



## **MEMORANDUM**

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

**FROM:** Joshua Mitchum, Development Review Specialist

*JL* Joel Lawson, Associate Director, Development Review

**DATE:** October 10, 2025

**SUBJECT:** BZA Case 21352: Request for special exception relief to remove a rooftop architectural element of an existing semidetached, two-story w/ cellar, principal dwelling unit in the RF-1 Zone.

### **I. BACKGROUND**

The applicant description of the subject application states that special exception relief is being requested to construct a penthouse with a roof deck to an existing semidetached, two-story w/ basement, principal dwelling unit in the RF-1 Zone. After speaking with both the Applicant and the Department of Building (DOB), the required relief is special exception for the removal of an existing rooftop architectural element (upper roof portion of a turret), as requested by the applicant.

Per DOB, the Applicant has been issued a building permit for the construction of a third-story addition with roof deck, and a pending demolition permit for the removal of the turret is what has been referred to OP and the BZA as the basis of this special exception application.

### **II. RECOMMENDATION**

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

- **Roof Top or Upper Floor Elements, E § 204.1** (Removal of existing rooftop architectural element requires special exception)

OP has advised the Applicant that this recommendation of approval is predicated on the understanding that only the removal of the pitched roof portion of the existing turret is supported, and not the entire turret or the cornice at the top of the turret) as illustrated below. The Applicant has agreed to this modification, to retain the entire cornice.

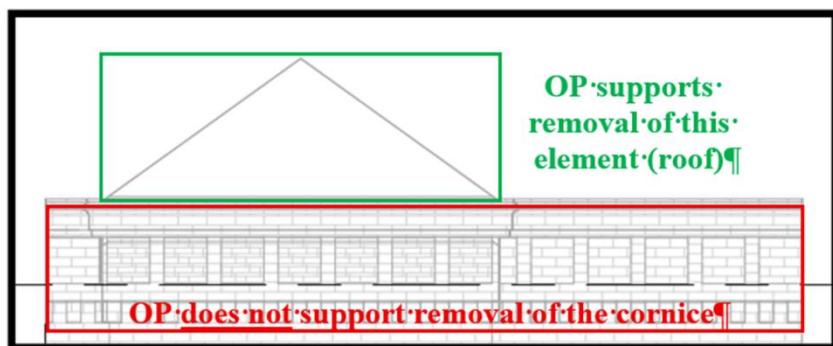


Figure 1. Illustration of supportable turret alteration

### III. LOCATION AND SITE DESCRIPTION

|  |   |
|--|---|
| <b>Address:</b>                            | 828 12 <sup>th</sup> Street NE  |
| <b>Applicant:</b>                          | Anakainosis LLC c/o Nadine N Ranade   |
| <b>Legal Description:</b>                  | Square 0981; Lot 0821   |
| <b>Ward / ANC:</b>                         | Ward 6 / ANC 6A   |
| <b>Zone:</b>                               | RF-1, Low to Moderate-Density Row Residential   |
| <b>Historic Districts:</b>                 | N/A   |
| <b>Lot Characteristics:</b>                | The 1,074.57 square foot lot is rectangular in shape, and has 17 feet of frontage along 12 <sup>th</sup> Street NE, and 17 feet of frontage along a 10-foot-wide public alley in the rear yard. |
| <b>Existing Development:</b>               | The lot is currently improved with a semidetached, two-story plus basement principal dwelling and concrete driveway.  |
| <b>Adjacent Properties:</b>                | The property is bounded to the north, south, east, and west by attached and semidetached residential homes in the RF-1 Zone.  |
| <b>Surrounding Neighborhood Character:</b> | The surrounding neighborhood can be characterized by attached and semidetached residential buildings, primarily row houses.   |
| <b>Proposed Development:</b>               | The Applicant is proposing to construct a penthouse with a roof deck to the existing home.  |

