


**MEMORANDUM**

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

**FROM:** Philip Bradford, AICP, Case Manager  
 Joel Lawson, Associate Director Development Review

**DATE:** August 29, 2024

**SUBJECT:** BZA Case 21154: Request for special exception relief pursuant to Subtitle E § 5201.1 to allow a two-story addition to an existing row dwelling at 735 Harvard Street NW.

**I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle E § 5201 and Subtitle X § 901:

- E § 304.1, Lot Occupancy (60% maximum, 70% existing; 70% proposed); and
- E § 306.1 Rear Yard (20 feet required, 13.5 feet existing; 13.5 proposed)

**II. LOCATION AND SITE DESCRIPTION**

Address:	735 Harvard Street NW
Applicant:	Agraw Suliman
Legal Description:	Square 2888, Lot 0071
Ward / ANC:	Ward 1; ANC 1E
Zone:	RF-1 is intended to provide for areas developed primarily with residential row buildings, but within which there have been limited conversions of dwellings or other buildings into more than two principal dwelling units.
Historic Districts	N/A
Lot Characteristics:	The lot is 800 square feet in area with 16 feet of frontage along Harvard Street NW. The rear of the lot, also 16 feet in width, abuts a 15 foot wide public alley.
Existing Development:	The lot is currently improved with a two story with cellar one unit row dwelling. The existing structure is non-conforming to development requirements including rear yard and lot occupancy.
Adjacent Properties:	To the north, across the private alley are existing two-story row dwellings. To the east and west are existing two-story row dwellings. To the south, across Harvard Street NW are existing tow-story row dwellings. Approximately 275 feet to the east of the property is Georgia Avenue, zoned MU-4 (moderate density mixed use development).

Surrounding Neighborhood Character:	The surrounding neighborhood character is moderate density residential development consisting of predominantly single-family row dwellings.
Proposed Development:	The applicant proposes to remove the existing rear porch and construct a 71 square foot addition in line with the footprint of the porch to expand the first and second floors.

**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

RF-1 Zone	Regulation	Existing	Proposed <sup>1</sup>	Relief:
Density E § 201	2 principal units max.	1 principal unit	No change	None required
Lot Width E § 202	18 ft. min.	16 ft.	No change	Existing non-conforming
Lot Area E § 202	1,800 sq. ft. min.	800 sq.ft.	No change	Existing non-conforming
Height E § 203	35 ft. max.	24 ft.	No change	None required
Rear Yard E § 207	20 ft. min.	13.5 ft.	13.5 ft.	Relief requested
Side Yard E § 208	None required, but 5 ft. min. if provided	0 ft.	No change	None required
Lot Occupancy E § 210	60% max.	70%	70%	Relief requested
Parking C § 701	1 per principal dwelling unit	None provided	No change	Existing non-conforming

**IV. OP ANALYSIS**

**Subtitle E Chapter 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE**

*5201.1 For an addition to a principal residential building on a non-alley lot or for a new principal residential building on a substandard non-alley record lot as described by Subtitle C § 301.1, the Board of Zoning Adjustment may grant relief from the following development standards of this subtitle as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:*

- (a) Lot occupancy up to a maximum of seventy percent (70%) for all new and existing structures on the lot;*
- (b) Yards, including alley centerline setback;*
- (c) Courts; and*
- (d) Pervious surface.*

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The applicant has requested relief from lot occupancy and yard requirements, as permitted by this section.

5201.4 *An applicant for special exception under this section shall demonstrate that the proposed addition, new building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

*(a) The light and air available to neighboring properties shall not be unduly affected;*

The proposed two-story addition should not unduly affect the light and air available to neighboring properties. The addition is consistent with other additions that have been made along the alley and should not result in shadows that would be unduly detrimental to the use of adjacent properties.

*(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The proposed rear addition should not unduly compromise the use and enjoyment of neighboring properties. The addition would be fully enclosed, with windows on the north and east elevations. While these do allow some views onto neighboring properties, they do not directly overlook the rear yard of adjacent properties, and would be consistent with the existing windows and viewsheds from the existing rear elevation.

*(c) The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage; and*

The proposed addition would be entirely at the rear of the row dwelling and should not be visible from the street. The existing development pattern along the public alley is varied, consisting of a variety of additions of different sizes and materials. The proposed addition would not be inconsistent with the character that has been established along the alley, and would not visually intrude upon its character, scale or pattern of houses.

*(d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The applicant has provided graphical representations, including plans, photographs, elevations and sections sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways, see Exhibits 10 and 15A and 15B.

5201.5 *The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

OP does not recommend any special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent properties.

5201.6 *This section shall not be used to permit the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized in this section, height, or number of stories,*

*as a special exception.*

The proposed addition would not result in a building that would be out of scale with the height, building bulk, or use intended in this zone.

### **Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS**

*901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:*

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

The requested relief would allow the construction of a rear addition on an existing single unit row dwelling, as allowed by the RF-1 zone. The addition is consistent with height, bulk, and other rear yard requirements found in Subtitle E Chapter 2, 207 and the lot occupancy would be within that which is allowed by special exception.

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

The proposed rear addition should not intensify any impact to the use of neighboring properties as the proposal's reduction of the rear yard of the property would be well within the range of other properties in this row of houses, nor would it increase the height of the dwelling.

- (c) *Subject in specific cases to the special conditions specified in this title.*

The form of relief is within the allowed criteria of E § 5201, provided above.

### **V. OTHER DISTRICT AGENCIES**

DDOT advised OP that they have no objection to approval. No other District Agency submitted comment to the record.

### **VI. ADVISORY NEIGHBORHOOD COMMISSION**

At Exhibit 28 is a letter from ANC 1E in support of the application.

### **VII. COMMUNITY COMMENTS**

No community comments were received at the time this report was filed.

Figure 1: Location Map

