



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Philip Bradford, AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: November 19, 2025

SUBJECT: BZA Case 21389, Area Variance and Special Exception request to construct a three-story addition to an existing three-story private school building in the RF-1/CAP zone.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following area variance relief:

- Penthouse Height Requirements, E § 402.1, pursuant to Subtitle X § 1002 (10 ft. / 1 story maximum permitted; N/A existing; 14 ft. – 10 in. / 1 story proposed);

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

- Private School Use Requirements, Subtitle U § 203.1(m), pursuant to Subtitle X § 901.2 and (Private school existing; physical expansion of private school proposed)
- Penthouse Setback Requirements, Subtitle C § 1504.1(c), pursuant to Subtitle X § 901.2 and Subtitle C § 1506.1 (1:1 setback (10 ft.) required; N/A; 5 ft. proposed)

II. LOCATION AND SITE DESCRIPTION

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|------------------------------------|--|
| Address | 422 3 rd Street SE |
| Applicant | Goulston & Storrs on behalf of Saint Peter School |
| Legal Description | Square 0793, Lot 0025 |
| Ward, ANC | Ward 6; ANC 6B |
| Zone | RF-1/CAP |
| Historic District | Capitol Hill Historic District |
| Lot Characteristics | Irregularly shaped corner lot with 223 ft. of frontage on E Street SE, and 144 ft. of frontage on 3 rd Street SE with a portion of the property abutting D Street SE. |
| Existing Development | Saint Peter School |
| Adjacent Properties | Single unit row dwellings zoned RF-1/CAP |
| Surrounding Neighborhood Character | Low to moderate density row dwellings with some multi-family buildings. |

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| Proposed Development | The applicant proposes to construct a 15,431 sq. ft. three-story addition to the existing private school and to renovate portions of the existing structure. |
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III. ZONING REQUIREMENTS and RELIEF REQUESTED

| Zone- | Regulation | Existing | Proposed ¹ | Relief |
|---|--|-------------------------------------|----------------------------------|------------------------------------|
| Lot Width § 202 | 40 ft. | 223 ft. | No change | None requested |
| Lot Area § 202 | 4,000 sq. ft. min. | 38,893 sq. ft. | No change | None requested |
| Height § 4904 | 40 ft. max. | 48 ft. | 35 ft. (addition) | None requested |
| Penthouse Height C § 1504.1(c) | 10 ft. max / 1 story max | N/A | 14 ft. 10 in. | Area Variance requested |
| Penthouse /Rooftop Structure Setback E § 402.1 | 1:1 distance from building wall = 10 ft. min | N/A | 5 ft. proposed (northern side) | Special Exception requested |
| Front Setback § 206 | Within range of existing | 0 ft. | 0 ft. | None requested |
| Rear Yard § 207 | 20 ft. min. | 96 ft. | 96 ft. | None requested |
| Side Yard § 208 | 5 ft. min. | North: 20.41 ft. South: 8.20 ft. | North: 5 ft. South: No change | None requested |
| Lot Occupancy § 210 | 40 % max. | 23.5% | 39.1% | None requested |
| Parking C § 701 | 27 parking spaces | 5 parking spaces | No change (parking credit) | None requested |
| Private School Use / Expansion U § 203.1 (m) | Private school use or expansion permitted by special exception | Private school | Private school with new addition | Special Exception requested |

IV. OFFICE OF PLANNING ANALYSIS

1. Special Exception for a Private School Plan – Subtitle X § 104

104.1 *Education use by a private school shall be permitted as a special exception subject to review and approval by the Board of Zoning Adjustment after its determination that the use meets the applicable standards of Subtitle X, Chapter 9 and conditions of this section.*

¹ Information provided by the applicant

104.2 The private school shall be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions.

Saint Peter School has been in existence for 156 years, with Building A constructed in 1874 and the connected Building B following in 1936. Given the long history of the school in this location, the school should not become objectionable to adjoining and nearby property. The applicant states that the traffic would not increase because of the proposed expansion, and that the student and staffing levels are intended to remain the same as existing. Based on the analysis of the proposed development noise is likely to decrease, as play areas are removed from ground level and raised to a height above adjacent properties or internal to the building.

