

**MEMORANDUM**

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

**FROM:** *MBR* Matthew Jesick, Development Review Specialist  
Maxine Brown-Roberts, Associate Director for Development Review

**DATE:** May 21, 2026

**SUBJECT:** BZA #21446 – 1324 Kenyon Street, NW – Request for relief to renovate, but not expand, an existing single family dwelling

**I. BACKGROUND AND RECOMMENDATION**

Renovations began on the subject property pursuant to an issued building permit. The Department of Buildings, however, determined that the work undertaken exceeded the scope of the permit, and in fact constituted a raze due to significant replacement of the front and rear walls. While the walls were not moved, it appears that they were considerably rebuilt. As a result of the raze, it was determined that lot occupancy and 10-foot-rule relief is required for what is technically a new building.

The Office of Planning (OP) recommends **approval** of the following required<sup>1</sup> relief:

- E § 207.4, pursuant to E § 207.5 – Rear Yard / Depth of Rear Addition (Additions more than 10 feet beyond neighbor’s rear wall permitted by special exception; 13 feet beyond neighbor previously existing; Rear wall rebuilt in the same location); *special exception*
- E § 210, pursuant to E § 5201 – Lot Occupancy (60% permitted as a matter of right; 70% permitted by special exception; 46% existing; 66% proposed<sup>2</sup>). *special exception*

**II. LOCATION AND SITE DESCRIPTION**

Applicant	Shantese Swinson, owner
Address	1324 Kenyon Street, NW
Legal Description	Square 2848, Lot 842
Ward / ANC	Ward 1, ANC 1A
Zone	RF-1 – Moderate density rowhouses and flat
Historic District / Resource	None

<sup>1</sup> On May 18, 2026, the Zoning Administrator’s office provided OP with an updated referral memo; As of this writing the updated memo has not been submitted to the record; For the Board’s reference it has been attached to this report, and OP’s analysis is based on the relief cited in that memo.

<sup>2</sup> Lot Occupancy data taken from the May 18 ZA memo. Other than a new, smaller front porch, the footprint of the building is not changing, but it is considered to have been razed and rebuilt in the same location.

Lot Characteristics and Existing Development	<ul style="list-style-type: none"> <li>• Rectangular lot 25' x ~148';</li> <li>• Existing development is a 3-story plus cellar single family attached dwelling;</li> <li>• Renovation permitted and begun, but stop work order issued;</li> <li>• 16 foot alley at the rear; Existing parking pad to remain.</li> </ul>
Adjacent Properties and Neighborhood Character	Similar rowhouse-type buildings along the south side of Kenyon; Moderate to medium density apartment buildings across the street; Larger Columbia Heights neighborhood is a mix of rowhouses, small to large apartment buildings, civic uses, and retail uses.
Proposal	Renovate, but not expand, the existing single family attached dwelling; Use will remain a single family dwelling; Prior front porch to be replaced with a smaller porch and balcony; Rear porches to remain.

### III. ZONING REQUIREMENTS AND RELIEF REQUESTED

Standard	Requirement	Existing	Proposed	Relief
Lot Width E 202	18'	25'	No change	Conforming
Lot Depth n/a	n/a	148.3'	No change	Conforming
Lot Area E 202	1,800 sf	3706.6 sf	No change	Conforming
Height E 203	35'	34'	No change	Conforming
Rear Yard E 207	20'	40'9"	No change	Conforming
<b>Rear Yard / Depth of Rear Addition E 207.4</b>	<b>Rear additions more than 10 feet beyond an adjoining neighbor's rear wall permitted by special exception</b>	<b>13' beyond neighbor to the west</b>	<b>No change*</b>	<b>Required</b>
<b>Lot Occ. E 210</b>	<b>60% - MOR 70% - Sp. Ex.</b>	<b>46%</b>	<b>66%**</b>	<b>Required</b>

\* Because the building is considered to have been razed and rebuilt, 10-foot-rule relief is necessary even though the wall is in the same location.

\*\* Lot Occupancy data taken from the May 18 ZA memo. Other than a new, smaller front porch, the footprint of the building is not changing, but it is considered to have been razed and rebuilt in the same location.

### IV. ANALYSIS

Additions more than 10 feet beyond the adjoining neighbor's rear wall can be approved by special exception, pursuant to E § 207.5 and E § 5201. Relief from lot occupancy can also be granted pursuant to E § 5201. The relevant sections are reviewed below.

5201.4 *An application for special exception relief 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, specifically:*

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

The light and air available to adjacent properties should not be unduly affected. According to the applicant any new construction would match the footprint of the existing building. While the rear part of the building – referred to as an addition because the house was determined to have been razed – is three feet deeper than a matter of right addition, the shadow created by that extra depth should not have an undue impact. Any “additional” shadow should only impact the adjacent properties for a limited time in the morning or afternoon, for the western and eastern neighbor, respectively. Similarly, additional lot occupancy should not have an undue impact to light and air. This is especially true as the Zoning Administrator’s lot occupancy calculation includes the open patio at the rear of the house, which would have minimal impacts to air flow. The existing fences or walls on the side property lines, which abut the patio, would be present regardless of the lot occupancy of the building. While the rear yard dimension listed in the ZA memo is 21 feet, the actual open space behind the rear wall of the house appears to be much greater when including the uncovered patio.

