



## **MEMORANDUM**

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

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

*JL* **Joel Lawson, Associate Director, Development Review**

**DATE:** December 1, 2025

**SUBJECT:** BZA Case 21390: Request for special exception relief to construct a front addition, a third story, and a three-story rear addition, and to convert to a flat, an existing attached dwelling

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### **I. RECOMMENDATION**

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

- **Rear Yard, E § 207.1** (20 ft. min. required, 3 ft. 1 in. existing, 7 ft. 9 in. proposed); and
- **Lot Occupancy, E § 210.1** (60% max. required, 81% existing, 64.7% proposed)

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

- **Rooftop or Upper Floor Elements, E § 204.1** (Removal or alteration of existing upper floor element requires special exception)

While the applicant is proposing to retain elements at the top of the building, which OP supports, the changes to the porch roof also trigger this relief, and the applicant has not provided sufficient justification for the changes, which would be inconsistent with streetscape character.

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

<b>Address:</b>	3125 Warder Street NW
<b>Applicant:</b>	Christina Ferreri
<b>Legal Description:</b>	Square 3049 ; Lot 0035
<b>Ward / ANC:</b>	Ward 1 / ANC 1E
<b>Zone:</b>	RF-1, Low-Density Residential Row Homes
<b>Historic District:</b>	N/A
<b>Lot Characteristics:</b>	The 1,400 square foot lot is rectangular in shape and has 20 feet of frontage along Warder Street NW, and 20 feet of frontage along a public alley in the rear yard.
<b>Existing Development:</b>	The lot is currently improved with a two-story w/ basement principal dwelling and a one-car garage.

<b>Adjacent Properties:</b>	The property is bounded to the north, south, east, and west by attached single-family homes in the RF-1 Zone.
<b>Surrounding Neighborhood Character:</b>	The surrounding neighborhood can be characterized as residential row homes.
<b>Proposed Development:</b>	The Applicant is proposing a third story addition and a conversion into a flat.

### III. ZONING REQUIREMENTS AND RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief:
Density E § 201	2 principal units max.	1 principal unit	No change	None requested
Lot Width E § 202	18 ft. min.	20 ft.	No change	None requested
Lot Area E § 202	1,800 sq. ft. min.	1,400 sq. ft.	No change	None requested
Height E § 203	35 ft. max.	Not given	Not given	None requested
<b>Rooftop Elements E § 204 (206)</b>	<b>Removal of existing upper floor element requires Sp. Ex.</b>	<b>Front porch roof</b>	<b>Removal of front porch roof</b>	<b>Special exception requested</b>
Front Yard E § 206	Consistency with block face	Not given	Not given	None requested
<b>Rear Yard E § 207</b>	<b>20 ft. min.</b>	<b>3 ft. 1 in.</b>	<b>7 ft. 9 in.</b>	<b>Special exception requested</b>
Rear Extension E § 207.4	10 ft. max. beyond neighboring houses	Not given	Not given	None requested
Side Yard E § 208	None required, but 5 ft. min. if provided	-	No change	None requested
<b>Lot Occupancy E § 210</b>	<b>60% max.</b>	<b>81%</b>	<b>64.7%</b>	<b>Special exception requested</b>
Parking C § 701	1 parking space per 2 dwelling units	Not given	No change	None requested

### IV. OFFICE OF PLANNING ANALYSIS

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

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;*
- (2) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and*
- (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 Applicant is proposing to remove the substantial front porch, and replace it with a smaller, less substantial or characteristic porch and porch roof. While it is not likely that this would have a significant or negative impact on access to light or air by neighbors, or impact their sense of privacy, at this time, OP does not have enough information from the submitted plans and elevations to sufficiently analyze how or whether or not the proposal could impact the character, scale, and pattern of houses on 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*

The Applicant's architectural plans and elevations, submitted as Exhibit 4, currently do not sufficiently represent the relationship of the proposed construction to adjacent buildings and views from public ways. OP has reached out to the Applicant to request that they provide updated plans that have colored elevations and site plan drawings that would better represent what is existing and what is proposed for the front yard porch construction. As of the date of this report, the updated plans and elevation have not been submitted into the record.

(c) *The Board of Zoning Adjustment many 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 supports the retention of the existing upper floor elements such as the cornices and dormers. OP would also support retention of the existing porch roof, but at this time cannot determine if other conditions related to the porch roof are needed.

## **Subtitle E § 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE**

5201.1 *For an addition to a principal residential building 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 up to a maximum of seventy percent (70%) for all new and existing structures on the lot;***
- (b) Yards, including alley centerline setback;***
- (c) Courts; and***
- (d) Pervious surface.***

In addition to rooftop and upper floor elements, the Applicant is requesting special exception relief from lot occupancy and rear yard requirements.

5201.2 Not applicable to the subject application.

5201.3 Not applicable to the subject application.

5201.4 *An applicant for special exception under this section shall demonstrate that the proposed addition, new building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

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

The addition that would result from the requested relief should not unduly affect the light and air available to neighboring properties. The rear walls of the properties adjacent to the subject property currently extend beyond the setback of the proposed addition, and the proposed alterations to the subject property represent an overall reduction in building footprint.
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;***

The special exceptions, if granted, should not result in new construction that would unduly compromise the privacy of use and enjoyment of neighboring properties. As stated above, the rear walls of the properties adjacent to the subject property currently extend beyond the setback of the proposed addition. Furthermore, the windows of adjacent properties face rearward, and the proposed addition does not feature windows that would create vantage points that would compromise the privacy of neighboring properties.
- (c) The proposed addition, or accessory structure, together with the original building, or the new principal 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 street or alley frontage; and***

The special exceptions, if granted, should not substantially visually intrude upon the character, scale, and pattern of houses along Warder Street NW or the alley frontage. The proposed addition would be designed to match the façade of the existing building through usage of similar materials.

(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 has provided photographs, plans, and plats sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

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 with respect to this relief.

5201.6 *This section shall 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.*

The special exceptions, if granted, would not permit the introduction or expansion of a nonconforming use or lot occupancy beyond what is authorized in this section. The requested special exceptions for rear yard and lot occupancy relief should not compromise the ability of the subject property to continue its existing use a single-family residential dwelling.

## **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 rear yard and lot occupancy special exceptions, if granted, would be in harmony with the general purpose and intent of the RF-1 Zone. The requested relief would not result in a dwelling that would be inconsistent with the intent of the zoning in terms of building height, massing or use.

(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 the report, the lot occupancy and rear yard special exceptions, if granted, would not adversely affect the use of neighboring property in accordance with the Zoning Regulations and the RF-1 Zone. The proposal neither introduces, nor expands an existing nonconforming use, and it does not 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.

## **V. OTHER DISTRICT AGENCIES**

A report from the District Department of Transportation (DDOT) indicating no objections to the subject application has been submitted into the record as Exhibit 27. As of the filing of this report, comments from other District agencies have not been received.

## **VI. ADVISORY NEIGHBORHOOD COMMISSION**

As of the filing of this report, comments from ANC 1E have not been received.

## **VII. COMMUNITY COMMENTS**

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

### **Location Map**