### IV. ZONING REQUIREMENTS and RELIEF REQUESTED

| RF-1 Zone                                 | Regulation   | Existing                                   | Proposed                                | Relief                                     |
|---|--|--|---|--|
| Density<br>E § 201                        | 2 principal units max.   | None given                                 | No change                               | None requested                             |
| Lot Width<br>E § 202                      | 18 ft. min.  | 17 ft.                                     | No change                               | None requested<br>(existing nonconformity) |
| Lot Area<br>E § 202                       | 1,800 sq. ft. min.   | 1074.57 sq. ft.<br>(1075 sq. ft.)          | No change                               | None requested                             |
| Height<br>E § 203                         | 35 ft. max.  | 21 ft.                                     | No change                               | None requested                             |
| <b>Rooftop Elements<br/>E § 204 (206)</b> | <b>Removal of original rooftop arch'l element requires a sp. ex.</b> | <b>Turret with cornice and peaked roof</b> | <b>Removal of peaked roof of turret</b> | <b>Special exception requested</b>         |
| Front Yard<br>E § 206                     | Consistent with block face   | 0 ft.                                      | No change                               | None requested                             |

| RF-1 Zone                | Regulation                                | Existing | Proposed  | Relief  |
|--------------------------|---|----------|-----------|---|
| Rear Yard<br>E § 207     | 20 ft. min.                               | 17.5 ft. | No change | None requested<br>(existing<br>nonconformity) |
| Side Yard<br>E § 208     | None required, but 5 ft. min. if provided | 0 ft.    | No change | None requested                                |
| Lot Occupancy<br>E § 210 | 60% max.                                  | 65 %     | No change | None requested<br>(existing<br>nonconformity) |

## V. OFFICE OF PLANNING ANALYSIS

### Subtitle E § 204 ROOFTOP OR UPPER FLOOR ELEMENTS

204.4 *The Board of Zoning Adjustment may grant relief from the requirements of Subtitle E § 204.1 as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:*

(a) *The proposed construction shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

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

The special exception, if granted, should not unduly affect the light and air available to neighboring properties. The Applicant's proposal to remove the roofed portion of the turret would slightly decrease the amount of shadows cast and could allow for increased airflow throughout the rooftop area.

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

The special exception, if granted, should not unduly affect the privacy of use and enjoyment of neighboring properties. The Applicant's proposal, the removal of a portion of an existing rooftop architectural element, does not introduce any elements that would create nor exacerbate existing privacy issues for neighboring properties.

(3) *The proposed construction, 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 removal of the roofed portion of the existing turret should not substantially visually intrude upon the character, scale, and pattern of houses along 12<sup>th</sup> Street NE or the public alley in the rear.

As stated in the Background section of this report, OP supports the removal of the roofed portion of the turret provided that the existing cornice remains on the front façade of the subject property. There are other similar properties along 12<sup>th</sup> Street NE that have removed the peaked roofed portion of their

turrets while retaining the cornices, so this proposal would result in a similar character and scale of development along the streetscape.

(b) *In demonstrating compliance with paragraph (a), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed construction to adjacent buildings and views from public ways; and*

While the Applicant has provided plans and color photographs that sufficiently represent the relationship of the proposed construction to adjacent publics and views from public ways to OP, as of the date of this report, the Applicant has yet to submit them to the public record for this case. OP has informed the Applicant of the missing submissions.

(c) *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 or nearby properties, or to maintain the general character of a block.*

OP does not recommend special treatment in this case, other than the retention of the full cornice element at the top of this building and the turret as proposed.

## **Subtitle X § 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 special exception, if granted, would be in harmony with the general purpose and intent of the RF-1 Zone, which is to “provide for areas predominately developed with residential row buildings on small lots within which no more than two principal dwelling units are permitted”. The Applicant’s proposal, the removal of a portion of the existing rooftop architectural element while maintaining the critical portion of the rooftop, does not compromise the subject property’s ability to adhere to this purpose.

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

As stated earlier in this report, the special exception, if granted, would not adversely affect the use of neighboring property in accordance with the Zoning Regulations and the RF-1 Zone. The proposal does not introduce or expand an existing nonconforming use, nor does it compromise the subject property’s ability to continue to function as a single-family residential dwelling use.

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

Special conditions have not been specified in the case of the subject application.

## **VI. OTHER DISTRICT AGENCIES**

The District Department of Transportation (DDOT) has indicated that it has no objections to the

subject application as presented. As of the date of this report, comments from other District agencies have not been received.

## VII. ADVISORY NEIGHBORHOOD COMMISSION

A report from ANC 6A in support of the subject application has been submitted to the record as Exhibit 20.

## VIII. COMMUNITY COMMENTS

As of the date of this report, comments from the community have not been submitted to the record.

### Location Map

