District of Columbia
Office of Planning

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: November 22, 2026

SUBJECT: BZA Case 21442: Request for variance relief for the construction of a new three-story row principal dwelling unit in the R-2 zone.

I. OFFICE OF PLANNING RECOMMENDATION

Subtitle D § 5201.1 states:

> *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:*

The subject property is a tax lot and not a substandard non-alley record lot; therefore, OP does not believe special exception relief is applicable for front setback, rear yard, side yard and lot occupancy relief as requested by the Applicant. Instead, OP believes the Applicant may need area variance relief from those development standards. OP informed the Applicant of this, and the Applicant has amended their application accordingly.

The Office of Planning (OP) recommends **denial** of the following use and area variances pursuant to Subtitle X § 1002:

- Permitted Uses, D § 200.4 (A principal building in the R-2 zone shall be a detached or a semi-detached building; Proposed: Row dwelling)
- Front Setback Requirements, D § 206.2 (Within range of existing setbacks on block (30 ft.), 27 ft. proposed);
- Side Yard Requirements, D § 208.3 (8 ft. required on one side, 0 ft. proposed[1]);

The Office of Planning (OP) recommends approval of the following area variance pursuant to Subtitle X § 1002:

- Lot Dimensions Requirements, D § 202.1 (30 ft. min. lot width required, 16 ft. existing/proposed; 3,000 sq. ft. min. lot area required, 1,136 sq. ft. existing/proposed)
- Rear Yard Requirements, D § 207.1 (20 ft. required, 9 ft. proposed); and
- Lot Occupancy Requirements, D § 210.1 (40% max. by right, 50% max by sp. ex. allowed, 50% proposed)

[1] Requesting elimination of the side yard results in a row dwelling, which is not a permitted use in the R-2 zone.

