link fencing to the north, south and west



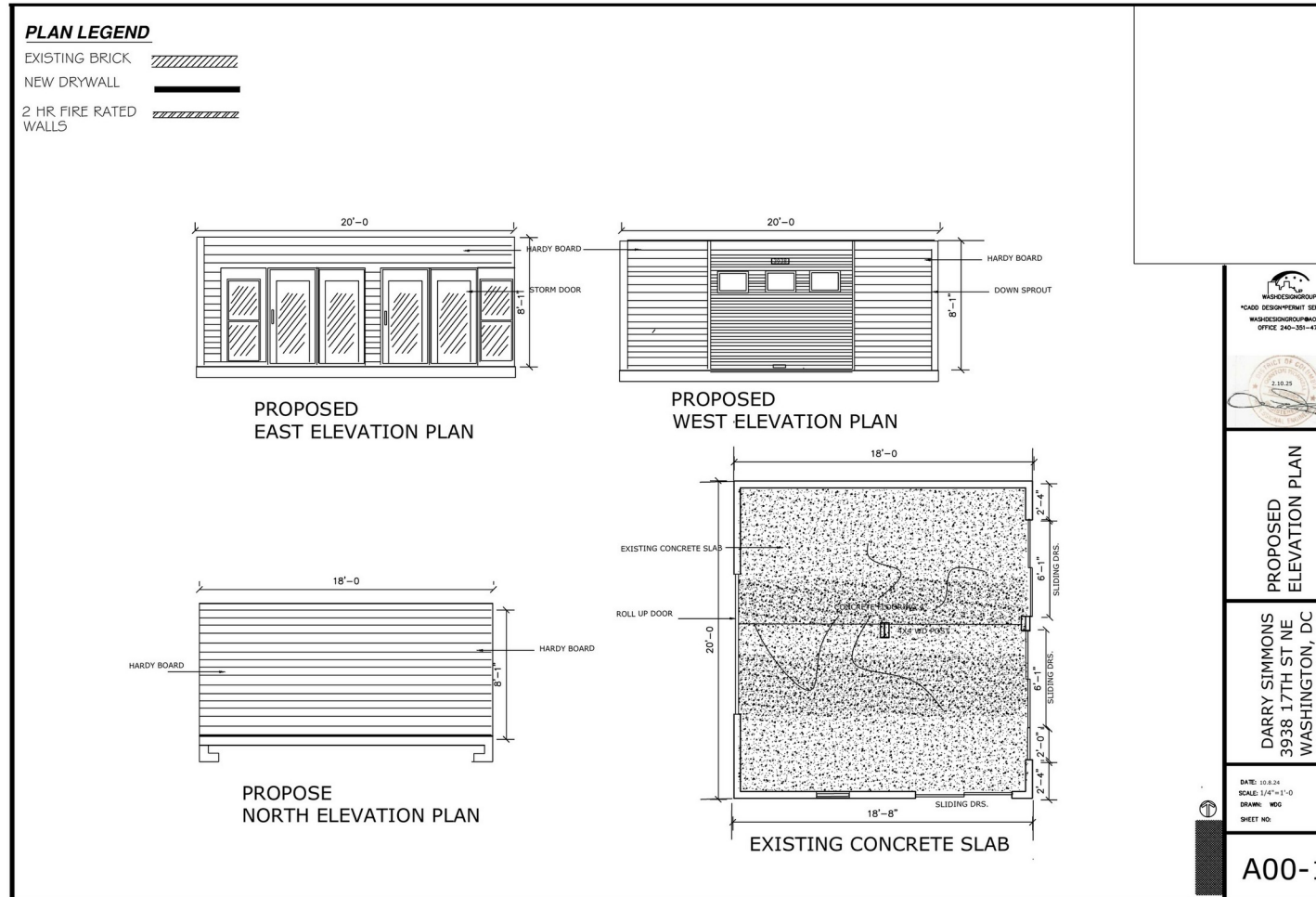
Proposed Elevation Plan

North, east and west elevations • slab plan • scale 1/4 in. = 1 ft.



Proposed Elevation Plan — Issue 10.08.24

East, west and north elevations • existing concrete slab plan



The Accessory Exercise Studio at a Glance

Figures as dimensioned on Sheets CS-1 and A00-1

366

sq. ft.

