

## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Shepard Beamon, Development Review Specialist  
 JL Joel Lawson, Associate Director, Development Review  
**DATE:** October 10, 2025

**SUBJECT:** BZA Case 21354: Request for special exception and area variance relief to construct a third story with penthouse and roof deck, to an attached, two-story plus cellar for a nonprofit organization at 1513 P Street NW.

### **I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to U §203.1(o) and Subtitle X § 901:

- **Use Permissions, U § 420.1(a) / U § 203.1(o)** Use of existing residential buildings and the land on which they are located by a nonprofit organization for the purposes of the nonprofit organization. and

The Office of Planning (OP) recommends **approval** of the following area variance pursuant to Subtitle X § 1002:

- **Use Permissions, U § 203.1(o)(2)** Gross floor area of the building in question is 10,000 sq. ft. or greater. (Existing: 2,286 sq. ft.; Proposed: 3,458 sq. ft.)

### **II. LOCATION AND SITE DESCRIPTION**

<b>Address:</b>	1513 P Street NW
<b>Applicants:</b>	Christopher Cohen for National Bankers Association
<b>Legal Description:</b>	Square 0028; Lot 0096
<b>Ward / ANC:</b>	Ward 2, ANC 2B
<b>Zone:</b>	RA-2/DC, Dupont Circle Overlay Residential House
<b>Historic Districts:</b>	Greater 14 <sup>th</sup> Street Historic District
<b>Lot Characteristics:</b>	The 2,200 square foot lot is rectangular in shape and has 22 feet of frontage along P Street NW, and 22 feet of frontage along a 10-foot-wide public alley in its rear.
<b>Existing Development:</b>	The lot is currently improved with a two-story with cellar attached building used for nonprofit use.
<b>Surrounding Neighborhood Character:</b>	The property is bounded by a semi-detached, residential flat (less than five units) to the east and an attached, three-story condominium to the west. The surrounding neighborhood character includes a variety of lot sizes and configurations, building heights

	and densities, and uses including residential uses, offices, commercial/retail and surface parking lots.
<b>Proposed Development:</b>	The Applicant is proposing to construct a third story to the existing building with no increase in lot occupancy.

### III. ZONING REQUIREMENTS and RELIEF REQUESTED

<b>R Zone (R-3/FB)</b>	<b>Regulation</b>		<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Lot Width F § 202	N/A		22 ft.	No change	None requested
Lot Area F § 202	N/A		2,200 sq. ft.	No change	None requested
FAR F § 201	1.8		1.04	1.57	None requested
Height F § 203	50 ft. max.		25 ft.	33.5 ft.	None requested
Penthouse and Rooftop Structure F § 205	Max. Height	Max. # of Stories	N/A	9 ft. (11 ft. for elevator overrun)	None requested
	12 ft., except 15 ft. for penthouse mechanical space	1; Second story permitted for penthouse mechanical space			
Rear Yard F § 207	A distance equal to 4 in. per 1 ft. of principal building height, but not less than 15 ft. min.		41.2 ft.	No change	None requested
Side Yard F § 208	N/A		N/A	N/A	None requested
Lot Occupancy F § 210	60% max. by right 70% max by sp. ex.		51.9%	No change	None requested
Parking C § 701	Office: 0.5 per 1,000 sq. ft. in excess of 3,000 sq. ft. (Required: 0 spaces)		2 spaces	No change	None requested
Use Permissions (RA) U § 420 U § 203.1(o)(2)	Any use or structure permitted pursuant to Subtitle U § 203 (R Zones) if approved by the BZA as a special exception		Nonprofit organization in a residential building	No change	<b>Special Exception Relief requested</b>
	Gross floor area of the building in question is 10,000 sq. ft. or greater.		2,286 sq. ft.	3,458 sq. ft.	<b>Area Variance Relief requested</b>

#### **IV. OFFICE OF PLANNING ANALYSIS**

##### **Subtitle U § 230 SPECIAL EXCEPTION USES**

*230.1 The following uses shall be permitted in R-Use Groups A, B, and C, if approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X, Chapter 9 and subject to the applicable conditions for each use below:*

*(o) Use of existing residential buildings and the land on which they are located by a nonprofit organization for the purposes of the nonprofit organization:*

*(1) If the building is listed in the District of Columbia's Inventory of Historic Sites or, if the building is located within a district, site, area, or place listed on the District of Columbia's Inventory of Historic Sites;*

The property is located in the Greater 14<sup>th</sup> Street Historic District.

*(2) If the gross floor area of the building in question, not including other buildings on the lot, is ten thousand square feet (10,000 sq. ft.) or greater;*

The total GFA the existing building with the proposed addition would be less than 10,000 sq. ft.; accordingly, the applicant requests area variance to allow less than the required GFA.

*(3) The use of existing residential buildings and land by a nonprofit organization shall not adversely affect the use of the neighboring properties;*

OP does not anticipate the continued use of the subject building for a nonprofit organization to adversely affect the neighboring properties.

