

Accessory Apartment:

A dwelling unit that is secondary to the principal single-household dwelling unit in terms of gross floor area, intensity of use, and physical character, but which has kitchen and bath facilities separate from the principal dwelling and may have a separate entrance.

Accessory apartments are permitted only in the following residential districts: R-1A, R-1-B, R-2, R-3, R-6 thru R-17 and R-21. In R-19 and R-20 a Special Exception is required.

Structure Type	Building Code Requirements	Zoning Requirements
Detached building	Reviewed under the International Residential Code (IRC)	One (1) accessory apartment may be established in an R zone, subject to the provisions of this section: <ul style="list-style-type: none">- 11U DCMR 253.2 An accessory apartment shall be permitted in a principal dwelling or an accessory building as a matter-of-right in the R zones, except the R-19 or R-20 zones, subject to the provisions of this section.- 11U DCMR 253.3 An accessory apartment proposed in an accessory building, not meeting the conditions of 11U DCMR 253.8, shall be permitted as a special exception if approved by the Board of Zoning Adjustment, subject to the provisions of this section.- 11U DCMR 253.4 In the R-19 or R-20 zone, an accessory apartment shall be permitted as a special exception in either a principal dwelling or an accessory building
Semi-Detached (Duplex)	Reviewed under the IRC	

Attached Dwelling (Townhome)	Reviewed under the International Building Code (IBC)	<ul style="list-style-type: none"> - 11U DCMR 253.5 Either the principal dwelling or accessory apartment unit shall be owner-occupied for the duration of the accessory apartment use. - 11U DCMR 253.6 The total number of persons that may occupy the accessory apartment shall not exceed three (3), except in the R-19 or R-20 zone where the aggregate number of persons that may occupy the house, including the principal dwelling and the accessory apartment combined, shall not exceed six (6). - 11U DCMR 253.7 An accessory apartment located in the principal dwelling shall be subject to the following conditions: <p><u>Minimum Gross Floor Area (GFA) exclusive of garage space</u></p> <table border="1" data-bbox="940 690 1816 868"> <thead> <tr> <th>Zones</th> <th>Minimum GFA</th> </tr> </thead> <tbody> <tr> <td>R-1-A, R-1-B, R-19</td> <td>2,000 sq. ft.</td> </tr> <tr> <td>R-2, R-3, R-10, R-13, R-17, R-20, and R-21</td> <td>1,200 sq. ft.</td> </tr> </tbody> </table> <p><u>Maximum Unit Size</u> The accessory apartment cannot occupy more than 35% of the house's GFA.</p> <p><u>New Entrances</u> If an additional entrance is created to a house it shall not be located on a wall of the house that faces a street (different rules apply in the R-3, R-13, R-17, R-20 zones).</p>	Zones	Minimum GFA	R-1-A, R-1-B, R-19	2,000 sq. ft.	R-2, R-3, R-10, R-13, R-17, R-20, and R-21	1,200 sq. ft.
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<p>Accessory Building</p>	<p>Accessory building attached to the primary building reviewed under the IRC</p> <p>Accessory building detached from the primary building reviewed under the IBC</p>	<p>An accessory apartment in an accessory building in an R zone, except the R-19 and R-20 zone, shall be permitted as a matter-of-right, subject to the following conditions:</p> <ul style="list-style-type: none"> - (a) There shall be permanent access to the accessory building apartment; (b) The dwelling use of the accessory building shall be coterminous with the permanent access; - Access shall be provided by 1 of the following: <ul style="list-style-type: none"> o A permanent passage, open to the sky, no narrower than 8 ft. in width, and extending from the accessory building to a public street through a side setback or shared recorded easement between properties; o Through an improved public alley with a minimum width 24 ft. that connects to a public street; or o The accessory building is within 300 ft. of a public street accessible through an improved public alley with a minimum width of 15 ft. - An accessory building that houses an apartment shall not be used simultaneously for any accessory use other than as a private vehicle garage, an artist studio, or storage for a dwelling unit on the lot; - An accessory building that houses an apartment shall not have a roof deck.
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