104.3 The development standards for a private school shall be those of the zone in which the private school is located.

The proposed addition would meet all development standards for the RF-1/CAP zone, other than those where the applicant is seeking relief related to the penthouse.

104.4 In calculating density, the land area shall not include public streets and alleys, but may include interior private streets and alleys within the school boundaries.

The campus does not include any public streets or alleys.

Special Exception for a Private School – Subtitle U § 203.1(m)

203.1 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:

(m) Private schools and residences for teachers and staff of a private school, but not including a trade school, subject to the following conditions:

(1) Shall be located so that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions;

The addition to the school should not become objectionable to nearby properties. Traffic to the school would not increase, the number of students and staff would remain the same, and the addition should not substantially change the nature of activities at the school. The addition to the school could decrease noise impact as it moves existing play areas that are located at ground level on the exterior of the building to internal or rooftop spaces, and the enrollment is not proposed to be increased.

(2) Ample parking space, but not less than that required by this title, shall be provided to accommodate the students, teachers, and visitors likely to come to the site by automobile; and

Analysis of the parking requirements are provided in [Exhibit 6](#) “Statement of the Applicant” and more in-depth information regarding parking is provided in [Exhibit 10](#) “Transportation Statement”.

The property pre-dates zoning regulations that would have required a specific number of off-street vehicular parking spaces. The current regulations would require the provision of 27 parking spaces, but the Zoning Administrator has determined that the school qualifies for a parking credit of 22 spaces, resulting in a parking requirements of 5 spaces which the site provides. C §704.1 requires additions to historic resources to provide additional parking if the addition increases the GFA by at least 50%, and if the resulting requirement is more than four spaces. Due to the parking requirements for this use being based on faculty size and there is no increase to faculty and staff proposed by the addition, no additional parking spaces are required.

(3) *After hearing all evidence, the Board of Zoning Adjustment may require additional parking to that required by this title;*

OP does not recommend additional parking be required by the Board, however OP would defer to any recommendations from DDOT for off-street parking.

Subtitle X § 901.2 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 special exception would be in harmony with the general purpose and intent of the zoning regulations and maps. The property is an educational use within a residential zone which is permitted as a special exception in the case of a private school. Permitting the special exception relief would allow the school to expand and provide ADA compliant access to all floors of the addition and existing buildings while locating a usable play area on the rooftop.

(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 and expansion of a private school, would not tend to adversely impact the use of neighboring properties. The school has been in this location for many decades without issues with adjacent property owners, interference with traffic, or adjacent public parks. Permitting the addition would allow the school to resolve accessibility issues.

2. Area Variance Relief from Subtitle E § 402.1 Penthouse and Rooftop Structure Height

The applicant proposes a new addition to the existing school buildings in order to provide ADA access as the existing buildings do not meet current accessibility standards, and improve internal circulation and provide various new spaces for the school. The elevator core is 14 ft. 10 in. in height above the roof, thus it does not comply with the penthouse and rooftop structure requirements of E § 402.1, which currently limit the penthouse in this zone to ten feet and one story maximum in height.²

² As part of ZC Case 25-12, a text amendment to this provision to allow a penthouse height of 15 feet for mechanical space and 12 feet for habitable space, consistent with the requirement for other zones allowing a building height of 40 feet, has been proposed. The public hearing for this case is closed and final action would be expected early in 2026.

Subtitle X § 1002 Variance Review Standards

i. Extraordinary or Exceptional Situation or Condition Resulting in Peculiar and Exceptional Practical Difficulties / Exceptional or Undue Hardship To the Property Owner

a. Extraordinary or Exceptional Situation

As noted earlier in this report, the existing Building A was built in 1867 and Building B in 1936. These historic structures do not meet current accessibility requirements, and the issue is worsened by misaligned floors between the existing buildings. Building A and B also exceed the maximum height now permitted in the zone. To provide ADA access, the new addition seeks to provide access to all structures and provide outdoor recreation to students, which is located on the rooftop. As a result, the elevator must serve the roof of the building and as a result it is 4 feet 10 inches taller than the currently required maximum penthouse / rooftop structure height limitation for the RF-1/CAP zone.

b. Exceptional Practical Difficulties / Exceptional or Undue Hardship

Given the rooftop play area needs, and misaligned floors between the buildings, the applicant is unable to find an elevator manufacturer that can provide an elevator model that can accomplish providing access to the rooftop level, and the misaligned floors between the buildings within the 10-foot maximum permitted by the zoning regulations. A strict application of the 10-foot rooftop penthouse / structure limitation would, at a minimum, require the applicant eliminate the rooftop play area space from the addition which could result in the school losing the playground entirely, which is typically seen as an essential element of a school, especially one serving K-8 students.

ii. No Substantial Detriment to the Public Good

Granting the requested area variance would not result in a substantial detriment to the public good. The rooftop element exceeding the height limitation is relatively minor and located so that it will have minimal visual impact. No public comments in opposition to the variance request are submitted to the record.

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

The intent of the penthouse setback requirements is to minimize the visibility and control the height of a building's mechanical equipment and other structures commonly located on rooftops. The elevator overrun would have a maximum height of 14 ft. 10 in., which is typically permitted but not within this zone. The design and location of this element is intended to minimize the visual impact and would not be visible from street level, adjacent parks, or neighboring residential properties. Additionally, the existing school buildings are taller than the addition and will further screen the elevator overrun from off-site views.

3. Special Exception Relief from Subtitle C § 1504.1(c)(1) Rooftop Structure Setback Requirements pursuant to C § 1506.1

1506.1 Relief from the requirements of Subtitle C §§ 1503 and 1504 may be granted as a special exception by the Board of Zoning Adjustment subject to:

- (a) *The special exception requirements of Subtitle X, Chapter 9;*
- (b) *The applicant's demonstration that reasonable effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks; and*

The applicant has made a reasonable effort to house all the rooftop mechanical equipment, stairway and elevator overrun penthouses to comply with all setback requirements. The setback requirement is not met for the northern portion of the proposed play area fence which consists of a 3.5-foot knee wall and a 6.5-foot fence. The fence is needed to enclose the rooftop play area and ensure safety, while providing outdoor play spaces for the students.

- (c) *The applicant's demonstration of at least one (1) of the following:*
 - (1) *The strict application of the requirements of this chapter would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or is inconsistent with building codes;*
 - (2) *The relief requested would result in a better design of the penthouse or rooftop structure without appearing to be an extension of the building wall;*

The applicant states that granting the relief would allow the applicant to minimize the appearance of the rooftop play area perimeter fence from adjacent parks and from street level. If the standard were to be met along the northern portion of the rooftop, it would require an unnecessary reduction in the rooftop play space. Granting the variance would not substantially increase the visibility of the play area fence from adjacent properties or from Folger and Providence Park located to the west of the subject property. The rooftop play area fence was reviewed in detail during the Historic Preservation Review Board meeting for the project, further demonstrating that the design is appropriate for the context.

- (3) *The relief requested would result in a penthouse or rooftop structure that is visually less intrusive; or*
- (4) *Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of Subtitle C § 115 building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable.*

Subtitle X § 901.2 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 special exception from setback for a portion of the security fence would not be inconsistent with the general purpose and intent of the zoning regulations and maps. The property is an educational use and permitting the special exception relief would allow the school to provide a safe and usable play area on the rooftop.

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

The special exception request for penthouse setback would not tend to adversely impact the use of neighboring properties. Permitting the rooftop fence setback would allow the school to resolve accessibility issues and provide a functional playground on the roof of the school.

V. OTHER DISTRICT AGENCIES

At Exhibit 9 is a memo indicating concept approval by HPRB. At the writing of this report, no other comments from any District agencies had been submitted to the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

At Exhibit 25 is a memo from ANC 6B in support.

VII. COMMUNITY COMMENTS TO DATE

At Exhibits 21 and 22 are letters in support of the application.

Attachment: Location Map