*(4) The amount and arrangement of parking spaces shall be adequate and located to minimize traffic impact on the adjacent neighborhood;*

The property currently has two parking spaces and the applicant proposes to keep the same number of parking spaces and parking configuration.

*(5) No goods, chattel, wares, or merchandise shall be commercially created, exchanged, or sold in the residential buildings or on the land by a nonprofit organization, except for the sale of publications, materials, or other items related to the purposes of the nonprofit organization; and*

The applicant has stated no goods, chattel, wares, or merchandise will be commercially created, exchanged, or sold on the property.

*(6) Any additions to the building or any major modifications to the exterior of the building or to the site shall require approval of the Board of Zoning Adjustment after review and recommendation by the Historic Preservation Review Board with comments about any possible detrimental consequences that the proposed addition or modification may have on the architectural or historical significance of the building or site or district in which the building is located;*

The proposed modifications were reviewed by the HPRB at its July 2025 meeting.

##### **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 requested relief would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. While the RA-2/DC zone is generally intended to provide for the retention of its predominantly residential character, the proposed building has been used for non-residential purposes for a long time. The proposed addition would not preclude a future reconfiguration to a multi-family residential use, would be within the FAR and height permitted in the zone, and should not detract from the historic residential character of the district.

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

As discussed above, the proposed third-floor addition should not adversely affect the use of neighboring properties. According to Exhibit 6B, available records show that the property has been used for nonresidential office purposes for over 60 years, and there are no known issues with the continued use of the property for a nonprofit organization. The property would maintain two off-street parking spaces, although not required, and the hours of operation are limited to standard business hours.

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

Special conditions have not been specified for the subject application.

## **Subtitle X § 1000 GENERAL PROVISIONS (AREA VARIANCE)**

*1000.1 With respect to variances, the Board of Zoning Adjustment has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3) (formerly codified at D.C. Official Code § 5-424(g)(3) (2012 Repl.)), "[w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."*

### **A. Extraordinary or Exceptional Situation or Condition Resulting in Practical Difficulty**

#### **(1) Extraordinary or Exceptional Situation**

The DC Court of Appeals has found that exceptional conditions that are common to multiple lots in proximity to each other can be part of meeting the variance test through a "confluence of

factors”, but that an Applicant must demonstrate that the property in question exhibits an exceptional or extraordinary condition unique to their property in order to be granted an area variance.

In the subject application, the Applicant cites that the lot is 2,200 sq. ft. in area and abuts buildings on either side. Although the RA-2 does not have a minimum lot size and the lot is not dissimilar to other lots in the square, the existing lot constraints create difficulty in meeting the minimum 10,000 GFA. The existing building is just over ¼ the required GFA, and with the proposed addition, the building would still measure less than half the GFA of the required minimum GFA.

*(2) Condition Resulting in Practical Difficulty*

To obtain variance relief, the applicant must demonstrate exceptional practical difficulties that are caused by an extraordinary or exceptional condition that is unique to the property. As stated by the applicant, the organization has expanded and evolved, and the proposed addition would accommodate additional office and conference space within the building they have occupied for some time. Denial of the variance would not prevent the continued use of the building for office use, but according to the applicant, would significantly hinder operations for the organization.

***B. No Substantial Detriment to the Public Good***

The requested area variance for a third-floor addition to the subject property would likely not result in substantial detriment to the public good. The proposed addition should not result in undue impacts on privacy, light or air flow for the neighboring properties. The proposed building height would not exceed that of other buildings on the same block-face. As the building has been used for office use for several decades, OP does not anticipate negative impacts with the expansion of the building for this continued use.

***C. No Substantial Impairment to the Intent, Purpose, and Integrity of the Zoning Regulations***

The proposed relief should not result in substantial impairment to the intent and purpose of the zoning regulations. The intent of this provision appears to be to provide additional use flexibility by allowing for an alternative use – non-profit office - for very large residential structures (ones with over 10,000 sq.ft. of building area). Although the existing building, together with the proposed addition, would not meet the minimum GFA for nonprofit office use, the addition would increase the GFA, technically bringing the property closer to conforming to the minimum GFA requirement. Additionally, the nonprofit use is a legal nonconforming use, and the proposed addition would not change the use. As stated above, the proposal should not result in a building form, height or lot occupancy that would conflict with zoning, or with the historic residential character of the Greater 14<sup>th</sup> Street Historic District or the RA-2/DC zone development standards.

**V. OTHER DISTRICT AGENCIES**

The District Department of Transportation (DDOT) has indicated no objections to the approval of the subject application as presented. As of the date of this report, no comments from other District agencies have been received.

**VI. ADVISORY NEIGHBORHOOD COMMISSION**

At Exhibit 19 is s report from ANC 2B in support.

## VII. COMMUNITY COMMENTS

As of the date of this report, comments from community members have not been received.

### Location Map