Board of Zoning Adjustment
District of Columbia
CASE NO. 21442
EXHIBIT NO. 30

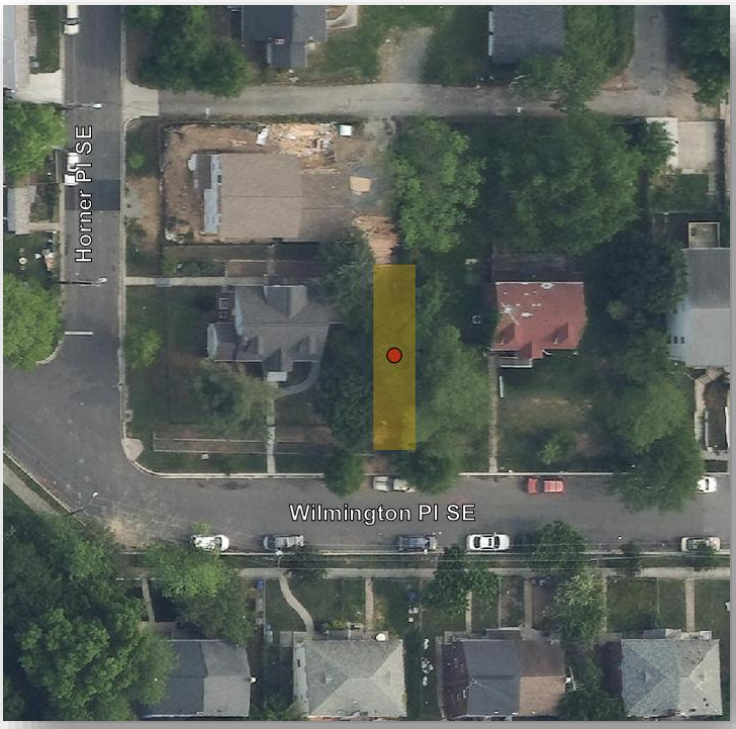
II. LOCATION AND SITE DESCRIPTION

Address:	138 Wilmington Place SE
Applicants:	Keyline Holmes LLC
Legal Description:	Square 6093, Lots 815 (Tax Lot)
Ward / ANC:	Ward 8 / ANC 8D
Zone:	R-2; low density, detached or semi-detached residential buildings
Historic Districts:	None
Lot Characteristics:	Rectangular lot measuring 1,136 sq. ft. with 16 ft. lot width and 71 ft. lot depth.
Existing Development:	Unimproved lot
Adjacent Properties:	Single-family, detached dwelling units
Surrounding Neighborhood Character:	Low density residential development (single-family detached and semi-detached) zoned R-2 with RA-1-zoned multifamily development surrounding R-2 development.
Proposed Development:	New three-story row dwelling.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

R Zone	Regulation	Existing	Proposed	Relief
Uses D § 200	**Semi-detached or detached principal dwellings permitted**	**N/A**	**Row dwelling**	**Variance requested**
Density D § 201	One (1) principal dwelling unit	N/A	One (1) principal dwelling unit	None requested
Lot Width D § 202	**30 ft. min.**	**16 ft.**	**No change**	**Variance requested**
Lot Area D § 202	**3,000 sq. ft. min.**	**1,136 sq. ft.**	**No change**	**Variance requested**
Height D § 203	40 ft. max./3 stories	N/A	34 ft. 10 ¼ in.	None requested
Front Setback D § 206	**Within range of existing setbacks on block. (30 ft.)**	**N/A**	**27 ft.**	**Variance requested**
Rear Yard D § 207	**20 ft. min.**	**N/A**	**9 ft.**	**Variance requested**
Side Yard D § 207.3	**One side yard of 8 ft. min.**	**N/A**	**0 ft.**	**Variance requested**
Lot Occupancy D § 210	**40 % max. by right 50 % max by sp. ex.**	**0%**	**50 %**	**Variance requested**

R Zone	Regulation	Existing	Proposed	Relief
Parking C § 701	None required per C § 702.4(a)	0	0	None requested



IV. OP ANALYSIS

Subtitle C § 302 SUBDIVISION REGULATIONS

302.1 Where a lot is divided, the division shall be effected in a manner that will not violate the provision of this title for yards, courts, other open space, minimum lot width, minimum lot area, floor area ratio, percentage of lot occupancy, parking spaces, or loading berths applicable to that lot or any lot created.

The existing tax lot is substandard and would need relief prior to being recorded. The Applicant has requested relief for yards, lot width, lot dimensions and lot occupancy.

Subtitle X § 1000, AREA VARIANCE GENERAL PROVISIONS

1000.1 With respect to variances, the Board of Zoning Adjustment has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3) (formerly codified at D.C. Official Code § 5-424(g)(3) (2012 Repl.)), "[w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation

adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."

Extraordinary or Exceptional Situation or Condition Resulting in Practical Difficulty

Extraordinary or Exceptional Situation or Condition

Lot Dimensions, Rear Yard and Lot Occupancy

The subject property is part of a consolidation of the original Square 6093, Lots 10, 11 and 12, into Lots 57 and 58 (May 19, 1967). Lot 58 was subdivided into two tax lots, Lots 814 and 815 (September 10, 2024), with Lot 815 being significantly smaller than Lot 814 and the other lots along the block.

The Applicant cites the lot's narrow width and small area as an exceptional condition. The lot is more than 50% smaller than the minimum lot area for the R-2 zone and is one of the smallest lots in the area. The lot's width is 16 feet, making it narrower than all other lots on the block. The original subdivision plat included 30-35 feet of lot width along the block, which is consistent with the current zoning regulations. OP finds that the lot's size is unique and cannot be increased in width or area to meet the minimum dimension requirements. Therefore, we find the narrowness of the lot and lot dimensions to be an extraordinary condition for these areas of relief.

