

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
Joel Lawson, Associate Director Development Review

DATE: January 7, 2026

SUBJECT: BZA # 20643-B – Square 2319 Lot 832 – Request for a Modification with a Hearing and special exception relief to permit minor changes to height of retaining walls at an athletic field (Maret).

I. BACKGROUND

The Board approved construction of an athletic field for Maret High School under Order 20643, including construction of retaining walls at portion around the property for grading purposes. Upon completion of the athletic field, the Department of Building's inspectors determined that some portions of the walls, including 13.3% of the walls' linear frontage exceeded four feet in height in excess between 2.6 to 7.5 inches above the maximum permitted four feet height prescribed under Subtitle C § 1401.3. In addition, approximately 14.5% of the walls did not satisfy the area requirement under Subtitle C § 1401.7 which prescribes that tiered walls have space between them equivalent to twice the height of the lower wall. The areas of non-conformity are shown in the drawings at Exhibit 6.

The Applicant, (Maret) now seeks special exception relief to permit the height increases at various points along the walls so the field can remain operational for the benefit of the school and a variety of community and District organizations with scheduled athletic events.

II. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of:

- Modification with Hearing pursuant to Subtitle Y § 704.
- Special exception relief pursuant to Subtitle C § 1401.3 for portions of retaining walls exceeding the maximum four feet height requirement; and
- Special exception relief pursuant to Subtitle C § 1401.7 from the minimum separation requirement between tiered walls.

III. LOCATION AND SITE DESCRIPTION

Address	Nebraska Avenue NW
Legal Description	Square 2319 Lot 832
Zoning	R-1B

Ward and ANC	Ward 3 ANC 3/4 G
Historic District	N/A
Lot Characteristics and Existing Development	The irregularly shaped property is comprised of two large tax lots of variable topography. As stated by the applicant “the Property currently includes significant topographical changes, with a grade change of approximately 35 feet from a high-point at the northwest corner of the property to a low-point at the southeast corner of the property.” The property is bound by a 15-feet wide public alley system to the northwest and west; four abutting properties to the east; Nebraska Avenue to the south; Utah Avenue and one residential property, where the alley dead-ends at the subject property line to the west.
Adjacent Properties and Neighborhood Character	The neighborhood is developed primarily with single-family homes in the R-1-B district. There are some institutional uses including schools and churches dispersed within the neighborhood. The abutting Lot 831 to the west fronts both Utah and Nebraska Avenue. The subject property directly abuts the rear and/or side yards of homes, which face 28th Street NW, Nebraska Avenue and Rittenhouse Street. N.W., separated from the subject lot by alleys. 5931 Utah Avenue abuts the property line at the side yard of the fieldhouse, and the field also abuts the side yard at 5860 Nebraska Avenue, N.W.

IV. DESCRIPTION OF MODIFICATION

Up to 13.3% of the constructed walls linear frontage exceeds the maximum four feet in height prescribed under Subtitle C § 1401.3, by approximately 2.6 to 7.5 inches. In addition, approximately 14.5% of the length of the walls does not satisfy the area requirement under Subtitle C § 1401.7 which prescribes that tiered walls have a width between them equivalent to twice the height of the lower wall.

V. ANALYSIS

Modification with Hearing

Subtitle Y § 704.6 states that - *A public hearing on a request for a modification with hearing shall be focused on the relevant evidentiary issues requested for modification and any condition impacted by the requested modification.*

704.7 The scope of a hearing conducted pursuant to Subtitle Y § 704.1 shall be limited to impact of the modification on the subject of the original application and shall not permit the Board to revisit its original decision.

Based on the review of the special exception relief, the requested modification would not impact the original application. The athletic field is already developed and in operation.

704.8 A decision on a request for modification of plans shall be made by the Board on the basis of the written request, the plans submitted therewith, and any responses thereto from other parties to the original application.

704.9 The filing of any modification request under this section shall not act to toll the expiration of the underlying order and the grant of any such modification shall not extend the validity of any such order.

The validity of the order would not be extended. The Order would be modified to include the requested relief from the height increases and the distance decreases between the retaining walls. Submitted plans reference where the differences are located along the retaining wall. ([Exhibit 6](#)).

C § 1402 Special Exception from retaining wall requirements: Subtitle C §§ 1401.3 and 1401.7

1402.1 Retaining walls not meeting the requirements of this section may be approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X. In addition to meeting the general conditions for being granted a special exception as set forth in that subtitle, the applicant must demonstrate that conditions relating to the building, terrain, or surrounding area would make full compliance unduly restrictive, prohibitively costly, or unreasonable.

Subtitle X 901.2

(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

The 2,189 linear feet of built retaining walls in this case include 292 linear feet (13.3%) that are higher than permitted by 2.6 to 7.5 inches at varying locations, and 312 linear feet (14.25%) of spacing between tiered walls closer than permitted, also in varied locations as shown in Exhibit 6 of the submissions. The Applicant has stated to OP that these construction errors are primarily due to grade change measurements.

(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and

The built walls would not affect the use of neighboring property since the location of the increased height and smaller distance between walls are along the property line facing alley abutting the rear of homes which front on Utah Avenue to the west, and along the east property line abutting private property which front on 28th Street, N.W. and Nebraska Avenue, N.W.

The Applicant and affected parties, including Friends of the Field (FoF) continue discussions regarding the requested relief. ([See Exhibit 17](#)).

(c) Will meet such special conditions as may be specified in this title.

The special condition noted under [C § 1402.1](#) states that: *the applicant must demonstrate that conditions relating to the building, terrain, or surrounding area would to make full compliance unduly restrictive, prohibitively costly, or unreasonable.*

Deconstruction to the retaining walls to fully comply with the Regulations could result in impacts of construction along some neighbors' rear yards, noise and truck traffic. The corrections would be cost prohibitive to only address small portions of the linear wall and may render the field unusable by the community and other District schools for near-term scheduled athletic events.

The Applicant is working with the neighbors and ANC on a fully executed agreement

regarding the relief and will submit this to the record prior to the public hearing. ([Exhibit 17](#))

VI. OTHER DISTRICT AGENCIES

By email to OP dated 12/19/2025, the District Department of Transportation (DDOT) stated that there was no objection to the approval of the application.

VII. ADVISORY NEIGHBORHOOD COMMISSION

ANC 3/4G had not provided comments to the record at the writing of this report.

VIII. COMMUNITY COMMENTS

There were no community comments on the record to date.

ATTACHMENT

1. Vicinity Map

Vicinity Map

