

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement for Christopher Hebdon and Vanessa Berruetta
2420 Chain Bridge Road, NW (Square 1413, Lot 76)

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT.

This Statement is submitted on behalf of Christopher Hebdon and Vanessa Berruetta (collectively, the “**Applicant**”), owners of the property located at 2420 Chain Bridge Road, NW (Square 1413, Lot 76) (the “**Property**”), located in the R-1B zone. The Property is improved with a two-story detached single-family dwelling (the “**Building**”). The Applicant is proposing to construct a one-story infill addition of the existing front porch as well as a second story addition on top of the existing building footprint (the “**Addition**”). The Property is nonconforming with respect to side yard. The existing side yard dimensions are 6.6 ft. (western) and 2.6 ft. (eastern). The R-1B zone requires “In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of five feet (5 ft).” The eastern side yard is less than 5 ft. and therefore requires special exception relief from the side yard requirements of D-208 pursuant to D-5201.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to X-901 and D-5201 and has the authority to review the Application as an expedited review case pursuant to Y-401.2(b).

III. BACKGROUND.

A. Description of the Property and Surrounding Area.

The Property is an interior lot measuring 2,904 square feet in land area. Abutting the Property to the northwest is 2416 Chain Bridge Road, a detached single-family dwelling. Abutting the Property to the east is 2424 Chain Bridge Road, a detached single-family dwelling. Abutting the Property to the south is Chain Bridge Road. The area is characterized by detached single-family dwellings.

B. Proposed Project.

The Applicant is proposing to construct a one-story infill addition of the existing front porch as well as a second story addition on top of the existing building footprint. Although the

Addition will be within the existing building footprint, the existing side yard is nonconforming and therefore requires special exception relief for the point at the rear right corner where the side yard is only 2.6 feet. The height, rear yard and lot occupancy remain within the allowable by right development standards.

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 Subtitle D-5201 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-1B zone; the R-1B zone is "intended to provide for areas predominantly developed with detached houses on moderately sized lots." The Property will remain a detached single-family dwelling. Accordingly, the proposed Project 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 more fully described below.

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 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 Addition shall not unduly affect the light and air available to neighboring properties as it is constructed entirely within the existing building footprint and the nonconforming side yard will not be further reduced. Additional shadow between the matter of right allowance of a 5-foot side yard and the 2.6-foot side yard proposed here for the back right corner will obviously be very limited. We will be providing a shadow study nevertheless, to make that clear. In addition this is just a second-story addition and well below the permitted 40 ft of height. There is an existing tree on the lot line in this case, which already provides substantial existing shadow in both directions.

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

The Addition is constructed within the existing building footprint, the second story is no closer to the abutting property at 2424 Chain Bridge Road, NW than the existing walls already are, and existing vegetation between the properties provides additional screening. There are also no windows proposed on the second-story wall facing the side lot line in the area where relief is required. The Addition therefore does not unduly compromise the use and enjoyment of neighboring properties.

(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 Property will remain a detached single-family dwelling consistent with the surrounding development pattern, which includes several two-story homes, including the immediately abutting properties. The Addition's massing and roofline stay in line with the surrounding streetscape as viewed from Chain Bridge Road.

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.

Applicant's Statement
2420 Chain Bridge Road, NW

Respectfully submitted,

Martin P Sullivan

Martin Sullivan
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Date: September 14, 2026