

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Shepard Beamon, Development Review Specialist
JL Joel Lawson, Associate Director Development Review
DATE: November 5, 2025

SUBJECT: Expedited BZA Case 21387 (3401 Lowell Street, NW): A request for special exception relief to construct a 2 1/2-story plus cellar rear addition to an existing detached dwelling.

I. OFFICE OF PLANNING RECOMMENDATION

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

- Non-conforming Side Yards, Subtitle D § 208.7, pursuant to Subtitle D § 5201.1 (Two 5 ft. min. side yards required; Existing: West – 2.9 ft.; East – 0 ft.; Proposed: West – 4 ft. (1 ft. deviation); East – 0 ft. (no change/5 ft. deviation)); and
- Pervious Surface, Subtitle D § 211.1, pursuant to Subtitle D § 5201.1 (50 percent minimum required; 40.2 percent existing; 44.1 percent proposed).

An application (BZA [20205](#)) for the same special exception relief on the same property was reviewed and approved by the Board in March 2020. As the previous case has expired, the applicant reapplied for relief to commence with the project. There have been changes to the architectural plans since the previous Board hearing but the requested special exception relief remains the same. The previous application included a waiver from the accessory apartment requirements; however, the applicant has indicated this relief is no longer necessary.

II. LOCATION AND SITE DESCRIPTION

Address	3401 Lowell Street, NW
Applicant	Seth M. Ballard for Harold & Danielle Bulger
Legal Description	Square 2089, Lot 0828
Ward, ANC	3/3C
Zone	R-1-B
Historic District	Cleveland Park Historic District
Lot Characteristics	Irregularly L-shaped corner lot measuring 40 feet in width and 150 feet in depth. The lot is bounded by Lowell Street, NW to the south, 34 th Street, NW to the east, and residential properties to the north and west.
Existing Development	The property is improved with a detached single household dwelling.

Adjacent Properties	Single household dwellings.
Surrounding Neighborhood Character	Single household dwellings, John Eaton Elementary School, and a place of worship.
Proposed Development	<p>The applicant proposes to renovate and enlarge an existing house. The proposal would add a three-story rear addition to create a new kitchen and additional living space.</p> <p>The rear addition would provide a four-foot setback on the west side. The addition would provide a larger setback than the existing building, but it would still require relief because a setback of five feet is required when extending an existing non-conforming side yard. Similarly, relief is also required for the eastern side yard because the rear addition would extend the yard without providing a setback.</p> <p>While the rear addition would cover additional lot area than what is existing, the applicant proposes to increase the percentage of pervious surface of the lot from 40.2 percent to 44.1 percent. However, relief from pervious surface is still required because the increase in pervious surface would not meet the minimum requirement of 50 percent.</p>

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – R-1-B	Regulation	Existing	Proposed	Relief
Density D § 201	One (1) principal dwelling unit and one (1) accessory apartment	One principal dwelling	No change	None Required
Lot Width D § 202	50 ft. min.	40 ft.	No change	None Required
Lot Area D § 202	5,000 sq. ft. min.	5,400 sq. ft.	No change	None Required
Height D § 203	40 ft. max./ 3 stories	28.3 ft./ 3 stories	No change	None Required
Front Setback D § 206	Front setback must in range of existing front setbacks on block	Within range	No change	None Required
Rear Yard D § 207	25 ft. min.	37.9 ft.	25.1 ft.	None Required
Side Yard D § 208	Two 8 ft. side yards required; a non-conforming side that is extended shall be a minimum of 5 ft.	Western Side Yard: 2.9 ft. Eastern Side Yard: 0 ft.	Western Side Yard: 4 ft. Eastern Side Yard: 0 ft.	Special Exception Relief

Zone – R-1-B	Regulation	Existing	Proposed	Relief
Lot Occupancy D § 210	40% max. (50% with special exception)	24.3%	36.5%	None Required
Pervious Surface D § 211	50% min.	40.2%	44.1%	Special Exception Relief
Parking C C § 701	1 parking space per dwelling unit	1 parking space	No change	None Required

IV. OFFICE OF PLANNING ANALYSIS

Subtitle D Chapter 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; and*
- (c) Pervious surface.*

5201.2 and 5201.3 Not Applicable

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 three-story rear addition should not unduly block light and air available to the property to the west. The property to the west is a detached single household dwelling that is significantly set back from the shared side property line with the subject property. In addition, the applicant states that the property to the west has an existing line of mature trees along the shared side property line. To the east is a public right-of-way.

The non-conforming percentage of pervious surface would not affect light and air to neighboring properties.

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

Privacy and enjoyment of neighboring properties should not be unduly compromised as the rear addition would be significantly separated from the property to the west. Further, there is thick landscaping along the shared side property line that would provide privacy and screening between the subject property and the property to the west.

The increase in the percentage of pervious surface over what currently exists would not have an undue impact of privacy of use and enjoyment of the property to the west.

(c) The addition or accessory structure, together with the original 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 subject street frontage;

The rear addition was previously reviewed by OP's Historic Preservation division and was determined not to visually intrude upon the character and scale of the neighborhood. The design was approved by the Historic Preservation Review Board (HPRB) in August 2019. The proposal was again reviewed by the HPRB in September 2025, and reviewed and approved by the Capitol Historic Trust in August 2025. The applicant further states that the proposal has gone through several iterations to ensure compatibility with the character of the neighborhood. The addition would be subordinate in scale and massing to the existing house. The addition would not be visible from a public alley, as the property is not located on one.

(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, new building, or accessory structure to adjacent buildings and views from public ways.

The applicant submitted a survey, architectural plans, and photographs to illustrate the proposed addition and relations to surroundings.

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 special treatment.

5201.6 This section may 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 as a special exception.

The proposed addition would not introduce or expand a use not permitted in the R-1-B zone. The proposal would not exceed the maximum lot occupancy or height allowed in the zone.

5201.7 Where an application requests relief from the alley centerline setback requirements under this section, the Office of Zoning shall refer the application to the following agencies for their review and recommendations, to be filed in the case record within the forty- (40) day period established by Subtitle A § 211.

Not Applicable.

Subtitle X Chapter 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 would be in harmony with the general purpose and intent of the R-1B zone, as it would retain the single-family use of the detached dwelling. The proposal would not result in a building that would conflict with the required lot occupancy, density, rear yard or building height. Although still nonconforming, the proposed pervious surface would be more than the existing, bringing the total closer to conforming to the required minimum.

- (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 adversely affect the neighboring property to the north as the subject property will meet the required rear yard. The neighbor to the west should not be negatively impacted as the neighboring property has a wider side yard with considerably dense vegetation that should provide adequate separation from the subject property. Additionally, the most impacted neighbor to the west has provided a letter of support. (Exhibit 21)

- (c) *Will meet such special conditions as may be specified in this title.*

OP does not recommend special conditions for this application.

V. OTHER DISTRICT AGENCIES

At the filing of this report, there have been no comments from other District agencies submitted to the record or reported to OP.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 3C filed a letter of support to the record in Exhibit 27.

VII. COMMUNITY COMMENTS TO DATE

There are five letters of support from community members, including one from the adjacent property.

Attachment: Location Map



OPID0030288