

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Development Review Specialist *MBR*  
**DATE:** January 30, 2026  
**SUBJECT:** BZA Case 21392: Request for special exception relief to construct a second floor and deck addition to a row dwelling

**I. RECOMMENDATION**

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

- **Rear Yard, D § 207.1** (20 ft. min. required, 18.78 ft. existing, 16.125 ft. proposed); and
- **Lot Occupancy, D § 210.1** (60% max. required, 58.56% existing, 64.81% proposed)

**II. LOCATION AND SITE DESCRIPTION**

<b>Address</b>	1610 32 <sup>nd</sup> Street, NW
<b>Applicant</b>	William Michael Ellis, Jr. Trustee and Jeanne Van Vorhees Ellis Trustee represented by Sullivan & Borros
<b>Legal Description</b>	Square 1280, Lot 0105
<b>Ward/ANC</b>	Ward 1/ANC 2E
<b>Zone</b>	R-3/GT
<b>Historic District</b>	Georgetown Historic District
<b>Lot Characteristics</b>	The 1,820 square foot lot is nearly rectangular in shape and has 23.50 feet of frontage along 32 <sup>nd</sup> Street, NW and 24.74 feet the rear.
<b>Existing Development</b>	The lot is currently improved with a three-story, row dwelling.
<b>Adjacent Properties</b>	The property is bounded to the north, south, east, and west by attached single-family homes while to the east is Tudor Place.
<b>Surrounding Neighborhood Character</b>	The surrounding neighborhood can be characterized as residential with a mix of 2- and 3-story row homes, and apartment buildings. To the west of the site, the Wisconsin Avenue corridor with a variety of commercial uses.
<b>Proposed Development</b>	The Applicant is proposing an addition to the second and third story and a deck off the second story. It also includes filling in the dog leg on the northern portion of the lot.

**III. ZONING REQUIREMENTS AND RELIEF REQUESTED<sup>1</sup>**

<b>R-3/GT Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief:</b>
Lot Width D § 202	20 ft. min.	23.50 ft. – 24.74 ft.	No change	None requested
Lot Area D § 202	2,000 sq. ft. min.	1,820 sq. ft.	No change	None requested
Height D § 203	35 ft. max.	30.25 ft.	No change	None requested
Front Yard D § 206	Within range	Within range	Within range	None requested
<b>Rear Yard D § 207</b>	<b>20 ft. min.</b>	<b>18.78 ft.</b>	<b>16.125 ft.</b>	<b>Special exception</b>
Rear Extension D § 207.4	10 ft. max. beyond neighboring houses	0 ft.	4 ft.	None requested
Side Yard D § 208	None required, but 5 ft. min. if provided	None-	None	None requested
<b>Lot Occupancy D § 210</b>	60% max.	1 <sup>st</sup> . Floor - 58.56% 2 <sup>nd</sup> Floor – 42.21% 3 <sup>rd</sup> Floor – 40.68%	<b>1<sup>st</sup>. Floor - 64.81%</b> 2 <sup>nd</sup> Floor – 58.4% 3 <sup>rd</sup> Floor -40.68	<b>Special Exception</b>
Parking C § 701	1 parking space per 2 dwelling units	1 space	1 space	None requested

Site Location



**IV. OFFICE OF PLANNING ANALYSIS**

The property is improved with a 3-story row building. The proposed addition would be located above the existing one-story extension of first floor level of the building. The second-floor addition

<sup>1</sup> Information on the existing and proposed were provided by Applicant

would overhang portions of the first level. The addition to the second level would increase the lot occupancy from 42.1% to 58.4%. The overhang of the second floor would increase the lot occupancy on the first floor from 58.56% to 64.61%. The special exception for lot occupancy is only applicable to the first level of the house as each level has to meet the lot occupancy requirement. However, based on the design, the proposed addition on the second level could not be supported without the increase in lot occupancy on the lower level.

Regarding the rear yard, the addition would decrease existing, non-conforming rear yard setback from 18.79 feet to 16.25 feet. The proposal also includes new stairs leading to the deck, which do not count towards lot occupancy nor rear yard as it is an uncovered stair leading to a main level.

**Subtitle D § 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 subject to the following table**

**TABLE D § 5201.1(a): MAXIMUM PERMITTED LOT OCCUPANCY BY SPECIAL EXCEPTION**

Zones	Type of Structure	Maximum Percentage of Lot Occupancy (%)
All R-3 zones except R-3/GT	All Structures	70
R-3/GT	Row	
R-3/GT	Detached Semi-detached	50
All other R zones	All Structures	

**(b) Yards, including alley centerline setback; and**

**(c) Pervious surface.**

The Applicant has requested special exception relief from the 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;**

From the light studies submitted by the Applicant and the adjacent property owner, it seems that currently, shadows are cast on the roof and the side yard of the neighbor to the north of the subject property, a portion of which has skylights. The light studies show that there would be additional shadows on the adjacent property from the proposed addition. During the spring and summer

months, it seems the shadows would be the same or minimal. The shadows during the fall and winter months, especially around 3:00 pm, would be greater. However, overall, when taken across all seasons, the light and air would not be undue due because of the increase in lot occupancy and decrease in rear yard.

Regarding the property to the south which shares a lot line, the addition should not unduly affect its light and air as any shadows would fall on the rear yard and there would be a separation of approximately forty feet between that portion of the buildings.

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

The privacy of the adjacent properties should not be unduly compromised by the addition on the second level, as the addition would have no windows overlooking the properties and the deck area would have a privacy fence. Privacy on the first floor would continue to be provided by the existing fencing between the buildings. Additionally, there is vegetation on and along the fencing on the neighbor's side during the warm months which would provide additional privacy. Therefore, the privacy of use should not be unduly compromised.

- (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 proposed addition would not be viewed from 32<sup>nd</sup> Street and the property does not abut an alley. The proposed addition would be designed to match the façade of the existing building through usage of similar materials and therefore should not substantially visually intrude upon the character, scale, and pattern of houses along 32<sup>nd</sup> Street. The property is within the Georgetown Historic District and the jurisdiction of the Commission of Fine Arts who may review the addition for consistency with the historic district.

- (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.

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. The proposed increase in lot occupancy is within the maximum 70% 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 as 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 R-3 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 R-3 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.*

No special conditions have been specified in the case of the subject application.

#### **V. OTHER DISTRICT AGENCIES**

DDOT has asked OP to convey to the BZA that DDOT has no objection to the approval of the application.

#### **VI. ADVISORY NEIGHBORHOOD COMMISSION**

The property is within ANC-2E. The ANC report is at [Exhibit 23](#).

#### **VII. COMMUNITY COMMENTS**

The adjacent neighbor at 1614 32<sup>nd</sup> Street has been granted party status. As of the filing of this report, no other comments from the community have been received.