

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Shepard Beamon, Development Review Specialist
MBR
 Maxine Brown-Roberts, Associate Director of Development Review

DATE: May 22, 2026

SUBJECT: BZA Case 21396: 932 Shepherd Street, NW – Request for special exception relief to construct a third story and three-story rear addition plus cellar on an existing single-family row dwelling and convert to a 3-unit apartment building.in the RF-1 zone.

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exceptions pursuant to Subtitle E § 5201, Subtitle U § 320.2 and Subtitle X § 901:

- E § 207.5 Rear Addition Requirements (Permitted: 10 ft. max.; Existing: 0 ft.; Proposed: 15 ft. (east side only); and
- U § 320.2 Use Permissions (Residential Conversion) (Existing: 1 principal dwelling; Proposed: 3 apartment units).

OP recommends the following conditions upon approval of the special exceptions:

1. OP recommends the applicant use high-quality building material and, where feasible, incorporate architectural details on all new facades to add character, texture, color and enhance the overall the proposed additions, specifically on facades that are visible from the alley or street.
2. OP recommends the applicant reduce the depth of the proposed rear decks on the first and second floors to a depth of no more than feet in effort to shorten the total length of the side walls. Alternatively, OP recommends the applicant not use opaque materials on the side of the first and second floor decks to allow light and airflow.
3. OP recommends the applicant reduce the pitch of the third-floor roof to reduce the height of the addition to a minimum height to reduce shadowing on neighboring properties, further reduce visibility of it when viewed from the street and still allow rainwater to drain and collect away from neighboring properties.
4. OP recommends the applicant not enclose the side of the rear decks on the first and second floors with opaque materials.

These conditions have been discussed with the applicant.

II. LOCATION AND SITE DESCRIPTION

Address:	932 Shepherd Street, NW
Applicant:	1124 Morse, LLC represented by Sullivan & Barros
Legal Description:	Square 2906, Lot 839
Ward / ANC:	Ward 4; ANC 4C

Zone:	RF-1
Historic Districts	None
Lot Characteristics:	Rectangular lot with an area of 2,939 sq. ft. with a 15 ft. building restriction line along the Shepherd Street frontage and 15 ft. wide public alley in the rear.
Existing Development:	One-family, two-story row dwelling with a detached garage in the rear yard
Adjacent Properties:	Row and semi-detached dwellings.
Surrounding Neighborhood Character:	The surrounding area is primarily developed with one-family row and semi-detached residential buildings.
Proposed Development:	<p>The applicant is requesting relief to construct a third story addition on top of the existing building footprint, and a three-story addition at the rear and to convert the existing single-household dwelling to a three-unit apartment building.</p> <p>A new carriage house is proposed to be built in the rear yard but would not require relief as accessory structures are permitted in the required rear yard. According to the applicant, two of the units would have part of their living space in the carriage house and the carriage houses would not be individual units.</p>

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief:
Lot Width E § 202	18 ft. min.	18.82 ft.	No change	None requested
Lot Area E § 202	1,800 sq. ft. min. 2,700 sq. ft. (for 3-unit conversion)	2,939 sq. ft.	No change	None requested
Height E § 203	35 ft. max. 22 ft. max. (accessory structure)	24 ft. N/A	34 ft. 16 ft. 6 7/16 in.	None requested
Rear Yard E § 207	20 ft. min.	78 ft. 2 in.	60 + ft.	None requested
Rear Addition E § 207.5	A rear wall of a row or semi-detached building may be constructed to extend farther than 10 ft. beyond the farthest rear wall of any adjoining principal residential building.	0 ft.	19.5 feet beyond the building to the east.	Special Exception relief requested

RF-1 Zone	Regulation	Existing	Proposed	Relief:
Side Yard E § 208	None required, 5 ft. min. if provided	N/A	N/A	None requested
Lot Occupancy E § 210	60% max. 70% by special exception	26%	60%	None requested
Pervious Surface E § 211	20% min.	74%	39%	None requested
Parking C § 701	1 per 2 dwelling units for any R or RF zone	N/A	Two spaces	None requested
Use Permissions (Residential Conversion) U § 320.2	Conversion of an existing residential building to an apartment house shall be permitted in any of the RF-1 zones if approved by the BZA as a special exception.	Single- household dwelling	Three-unit apartment house	Special Exception relief requested

IV. OP ANALYSIS

Subtitle E Chapter 5201 SPECIAL EXCEPTION REVIEW STANDARDS

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.*

The applicant has requested special exception relief from the maximum 10-foot rear addition extension requirement of the RF-1 zone to allow a 15-foot rear addition.

5201.2 & 5201.3 not relevant to this 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 proposed rear addition requires relief from the maximum rear addition requirement that allows an addition to extend no further than 10 feet beyond the rear wall of an

adjacent building on a shared property line. The proposed addition would extend 15 feet beyond the rear wall of the building to the east.

Although the rear and third story additions would increase shadow coverage, the impact on light or air for the neighboring properties should be undue as the three stories in height, which is the common height for buildings in the area, should not completely block light or airflow in the neighboring rear yards. The applicant's sun study included as part of Exhibit 17A, pages 11-14, indicates that the amount of light provided to adjacent properties by the proposal when compared to the matter-of-right design would be the same except for the evening hours throughout all solstice. However, the difference would not be significantly more than the matter-of-right design.

