

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Jonathan Kirschenbaum, Case Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** March 18, 2020

**SUBJECT:** BZA Case 20209 (7521 9<sup>th</sup> Street, NW) to permit the construction of a third-floor addition and three-story rear enlargement to an existing two-story semi-detached house.

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**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) cannot make a recommendation at this time. The applicant filed an application for lot occupancy special exception relief to permit the construction of a third-floor addition and three-story rear enlargement to an existing two-story semi-detached house.

On January 30<sup>th</sup>, 2020, OP emailed to the applicant questions for clarification regarding the application. The applicant was asked to confirm the proposed lot occupancy, as the stated lot occupancy on the proposed architectural plans (Exhibit 6) is 48 percent, which differs from both the burden of proof (Exhibit 8) and the zoning self-certification form (Exhibit 4) at 44 percent. The applicant was also asked to confirm if the proposal complied with the minimum percentage of pervious surface requirement as the proposed architectural plans state 19.28 percent whereas the minimum requirement is 30 percent. In an email dated February 10, 2020, the applicant states the project would comply but did not revise the already filed architectural plans to show the change.

OP sent another email to the applicant on February 11, 2020 to again confirm the correct lot occupancy for the project. In this email, OP also stated to the applicant that it would appear that side yard relief would also be required for the proposal. This is because the proposed addition spans side lot line to side lot line, which would be considered a row building. However, only detached and semi-detached buildings are permitted in the R-2 zone. OP advised the applicant that the project could be analyzed as a semi-detached building with an existing non-conforming side yard of zero feet. The addition would extend this non-conforming side yard with a zero setback. Special exception relief would be required for extending a non-conforming side yard under Subtitle D 206.7. OP also informed the applicant that the Zoning Administrator agreed that this was the correct way to proceed. Also, in the February 11, 2020 email, OP informed the applicant that the proposed accessory apartment has an entrance that is being created on a wall of the house that faces the street. This is not permitted pursuant to Subtitle U 253.7(c), and OP asked the applicant to verify if this also requires special exception relief pursuant to Subtitle U 253.10 as the application was self-certified.

To date, the applicant has not filed any new materials to the record nor has the applicant confirmed with OP that additional relief is required.

## II. LOCATION AND SITE DESCRIPTION

Address	7521 9 <sup>th</sup> Street, NW
Applicant	Uzoma Ogboukiri
Legal Description	Square 2961, Lot 0018
Ward, ANC	4/4B
Zone	R-2
Existing Development	Semi-detached single household dwelling.
Adjacent Properties	Semi-detached single household dwellings.
Surrounding Neighborhood Character	Semi-detached single household dwellings.
Proposed Development	The applicant proposes to construct a new third story addition and three-story rear enlargement to an existing two-story semi-detached house.

## III. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT submitted a memo to the record noting no objection to the development proposal (Exhibit 29).

## IV. ADVISORY NEIGHBORHOOD COMMISSION

No comments from ANC 4B had been filed to the record at the time this report was filed. However, at Exhibit 34 is a memo from the SMD Commissioner noting support for the proposal.

## V. COMMUNITY COMMENTS TO DATE

One letter in opposition had been filed (Exhibit 33) at the time this report was filed to the record.