

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Ron Barron, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: May 21, 2025

SUBJECT: BZA Case 21294: To permit construction of a two-story with basement rear addition to an existing dwelling at 2219 Observatory Place NW.

I. OFFICE OF PLANNING RECOMMENDATION

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

- Subtitle D § 207.5, rear addition requirements (10 ft. max. required, 12.5 ft. proposed)

II. LOCATION AND SITE DESCRIPTION

Address	2219 Observatory Place NW
Applicants	Brynn and Robert Kurtzman
Legal Description	Square 1301, Lot 0947
Ward, ANC	Ward 3; ANC 3B
Zone	R-3/GT, low density residential
Historic Districts	None
Lot Characteristics	Regular lot with 16.3 ft. of frontage and a lot depth of 92 ft.
Existing Development	The lot is improved with a two-story brick row dwelling with basement.
Adjacent Properties	To the north, the property abuts an attached row dwelling at 2221 Observatory Place NW; to the east, a public alleyway; the south, an attached row dwelling at 2217 Observatory Place NW and to the west Observatory Place NW.
Surrounding Neighborhood Character	The neighborhood is characterized by two and three-story attached single-family row dwellings.
Proposed Development	The applicant proposes construction of a two-story with basement rear addition, to an existing, attached, two-story with basement row home.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R Zone	Regulation	Existing	Proposed	Relief
Lot Width D § 202	40 ft. min.	N/A	No Change	None Requested
Lot Area D § 202	4,000 sq.ft. min.	1,500 sq.ft.	No Change	None Requested
Height D § 1101	35 ft. max.	22 ft.	No Change	None Requested
Front Setback D § 1103	In-line with neighboring properties	16.2 ft.	No Change	None Requested
Rear Yard D § 207	20 ft. min.	44.8 ft.	32.3 ft.	None Requested
Rear Extension D § 207.5	10 ft. max.	N/A	12.5 ft.	Sp. Ex. Relief Requested
Side Yard D § 1104	0 ft. min. for row buildings	0 ft.	No Change	None Requested
Lot Occupancy D § 1102	60% max. by right max by sp.ex.	45.8%.	56.9%	None Requested
Parking C § 701	1 min.	1 space	No Change	None Requested

IV. OP ANALYSIS

The applicant seeks special exception relief to build a two-story rear addition with a basement at 2219 Observatory Place NW in the R-3 zone. This addition will expand the basement, first and second floors. The rear wall of the proposed addition would extend 12.5 feet beyond the adjacent dwelling's rear wall, exceeding the 10-foot rule by 2.5 feet.

Subtitle D § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 For an addition to a principal residential building with one (1) principal dwelling unit 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 ...*
- (b) Yards, including alley centerline setback; and*
- (c) Pervious surface.*

Per Subtitle D § 207.5, an addition cannot extend more than 10 ft beyond the rear wall of the nearest neighbors. The proposed addition would exceed this limit by 2.5 ft.

5201.2 & 5201.3 not relevant to this application

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

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

The proposed addition would not significantly impact the light and air available to neighboring properties. The applicant provided a shadow study, which demonstrated that the addition would not substantially reduce light and air compared to current conditions. Also, the closest, most immediately impacted neighbor submitted a letter stating no objection.

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

The use and enjoyment of neighboring properties should not be unduly compromised. All new windows would primarily overlook the property's own rear yard, minimizing potential for new views into neighboring properties being created.

(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;

The proposed addition should not significantly impact the character, scale, or pattern of the houses along the street or alley frontage. It would not be visible from the street but would be visible from the public alley. The size and aesthetics of the addition would be consistent with the homes along the alley.

(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 sufficient graphical representations to support their arguments.

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.

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 proposal would not result in a building that would be inconsistent with the use, height, or building bulk anticipated 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 proposed addition would be in harmony with the general purpose and intent of the R-3 zone, which is primarily designated for low-density residential uses. The subject property is currently a single-family residence, and the proposed addition will not alter its existing use.

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

The proposed addition is not expected to negatively impact the use of neighboring property. As noted above, the impacts regarding privacy, light, and air should be minimal. Currently, there have been no objections raised to the proposal in the record.

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

This section is not applicable.

V. OTHER DISTRICT AGENCIES

DDOT reviewed the case record and stated no objection to approval.

No other District Agencies have submitted comment to the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

At Exhibit 28 is a report from ANC 3B recommending approval of this application.

VII. COMMUNITY COMMENTS

At Exhibit 24 is a letter from a neighbor noting no objection.

Attachment: Location Map

Location Map:

