

7bMEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: March 25, 2025

SUBJECT: BZA Case 21256, 2710 Sherman Avenue NW: To construct a third story plus roof deck, and three-story rear addition plus cellar, and convert to a 3-unit apartment house, an existing, semi-detached, two-story with cellar, principal dwelling unit in the RF-1 zone

I. OFFICE OF PLANNING RECOMMENDATION

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

- Special Exception: Subtitle U § 320.2 - Conversions (3 units maximum permitted per lot area: 3 units proposed).
- Special Exception: Subtitle E § 207.5 – Rear Addition (10 feet max. permitted beyond abutting residence, 19 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address	2710 Sherman Avenue, N.W.
Legal Description	Square 2858, Lot 0052
Ward / ANC	Ward 1, ANC 1A / 1E
Lot Characteristics	Long rectangular, deep lot measuring twenty-five feet wide and one hundred and 20 feet long.
Zoning	RF-1 – detached and semi-detached single-family dwellings.
Existing Development	Currently developed with a semi-detached structure in the RF-1 District.
Adjacent Properties	The property attaches to a row dwelling to the south and adjoins the lot of another semi-detached structure to the north.
Surrounding Neighborhood Character	The surrounding neighborhood is a mix of single-family row and semi-detached homes, small apartment buildings, and recent conversions to multi-family apartment dwellings.

III. APPLICATION-IN-BRIEF

The applicant proposes to convert the existing single-family residential structure to an apartment building of three units, including a three-story rear addition and a third-story upper addition to the existing structure. The rear addition would extend 19 feet beyond the home attached along the south property line at #2708 Sherman Avenue. Therefore, relief is required to permit extension beyond the permitted 10 feet.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief
Height E § 203	35 ft. max. 3 stories	23 ft. 7 in. 2 stories	33 ft. 10 in. 3 stories	None required
Lot Width E § 202	18 ft. min.	25 ft.	25 ft.	None required
Lot Area E § 202	1,800 sq.ft. min.	3,000 sq.ft. 1 unit	3,000 sq.ft. 3 units	None required
Conversion to an apt. U § 320.2	900 sq.ft of lot area	1 unit	3 units	Special Exception
Floor Area Ratio	None prescribed	N/A	N/A	None required
Lot Occupancy E § 210	60 % max.	31.3%	52.0%	None required
Rear Yard E § 207	20 ft. min.	67.5 ft.	32 ft. 8 ins	None required
Rear Yard E § 207.4	a rear wall... shall not...extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on any adjacent property	Less than 10 feet	19 feet	Relief requested
Side Yard E § 208	None required but if provided 8 feet min.	6.5 feet.	No change	None required
Parking § 701	1 space per du	None	None	None required

V. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief pursuant to U § 320.2 Conversion of a residential building to an apartment house in the RF-1 District

320.2 The conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house, or the renovation or expansion of an existing apartment house deemed a conforming use pursuant to Subtitle U § 301.4 that increases the number of units, shall be permitted in any of the RF-1 zones if approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:

(a) The building to be converted or expanded is in existence on the property at the time the Department of Consumer and Regulatory Affairs accepts as complete the building permit application for the conversion or expansion;

The building shown on the subject property is in existence at this time.

(b) The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Subtitle C, Chapter 10, Inclusionary Zoning, including the set aside requirement set forth at Subtitle C § 1003.10; and

A fourth unit is not proposed.

(c) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per each existing and new dwelling unit.

The conversion proposes three units, and the property is 3,000 square feet which is consistent with this requirement.

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 proposal essentially satisfies the intent and purpose of the Regulations and Map, including the area requirements anticipated for conversions of residential structures within the RF-1 District.

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

The proposal should not unduly adversely affect the availability of light and air to the neighboring properties as indicated in the sun study provided in [Exhibit 7](#). Windows with direct views onto neighboring properties are not included along the shared party wall or the north elevation. Therefore, adverse impacts on privacy are not anticipated beyond what currently exists.

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

The proposal satisfies the condition specified under Subtitle U § 320.2 as shown prior.

SPECIAL EXCEPTION: Rear Yard

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.*

The project includes a rear addition which would extend farther than 10 feet beyond the adjacent rear wall of the neighbor's home.

5201.2 & 5201.3 not relevant to this application

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 light and air to the neighboring property should not be unduly impacted. A sun study was conducted (Summer and Winter Solstice) and submitted to the record at [Exhibit 7](#). It generally indicates minimal shadowing with the proposal compared to a matter-of-right addition of 10 feet beyond the neighbor's rear wall during summer and winter during the morning, midday and afternoon periods.

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

Privacy and the use of enjoyment of neighboring properties should not be adversely affected. The addition does not have windows along the shared party wall to the south and similarly there are no windows along the north elevation with views into the neighbor's property at #2712. Sliding doors on the rear wall of the addition are located off bedrooms with small deck areas off bedrooms on the first and second floors. The decks would not serve as an entertainment area for guests or visitors to those units. The third floor only has access to a roof deck for use by residents and guests of the apartment described as Unit C in the plans.

(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 rear and upper level additions would not differ substantially from rear additions or conversions within the RF-1 in the immediate neighborhood, and are within the height and lot occupancy allowances for the zone.

(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 provided the required documents noted as [Exhibits 7, 10 and 14](#)

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 additional treatment by way of design or screening.

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 three-unit apartment building is a permitted special exception residential use in the RF-1 district, and the lot satisfies the minimum lot area requirement.

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 addition as proposed satisfies the general intent and purpose of the Regulations and Maps which is to mitigate the impacts to light, air and enjoyment of use of neighboring property.

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

As discussed under the criteria of Subtitle E §5201, the addition would not adversely affect the use of neighboring property, including to the available light, air and existing privacy.

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

Special conditions are not specified in the review.

VI. AGENCY COMMENTS

At the writing of this report DDOT provided no comments to OP to date.

VII. COMMUNITY COMMENTS

At the writing of this report, ANC comments had not been filed to the record.

VIII. COMMUNITY COMMENTS

A neighbor's letter in support is included in the record at [Exhibit 18](#).

Attachment: Location Map

Location Map

