

**PRELIMINARY REPORT**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Michael Jurkovic, AICP, Development Review Specialist  
Joel Lawson, Associate Director Development Review  
**DATE:** November 22, 2024

**SUBJECT:** BZA Case 21167, Request for an area variance and a special exception for relief to permit the expansion of a nonconforming structure at 527 Florida Avenue, NW.

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The Applicant wishes to add a second story deck for outdoor recreation at the rear of a mixed-use building in the MU-4 zone and has requested an area variance for lot occupancy as well as a special exception from the required rear yard development requirements. However, Subtitle G § 5200 allows relief to both lot occupancy and rear yard through special exception. Additionally, the conversion of the basement level from office to residential may also require relief from the maximum residential lot occupancy requirement, which is not part of the applicant's request.

While OP does not determine the relief required, OP has discussed with the applicant that the incorrect relief appears to have been requested for lot occupancy. These issues are unresolved by the applicant. OP will provide a report with analysis and recommendation prior to a public hearing, based on an updated information provided by the applicant that will enable OP to provide analysis.