Total work area per Sheet CS-1;
max. permitted 450 sq. ft. (D § 5006.1)

8

feet

Overall height — one story;
max. permitted 20 ft. / 2 stories (D § 5002.1)

18'-8"

× 19'-10"

Footprint on the existing
4 in. concrete slab

Materials	Hardie board siding; new drywall; existing 4 in. concrete slab retained; 4×4 wood posts
Openings	Sliding doors to the east and south; storm door; downspout to the west elevation
Siting	On the existing slab at the rear of the lot, set back from the 16 ft. public alley
Character	Single storey, flat-roofed, residential in scale — consistent with accessory buildings elsewhere in the square

Special Exception — Accessory Structure in the Required Rear Yard

Subtitle X, § 900.2	General authority for the Board of Zoning Adjustment to grant special exception relief.
Subtitle X, § 901.2(a)–(c)	The three general special exception standards: harmony with intent; no adverse effect on neighbouring use; compliance with specified conditions.
Subtitle D, §§ 5004.1 & 5004.2	An accessory building other than a shed may be located within a rear yard but not within the required rear yard (§ 5004.1); only a shed may be located within the required rear yard by right (§ 5004.2) — the gap that necessitates relief here.
Subtitle D, § 5201.2(b)	Special exception authority for a new or enlarged accessory structure to obtain relief from Yards, including alley centreline setback.
Subtitle D, §§ 5201.3–5201.6	The substantive and procedural conditions governing the grant of that relief.

Notes and Computations Snapshot

From BZA Form 135, Zoning Self-Certification (as certified by agent Suleiman Umar)

Item	Existing	Required / Max.	Proposed
Lot Area (sq. ft.)	5,801	5,000 min.	5,801
Lot Width (ft.)	49.03	50 min.	49.03
Lot Occupancy (%)	15	40 max.	21
Principal Bldg. Height (stories)	3	3 max.	3
Accessory Bldg. Height (stories)	N/A	2 max.	1
Accessory Bldg. Height (ft.)	N/A	20 max.	8
Rear Yard (ft.)	30	25 min.	30
Side Yard (ft.)	6 & 8+	8 min.	6 & 8
Vehicle Parking Spaces	2	1 min.	2
Pervious Surface (%)	35	50 max.	35

Lot width and the 6 ft. side yard are existing conditions of the principal dwelling; the proposed accessory structure neither creates nor enlarges them.

The Three General Standards — Subtitle X, § 901.2

(a)

Harmony

Consistent with the purpose and intent of the Zoning Regulations and Zoning Maps for the R-1-B district; the dwelling remains a matter-of-right single-family use.

(b)

No Adverse Effect

Unobtrusive, one-story, 8 ft.-tall structure sited away from the sole adjoining lot; light, air, and privacy of neighbouring property are preserved.

(c)

Special Conditions

Application complies with the itemized conditions of Subtitle D, §§ 5201.3–5201.6, addressed in detail on the following slide.

Specific Conditions — Subtitle D, § 5201.3

No substantially adverse effect on the use or enjoyment of abutting or adjacent property

(a)	Light & Air	Structure limited to 8 ft. in height and sited on the side of the yard opposite the only adjoining lot.
(b)	Privacy	Set back approx. 25 ft. from the shared side property line; used intermittently and not intended as habitable space.
(c)	Visual Character	Does not intrude on the scale or pattern of the block — several lots in the square, including the adjoining lot, already feature accessory structures.
(d)	Graphical Representations	Satisfied by the site plan, site photographs and Sheets CS-1 and A00-1 reproduced at slides 5–10 of this presentation.

§§ 5201.4–5201.6: No nonconforming use, lot occupancy, height, or number of stories is introduced or expanded; applicant accepts any special design or screening treatment the Board deems fit to require.

Regulatory Basis for the Relief Requested

Current 11 DCMR Subtitle D text.

§ 5004.1 permits an accessory building other than a shed within a rear yard subject to the alley centreline setback but not within the required rear yard; § 5004.2 reserves the required rear yard for sheds — the gap that necessitates relief for the proposed exercise studio. § 5201.2(b) is the applicable special exception authority for Yards relief to a new or enlarged accessory structure on a non-alley lot.

Zoning Administrator Interpretation No. 28 (2 February 2022).

Construing the parallel Subtitle E (RF-zone) accessory-building provisions, ZA-28 confirms that the rear-yard siting standard and the building-area standard are distinct, independently applicable tests — reasoning instructive by analogy to the substantively identical structure of Subtitle D.

Architectural drawings, Sheets CS-1 and A00-1.

Prepared by WashDesignGroup, LLC; establish the height, footprint, materials and siting relied upon throughout this application and satisfy § 5201.3(d).

CONCLUSION

The Application Satisfies the Applicable Standards

Subject to the outstanding items flagged for counsel review, the applicant respectfully requests that the Board of Zoning Adjustment grant special exception relief pursuant to 11 DCMR Subtitle X, §§ 900.2 and 901.2 and Subtitle D, §§ 5004.1, 5004.2 and 5201.2(b), to permit the accessory exercise studio within the required rear yard of Lot 30, Square 4152.

Preliminary presentation prepared for hearing preparation purposes.

Citations verified against the current 11 DCMR Subtitle D text and the revised BZA Form 135 Zoning Self-Certification.