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

The proposed addition should not unduly impact the privacy available to neighboring properties. Views to the east would be identical to existing views, and the design proposes no windows on the east or west walls.

(c) *The proposed addition or accessory structure, together with the original building, or the proposed new 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 and alley frontage; and*

The proposed construction would be visible from the ally, but should not substantially visually intrude upon its character. The alley has a variety of garages, parking pads, fences and roll-up doors along it, and the buildings facing the alley have a bouillabaisse of decks, balconies, and additions at the rear. Furthermore, any minor change to the character of the alley or street would not be to a degree that would have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property in. (§ 5201.4).

(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 application materials include plans, elevations, photos and site plans.

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 recommends no special treatments.

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.*

Granting relief would not result in the introduction of a nonconforming use. The applicant plans to maintain the existing single-family dwelling use.

### **General Special Exception Criteria – Subtitle X § 901.2**

901.2 (a) *[Granting the special exceptions] Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

Granting the requested lot occupancy and rear yard / depth of rear addition relief should not impair the intent of the Regulations - to ensure open space on a lot, and to facilitate adequate light and air both to the subject property and to adjacent properties. Granting the relief should not unduly diminish those factors, especially since the applicant is renovating the building in the exact same footprint as what existed before. The building would remain within the permitted height, should not result in undue impacts to light, air or privacy, and would not result in a scale or intensity of use beyond that anticipated by the zone.

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

As addressed in the above analysis, the requested special exceptions for lot occupancy and rear yard / depth of rear addition would not appear to adversely affect the use neighboring property. There should be no undue impacts regarding factors such as light, air or privacy.

## **V. COMMENTS OF OTHER DISTRICT AGENCIES**

A report from the District Department of Transportation (DDOT) stating no objection to the proposal is at Exhibit 21.

## **VI. ANC COMMENTS**

As of this writing there are no comments in the record from ANC-1A.

