



## SUPPLEMENTAL MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Matt Jesick, Case Manager  
*JL* Joel Lawson, Associate Director for Development Review

**DATE:** September 10, 2018

**SUBJECT:** BZA #19796 – 3324 Sherman Avenue, NW – Special Exception to permit the conversion of a flat to a three-unit apartment building

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### **I. BACKGROUND AND RECOMMENDATION**

In its August 31 report, the Office of Planning (OP) suggested that a waiver from the “10 foot rule” would be required to build the project as proposed, but that even if the waiver was requested, the record contained insufficient information to evaluate the impacts of the rear and third-floor addition.

In response to OP’s report, the applicant has submitted a shadow study at Exhibit 39 that provides detailed information as to the amount and location of additional shadow on adjacent properties that would be generated by the project. With that additional evidence OP would, if the following waiver were to be requested, recommend its **approval**:

- U § 320.2(e), pursuant to U § 320.2(l) (Addition may not extend more than 10’ past the rear wall of any adjacent property, 18’-½” past the rear wall to the north proposed).

With approval of the required waiver, OP could also therefore recommend **approval** of the special exception to convert the existing flat to an apartment:

- U § 320.2, pursuant to Subtitle X, Chapter 9 (Existing flat; Conversion to an apartment permitted by special exception; Three units proposed).

### **II. ANALYSIS**

The shadow study appears to indicate that during the summer months the amount of additional shadow caused by the proposed design, beyond what would be possible with a matter-of-right addition, would not result in an undue impact. Small areas of additional morning shadow would be caused on the adjacent deck and rear yard, but that impact would be concentrated near the fence line separating the properties. By afternoon the impact would be almost non-existent. In the winter, the amount of impact would be greater, but would not rise to an undue level. The greatest impact is in the morning, when the largest area of additional shadow would actually fall on the garage two properties to the north. At midday the shadow study estimates that the additional

shadow would impact 11% and 9% of the respective rear yards of the properties to the north. By later in the afternoon that impact would decrease to 6%, and only on the immediately adjacent property. At that time of day much of that rear yard would already be in shadow due to the existing fence.

OP therefore concludes that the overall light and shadow impact of the proposed extension beyond 10 feet should not be undue.