

SUPPLEMENTARY MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: April 2, 2025

SUBJECT: BZA Case 21226: Request for special exception relief to permit a three-story rear addition and third story with roof deck to an existing row dwelling at 1206 Staples Street NE.

At the March 19th public hearing for this case, the BZA requested a supplemental OP report clarifying the setback requirements of Subtitle C § 1504.1(b) and whether they are applicable to the penthouse structure, penthouse railing, or third floor. OP has discussed this question with DOB staff, who confirmed that the penthouse setback relief pertains to the roof deck guardrail, as it meets the definition in Subtitle B § 100 for Structure, Rooftop, and pursuant to Subtitle C § 1504.3(a) which does not exempt the guardrail from a setback requirement from the front façade of the building.

The applicant has since revised their plans per Exhibits 42A through 42D removing the rooftop stairwell access and replacing it with a hatch, and further setting back the rooftop deck and associated railings from the front façade of the building. These changes remove special exception relief from the following sections:

- Penthouse Uses Requirements of Subtitle C § 1501.1(b)
- Penthouse Setback Requirements of Subtitle C § 1504.1(b)

The applicant still requires relief from the following sections to proceed with the revised design, which remains the same as noted in the OP report in Exhibit 38, and OP continues to support the special exception relief for the sections as follows:

- Rooftop or Upper Floor Elements of Subtitle E § 204.1
- Rear Yard Requirements of Subtitle E § 207.1
- Rear Addition Requirements of Subtitle E § 207.5
- Lot Occupancy Requirements of Subtitle E § 210.1