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

The privacy of neighboring properties should not be unduly impacted. Any views onto nearby properties from the rear of the proposed addition would be similar to existing views and from a matter-of-right addition. The proposed addition would not have windows on the side facades that extend beyond the neighboring rear wall and the decks on the first and second floors would be enclosed on either side facing the neighboring rear yards.

- (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 rear addition would be minimally visible from the Shepherd Street and would be visible from the rear alley. However, the building would be setback approximately 60 feet from the alley which is similar to other buildings with rear additions along the alley, and therefore the proposal should not significantly alter the character or appearance of the neighborhood when viewed from the alley. The proposed carriage house is also set back 20 feet from the rear property line and would limit views of the rear addition from the alley. Therefore, the rear addition should not detract from the character of the alley.

The third-floor addition would be visible from the street but would be set back five feet behind the existing front façade. The existing mansard roof detail and covered front porch would be retained in order to maintain the character of the building and reduce visibility of the third-floor addition. The third-floor addition would also not extend beyond the rear wall of the adjoining building to the east.

- (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 or accessory structure to adjacent buildings and views from public ways.*

The applicant provided plans, photographs, and elevations to sufficiently represent the relationship of the proposed additions to adjacent properties.

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.

As designed, the applicant proposes framing and Hardie panel finishes for the proposed carriage house, third floor and rear addition. These materials appear to be blank paneled walls with no architectural features that do not enhance the overall appearance of the house or neighborhood. OP recommends the applicant use a high-quality of building material and, where feasible, incorporate architectural details on all new facades with visibility from the street and alley.

As designed, the first and second floor decks are partially enclosed and are nine feet six inches in depth. The decks, in combination with the 15-foot rear building addition, would extend side walls a total of 24.5 feet beyond the rear wall of the neighboring abutting property for which relief is sought. The total rear addition and rear deck depths, plus the decks' side walls may have impacts on the adjacent properties light and shadowing.

OP recommends the applicant reduce the depth of the proposed rear decks on the first and second floors to a depth of no more than five feet

OP recommends the applicant reduce the pitch or roof height of the third-floor roof to reduce the height of the addition to a minimum feasible height.

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 requested relief would not result in a nonconforming structure that would exceed the maximum lot occupancy, height, or number of units allowed by right or special exception in the RF-1 zone.

Subtitle U Section 320 RESIDENTIAL CONVERSION (RF)

320.2 *The conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house, or the renovation or expansion of an existing apartment house deemed a conforming use pursuant to Subtitle U § 301.4 that increases the number of units, shall be permitted in any of the RF-1 zones if approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:*

(a) *The building to be converted or expanded is in existence on the property at the time the Department of Consumer and Regulatory Affairs accepts as complete the building permit application for the conversion or expansion;*

The applicant requests a special exception to expand a single-household dwelling to an apartment house in the RF-1 zone. According to available information, the building was constructed in 1913, prior to the 1958 Zoning Regulations.

(b) *The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Subtitle C, Chapter 10, Inclusionary Zoning, including the set aside requirement set forth at Subtitle C § 1003.10; and*

The applicant proposes three units and is not subject to Inclusionary Zoning.

(c) *There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per each existing and new dwelling unit.*

The property is 2,939 sq. ft. and has 979 sq. ft. of land area per each proposed dwelling unit.

Subtitle X Section 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 consistent with the intent of the RF-1 zone requirements. The RF zones provide for areas developed primarily with residential row buildings, but within which there have been limited conversions of dwellings or other buildings into more than two (2) principal dwelling units. The RF zones allow more than two units if approved by special exception as requested by the applicant. A total of three units would therefore comply with the purpose and intent of the RF-1 zone.

The building with the proposed rear and third-floor additions, plus carriage house, would continue to meet the rear yard, lot occupancy, height and minimum parking requirements, and should not result in overdevelopment of the lot.

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

The proposed three units and rear addition should not have adverse impacts on the adjacent properties. The applicant would provide two off-street parking spaces accessible from the rear alley. The proposed rear addition should not significantly impact light, airflow, privacy or use of the neighboring properties as it would not exceed two stories, which is the common building height of other homes in the area. The rear addition would extend five feet beyond that allowed by-right, which should not significantly reduce light and air for the neighboring homes and rear yards. Additionally, the rear addition would not include side windows, which further limits views into neighboring properties and preserves privacy.

- (c) *Subject in specific cases to the special conditions specified in this title.*

As stated above, OP recommends conditions for the exterior building materials, reduction in depth of the proposed rear decks and a lower pitch or roof height of the third-floor addition.

V. OTHER DISTRICT AGENCIES

DDOT submitted a memo stating no objection to the approval of the requested relief in Exhibit 20. The DDOT memo identified three Special Trees that would impact the proposed additions. The existing trees were not shown in plans and survey or addressed in the applicant's statement; however, DDOT stated that Special Trees may be removed with a permit. However, if a Special Tree is designated to remain by DDOT's Urban Forestry Division, a Tree Protection Plan (TPP) will be required.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 4C has submitted a report to the record in opposition to the requested special exceptions in

Exhibits [25](#) and [28](#).

VII. COMMUNITY COMMENTS

At the writing of this report, there are two requests for party status from both the abutting properties in opposition. There are also two letters in opposition granting a separate party to act on their behalf.

Location Map

