

## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Karen Thomas, Case Manager  
 JL Joel Lawson, Associate Director Development Review  
**DATE:** October 30, 2025

**SUBJECT:** BZA Case 21367, Request for special exception relief to permit an increase from 6 to 15 residents, in an existing community residential facility in the R-2 zone.

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

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

- Community Residential Facility, Subtitle U § 203.1 (e), pursuant to Subtitle X § 901 (8 permitted; 6 existing; 15 proposed)

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

|                                    |  |
|------------------------------------|--|
| Address                            | 3328 5th Street, SE  |
| Applicant                          | Community Works, LLC   |
| Legal Description                  | Square 5972, Lot 36  |
| Ward, ANC                          | Ward 8; ANC8C  |
| Zone                               | R-2 – low density residential, a community residential facility of 15 residents is permitted in the zone by special exception  |
| Historic District                  | N/A  |
| Lot Characteristics                | The rectangular large lot is gently elevated at the front, sloping upwards from 5 <sup>th</sup> Street SE.   |
| Existing Development               | The property is a large rectangular lot developed with a detached single-family structure.   |
| Adjacent Properties                | The adjacent properties are also residences and small apartments.  |
| Surrounding Neighborhood Character | The surrounding neighborhood character is a mix of residences typical of the R-2 and RA-1 zone districts development patterns.   |
| Proposed Development               | The Applicant has proposed an increase from 6 to 15 residents, in the currently operating community residential facility permitted only as a special exception under Subtitle U § 203.1(e) |

### **III. ZONING REQUIREMENTS and RELIEF REQUESTED**

Physical changes to the building are not proposed – no expansion of the building is proposed. The Applicant has proposed increasing the number of clients of the facility from a maximum of eight

persons permitted as a matter-of-right under Subtitle U § 202.1 (h)(2). The proposed increase to fifteen persons is permitted as a special exception use subject to the conditions under Subtitle U § 203.1 (e), pursuant to Subtitle X§ 901.1 as discussed hereafter.

#### IV. OFFICE OF PLANNING ANALYSIS

The Zoning Administrator's referral memo dated June 27, 2025 determined that relief was required for the proposed load increase from 6 to 15 residents ([Exhibit 8](#)).

#### Special Exception Relief from Subtitle U § 203.1 (e)

*Community Residential Facility subject to the following conditions:*

*(1) The use shall house nine (9) to fifteen (15) persons, not including resident supervisors or staff and their families;*

The Applicant has proposed increasing the number of residents to 15 persons, thereby requiring special exception relief.

*(2) In any of **the R-2** and R-3 zones, there shall be no other lot containing a facility in the same square or within a radius of five-hundred feet (500 ft.) from any portion of the lot; and*

*(3) In all other R zones there shall be no other lot containing a facility in the same square or within a radius of one thousand feet (1,000 ft.) from any portion of the lot;*

In response to item (2), the Applicant stated that there is an abutting facility which is operated by the subject Applicant and that facility operates as a matter of right. The Applicant operates the other residential facility for no more than 8 residents as permitted as a matter of right. The Applicant has stated to OP that the operations of both are similar, including that both are residential in nature. OP's online research<sup>1</sup> indicates that the abutting property at 3324 5<sup>th</sup> Street (owned by Community Works) has been in operation since February 2001 and was licensed by the DC Department of Behavioral Health (DCDBH) as a facility offering residential services to adults with mental illness seeking halfway and group living. The subject property of this application has been in operation since 2017 for those needing residential support.

The Applicant has stated that there is adequate on-street parking in the neighborhood for employees, and that the residents of the facility do not drive. The Applicant has also informed OP that the ANC 8C voted to support the application at its regularly scheduled community meeting, although the ANC's recommendation is not included in the record at the writing of this report.

*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*

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<sup>1</sup> [Community Works, LLC](#)

*Zoning Maps;*

The proposed expansion of the facility will harmonize with the purpose and intent of the regulations. The proposed facility is not a denser type of residential development as it has operated in the neighborhood for the past eight years as a matter of right and no physical changes to the building are proposed to house the additional residents beyond what is permitted by special exception for the R-2 zone.

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

The use of neighboring property would not be affected as the neighborhood has had this use at the subject property for the past 8 years (20 or more years in the community overall) and the requested increase would not involve physical expansions to the building to accommodate the additional residents. Therefore, based on the ongoing operations, the proposed increase would not adversely impact the use of neighboring property.

**V. OTHER DISTRICT AGENCIES**

At the writing of this report, comments from District agencies were not included in the report.

**VI. ADVISORY NEIGHBORHOOD COMMISSION**

The ANC 8C's comments had not been added to the record to date, but the Applicant informed OP that the ANC recommended approval of the request.

**VII. COMMUNITY COMMENTS TO DATE**

No community comments had been added to the record to date.

## Project at 3328 5th Street, SE

