



## **MEMORANDUM**

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

**FROM:** Maxine Brown-Roberts, Project Manager

*JL* Joel Lawson, Associate Director Development Review

**DATE:** September 10, 2025

**SUBJECT:** BZA Case 21113A: Request for a modification without hearing to the approved plans for the expansion of the roof deck at on a building at 1750 H Street, NW.

### **I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the request to modify, without hearing, Board of Zoning Adjustment (BZA) Order 21113 to:

- Expand the usable space of the exterior roof deck area on the east side of the building; and
- Slightly adjust the approved layout of the penthouse habitable space by replacing a bathroom with an interior stair leading to the floor below.

There would be no expansion or addition to the existing penthouse.

### **II. OP ANALYSIS**

In BZA 21113, a special exception was approved from the penthouse requirements of Subtitle C § 1501.1(e), pursuant to Subtitle X § 901.2, to permit a rooftop penthouse and roof deck on the existing office building at 1750 H Street, NW, in the D-6 zone.

Pursuant to Subtitle Y § 703 the Applicant requests a modification without hearing to the BZA Order. Subtitle Y § 703.2 allow the Board, “*... in the interest of efficiency, to make, without public hearing, modifications to approved final orders and plans approved by such orders. . .*” if the Board determines that the proposal complies with the relevant subsections of Subtitle Y § 703. OP has reviewed the proposal as it relates to the following subsection of Subtitle Y § 703.

*703.9 An applicant requesting a modification without hearing shall submit the following information electronically:*

- a completed application form;*
- The nature of, reason(s), and grounds for the modification;*
- If a final order is to be modified, a copy of that order;*
- If plans are to be modified, architectural drawings and a copy of the order approving the plans; and*

The Applicant provided a completed application form (Exhibit 1), a copy of the final order (Exhibit 4) to be modified and the approved (Exhibit 7) and modified (Exhibit 3) architectural plans. The request for the proposed expansion of the roof deck would allow for additional rooftop deck space and the removal of the bathroom within the penthouse would allow for a direct connection to the floor below.

Subtitle C § 1501.1(e) requires that for any building within an area in proximity to the White House, “*penthouse habitable space or publicly accessible rooftop deck on the highest roof of the building*” must be reviewed by the BZA as a special exception after consultation with the U.S. Secret Service to determine whether security concerns exist. The U.S. Secret Service at [Exhibit 2](#) states that . . . “*Notification has been made to USSS/UD - White House Special Projects and no issues were found with the work on 1750 H St NW near the White House*” Therefore, the proposal meets that requirement.

The proposal would continue to be consistent with the requirements of Subtitle X § 901.2

- i. *Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?*

The D-6 zone is intended to accommodate high-density commercial, residential, and mixed-use development. No changes to the existing office use is proposed. The use of the penthouse would continue to be for occupants of the building and the removal of the bathroom to provide a connection to the floor below would not expand the size of the penthouse. The expansion of the roof deck should not affect the purpose and intent of the Regulations to allow outdoor space on the roof.

- ii. *Would the proposal appear to tend to affect adversely, the use of neighboring property?*

The internal modification in the penthouse would have no impact on the neighboring properties. On the approved plans, the roof deck primarily faces H Street, NW. With the modification, the roof deck would be expanded to the east side of the roof. The adjacent building to the east is approximately the same height as the subject building and is separated by an above grade court area. The roof of that building seems to be mostly for mechanical equipment. As such, the proposed use should not significantly adversely affect the use of neighboring properties and would provide an amenity to workers in the building.

- iii. *Subject in specific cases to the special conditions specified in this title.*

OP continues to determine that due to the nature and the placement of the use and the character and uses of the surrounding area, no special conditions for the use of the penthouse and roof deck is recommended.

The modification should not affect the habitable space required contribution to the Housing Production Trust Fund of Subtitle C § 1507.

### **III. OTHER DISTRICT AGENCIES**

To date, there have been no comments from other District agencies submitted to the record regarding this requested modification. DDOT had indicated no objection to the original case.

### **IV. ANC COMMENTS**

The property is within ANC 2A. At [Exhibit 9](#), is the ANC’s memo in support of the application.

### **V. COMMUNITY COMMENTS**

No comments from the community have been submitted to the record for this modification request as of the date of this report.