Permitted Uses (Row Dwelling)

The Applicant requests relief for a row building, which is not permitted in the R-2 zone, as only semi-detached and detached dwellings are permitted in the R-2 zone, per Subtitle D § 200.4. The Applicant cites the lot's small size and width as the exceptional condition to allow a row dwelling. However, OP does not find the lot size to be a sufficient argument to deviate from the permitted dwelling types. OP recommended to the Applicant that they explore reducing the building's width by 2-3 feet to allow a semi-detached dwelling unit with a side yard., which would still provide a 12-13-foot-wide dwelling. Although this would reduce the building width to 12-13 feet, and potentially reduce the living space, it would not preclude development of the property and would eliminate the need for variance relief as it would be considered a semi-detached unit, a permitted use. While OP is aware that row dwellings are permitted on 16-foot-wide lots in the R-3 and some RF zones, OP does not believe a sufficient argument has been made to allow a row dwelling in the R-2 zone.

Front Setback

The Applicant requests a three-foot deviation from the range of existing front setbacks along the block face and cites the lot size as an extraordinary condition. Although a modest deviation, OP does not find the lot size is a condition that warrants such deviation. The Applicant could potentially meet this requirement without significant alterations to the building design.

Side Yard

The Applicant requests full elimination of the eight-foot side yard, which results in a row dwelling. As stated above, OP recommended that instead of an eight-foot side yard to consider a 2-3-foot side, which would instead require a special exception for a semi-detached building. Although the lot is narrow in width, this does not preclude alternative designs for a dwelling on the property.

Resulting Practical Difficulty

Lot Dimensions

As the lot is substandard and cannot be enlarged or combined with another adjoining lot, the lot cannot meet the minimum lot dimensions. Without the requested relief, a record lot cannot be created, building permits cannot be issued, and the lot will remain undeveloped.

Rear Yard

Compliance with the full 20-foot required rear yard may result in practical difficulty for future development of the property as it could significantly reduce buildable area on the property. As the lot is not large and there is a 30-foot front setback, meeting the rear yard requirement would leave a remainder of approximately 21 feet of building depth. Therefore, OP believes this results in a practical difficult.

Permitted Uses (Row Dwelling)

Full compliance with the eight-foot side yard, 20-foot rear yard, and front setback requirement would not produce a buildable area. The maximum lot occupancy could further create issues for building an adequately sized house. Without some relief from the Zoning Regulations, the Applicant would be confined to a limited building area. OP understands that some zoning relief would be necessary for the site; however, OP finds that there could be alternatives outside of a row dwelling for the site.

Front Setback and Side Yard

As stated above, the Applicant could potentially meet the required front setback without a significant loss of livable space. The building could also be redesigned to provide a side yard. OP does find that the Applicant has not provided sufficient evidence that denial of the variances would result in practical difficulty.

No Substantial Detriment to the Public Good

Generally, the proposal should not be detrimental to the public good. The proposed development of the site should not significantly negatively impact the neighboring properties; however, the property does not have alley access, which could create issues for emergency services to access the rear yard with no side yard. OP finds that the requested relief from the lot dimensions, front setback and proposed use should not significantly alter the character, scale and appearance of the surrounding neighborhood, as there is no predominant architectural style in the neighborhood and there are various housing types.

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

The R zones are meant to recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the city. Granting relief for lot dimensions and permitted use would allow for single-family housing, which is consistent with the R zone purpose. The requested lot dimension relief is necessary to convert the lot from a tax lot to a record lot. However, row dwellings are not permitted by right or by special exception in the R-2 zone as the zone primarily encourages semi-detached and detached dwellings. The requested relief for a row dwelling and side and front yards are not essential for development of the site.

V. OTHER DISTRICT AGENCIES

DDOT submitted a report on July 2, 2026 stating no objection to the approval of the application.

VI. ADVISORY NEIGHBORHOOD COMMISSION

At the writing of this report, no comments from ANC 8D have been submitted to the record.

VII. COMMUNITY COMMENTS

At the writing of this report, no comments from the community have been submitted to the record.