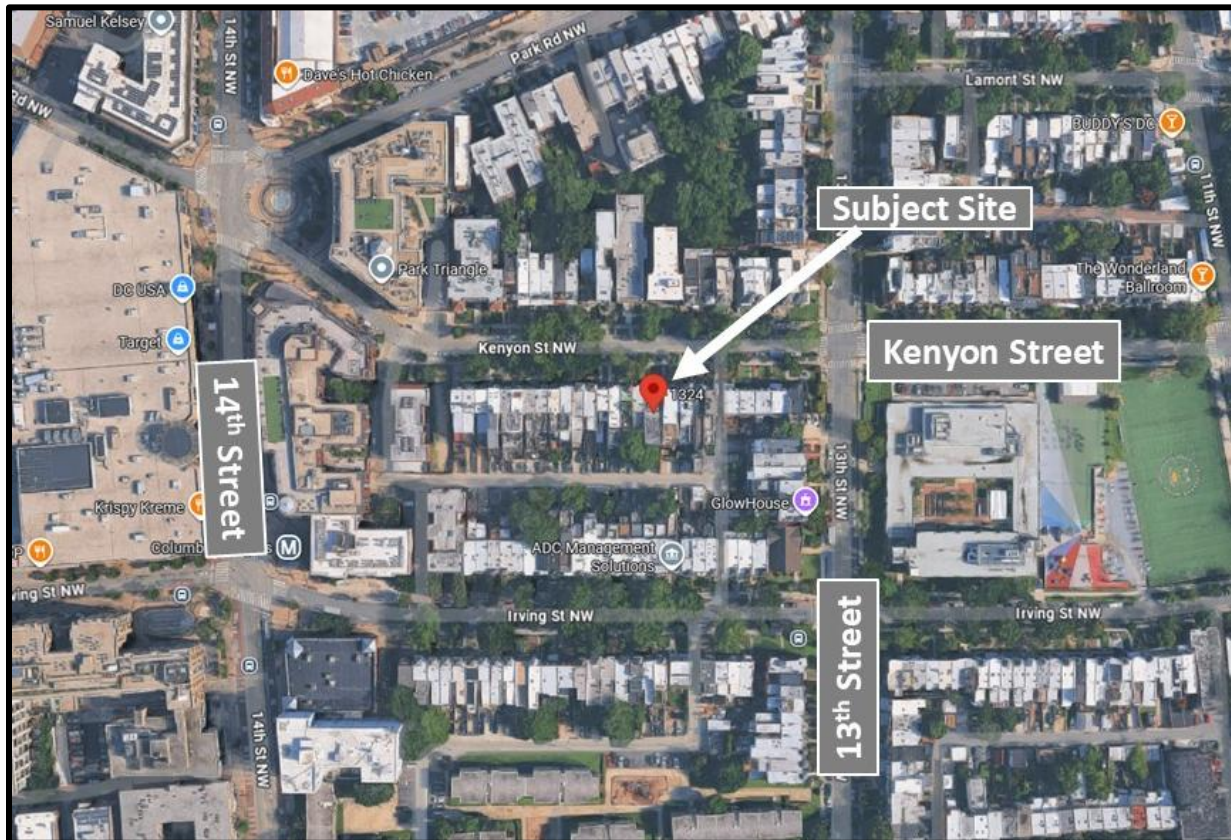
## VII. COMMUNITY COMMENTS

As of the writing of this report there is one submission commenting on the application from the neighbor at 1336 Kenyon Street, NW at Exhibit 22.

## VIII. ATTACHMENTS

1. Department of Building (DOB) May 18, 2026 ZA Referral Memo

## IX. VICINITY MAP



**Attachment 1**  
**May 18, 2026 ZA Referral Memo**



**THE DEPARTMENT OF BUILDINGS**  
**OFFICE OF ZONING ADMINISTRATION**

May 18, 2026

**REFERRAL MEMORANDUM - REVISED**

**TO:** Board of Zoning Adjustment

**FROM:** Kathleen Beeton, Zoning Administrator *EMW* for KAB

**PROJECT INFORMATION:** Address: 1324 Kenyon St., NW  
Square, Suffix, Lot: Square 2848, Lot 0842  
Zoning District: RF-1  
DOB Permit #: B2507143

**SUBJECT:** 3-story rear addition, exceeding lot occupancy, & extending greater than ten feet of the exterior wall of the neighboring property to an existing row single family dwelling.

Review of the plans for the subject property referenced above indicates that Board of Zoning Adjustment approval is required as follows:

Number	Type of Relief	Zoning Sections	Reason [or Basis]
1	Special Exception	E-207.4 E-5201.1(b) X-901.2	Proposed rear addition exceeding 10 ft. of the adjoining property exterior rear wall.
2	Special Exception	E-210.1 E-5201.1(a) X-901.2	Proposed use exceeds maximum lot occupancy.

\* Revised notes and computation sheet attached.

*Note: All applicants must provide the Office of Zoning Administration with submission verification, in the form of a formal receipt from the BZA, within 30 days of the date of this memo. If the BZA Memorandum is not submitted within 30 days, the applicant must request an updated memorandum from the Office of Zoning Administration.*

NOTES AND COMPUTATIONS						N&C Cycle #: 1	
Building Permit: B2507143		Zone: RF-1				Date of Review: 5/14/2026	
DOB BZA Case: FY-26-5-Z REVISED		Existing Use: ROW SFD				Reviewer: Ramon Washington	
Property Address: 1324 KENYON ST., NW		Proposed Use: ROW SFD					
Square: 2848 Lot(s): 0842		ZC/BZA Order: N/A					
Item	Existing Conditions	Minimum Required	Maximum Allowed	Provided by Proposed Construction	Variance Deviation/%	Notes/Zoning Relief Required	
Lot area (sq. ft.)	3707	1800	n/a	3707	n/a	n/a	
Lot width (ft. to the tenth)	25	18	n/a	25	n/a	n/a	
Building area (sq. ft.)	1218	n/a	2224	2471	247	Special Exception E210.1	
Lot occupancy (building area/lot area)	46%	n/a	60%	66%	6	Special Exception E210.1	
Gross floor area (sq. ft.)	n/a	n/a	n/a	n/a	n/a	n/a	
Floor area ratio (FAR), total (gross floor area/lot area)	n/a	n/a	n/a	n/a	n/a	n/a	
Floor area ratio (FAR), Non-residential (non-residential gross floor area/lot area)	n/a	n/a	n/a	n/a	n/a	n/a	
Principal building height (stories)	n/a	n/a	3	3	n/a	n/a	
Principal building height (ft. to the tenth)	n/a	n/a	35	34	n/a	n/a	
Front yard (ft. to the tenth)	n/a	n/a	n/a	n/a	n/a	n/a	
Rear yard (ft. to the tenth)	21	20	n/a	21	n/a	n/a	
10ft. Rear yard setback frm. Exterior wall of adjoining property (ft. to the tenth)	n/a	n/a	10	13	3	Special Exception E207.4	
Side yard, facing building front on right side (ft. to the tenth)	n/a	n/a	n/a	n/a	n/a	n/a	
Side yard, facing building front on left side (ft. to the tenth)	n/a	n/a	n/a	n/a	n/a	n/a	
Vehicle parking spaces (number)	1	1	n/a	n/a	n/a	n/a	
Pervious surface (%)	n/a	n/a	n/a	n/a	n/a	n/a	
Dwelling units, principal (#)	n/a	n/a	2	1	n/a	n/a	
Dwelling units, accessory (#)	n/a	n/a	n/a	n/a	n/a	n/a	
Other:							