



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: July 10, 2026

SUBJECT: BZA #21460 – 1735 Fraser Court, NW – Request for relief to construct an addition to an existing alley dwelling

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following requested area variance¹:

- F § 5100.1(a)², Height, pursuant to X § 1000 (20' and 2 stories permitted; 32.5' and 3 stories existing; expansion of the non-conforming 3rd floor proposed).

II. LOCATION AND SITE DESCRIPTION

Applicant	Katie Delzell, owner
Address, Legal Description	1735 Fraser Court, NW; Square 110, Lot 69
Ward / ANC	Ward 2, ANC 2B
Zone	RA-2/DC (Dupont Circle Moderate Density Multifamily; alley buildings and alley dwellings permitted)
Historic District / Resource	Dupont Circle Historic District
Lot Characteristics and Existing Development	• Irregularly-shaped existing alley record lot; • 30 foot wide public alley to the west; 13 foot wide public alley to the north; private alley to the south; • Existing 3-story single family dwelling on the property; • 1st and 2nd floors occupy almost all of the footprint of the lot; • 3rd floor is much smaller, forming an “L” shape; • Existing building is nonconforming for height, yards, alley centerline setback, and pervious surface.
Prior BZA Case	In case #19255 the Board approved variances for an addition at the 2 nd floor level and an elevator extension at the 3 rd floor. That project was never constructed and the approval has expired.

¹ The applicant also requested relief from C § 202.2, which regulates additions to nonconforming structures. OP consulted with the Office of the Zoning Administrator who provided an opinion that such relief is not necessary because C § 202.2 directs an applicant to apply for the relevant dimensional relief for a nonconforming aspect that is being extended by an addition. In this case, the applicant has requested the appropriate height relief. Should the Board determine that the requested relief to C § 202.2 is necessary, OP has no objection to that relief.

² In their application materials, the applicant requested relief from “F § 5100.1”. OP notes that the only specific area of relief required for the proposal is F § 5100.1(a), Height. While the building is nonconforming for several development standards, the proposed addition would not exacerbate those conditions; It would only expand the nonconformity for height.

Adjacent Properties and Neighborhood Character	The subject square has a variety of rowhouses and moderate- to medium-density apartment buildings; The building immediately to the east of the subject site is a 3.5-story apartment building; Across the private alley to the south is an 8-story apartment building.
Proposal	Construct a sunroom at the 3 rd floor level.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

Item	RA-2	Standard	Existing	Proposed	Relief
Lot Area (sf)	C 306.1(c)	1,800	2,444	No change	Conforming
Lot Width (ft)	C 306.1(a) (Alley Frontage)	14	42	No change	Conforming
Lot Depth (ft)	n/a	n/a	70.5	No change	Conforming
Height (ft)	F 5100.1(a)	20	32.5	Expanding non-conforming 3 rd floor	Req'd for addition at 3rd floor
Height (stories)	F 5100.1(a)	2	3	Expanding non-conforming 3 rd floor	Req'd for addition at 3rd floor
Rear Yard (ft)	F 5100.1(b)	5' from non-alley lots	0 (East)	No change	Existing Non-Conforming
Side Yard (ft)	F 5100.1(c)	5' from non-alley lots	0 (South)	No change	Existing Non-Conforming
Lot Occupancy (%)	n/a	n/a	97	No change	Conforming
Alley CL Setback (ft)	F 5100.1(d)	7.5	6	No change	Existing Non-Conforming
Pervious Surface (%)	F 5100.1(e)	10%	Not provided	No change	Existing Non-Conforming

IV. ANALYSIS

The proposed addition would require relief from the allowable height for alley buildings. The applicant, therefore, requests an area variance, which the Board is authorized to grant pursuant to X § 1000. The application must meet the three-part area variance test, which is analyzed below.

i. Extraordinary or Exceptional Situation or Condition Resulting in Peculiar and Exceptional Practical Difficulties To the Property Owner

a. Extraordinary or Exceptional Situation

The subject property is encumbered by exceptional conditions:

- The lot is situated immediately to the rear of an apartment building, with very little separation between the two buildings;
- The subject building has a very high lot occupancy at the first and second floors – up to 97% at the first floor – as well as a nonconforming yard on the east side of zero feet at the

first floor;

- The building was constructed to a height of three floors, presumably prior to zoning limitations on alley-building height;
- At the third floor, the lot occupancy is much lower, and the floor plan at that level is in an “L” shape;
- The property is subject to a conservation easement with the L’Enfant Trust, which prohibits alterations to the façade unless approved by the Trust;
- The Board previously approved variances for the property (#19255) for a project that included an addition at the rear of the 2nd floor and a small addition for an elevator at the 3rd floor;
- The 3rd floor previously had fences and trellises that enclosed the outdoor space;
- The previous owner began a renovation of the property, but did not complete it.

b. Strict Application of the Zoning Regulation Would Result in Exceptional Practical Difficulties

The applicant is impacted by a practical difficulty resulting from the exceptional conditions affecting the property. The previous owner had removed the surrounding fences and trellises at the third floor level, but the current owner had hoped to restore some enclosed and semi-private space. According to the applicant, however (Exhibit 3, p. 5), Historic Preservation Office staff indicated that a solution such as the proposed sunroom, which would have less visual intrusion on the form of the historic structure, would be preferable to restoring the previous fencing and trellis.

Furthermore, the applicant is not pursuing a recreation of the previously approved variance at the property and is foregoing any addition at the lower levels. This would further the intent of the historic district and of the L’Enfant Trust to minimize changes to the historic façade. Not constructing an addition at the rear of the 2nd floor would also minimize impacts to the adjacent property due to the already-high lot occupancy and minimal to nonexistent rear yard. The proposed sunroom, however, would recapture the floor area that had been approved by the Board, albeit with less visual intrusion and minimal light or air impacts.

Strict application of the regulation limiting building height – that is, prohibiting construction on the 3rd floor – could result in the applicant again seeking relief to construct a second floor addition. This would be a difficulty because it would result in greater impacts to the historic nature of the building and greater impacts to adjacent residents.

ii. No Substantial Detriment to the Public Good

Granting the requested relief should not result in a substantial detriment to the public good. As noted above, the proposed third floor addition should result in lesser impacts than the previously approved second floor addition at the rear of the property. That addition would have had greater light, air and privacy impacts to the immediately adjacent apartment building, and greater impacts to the historic form of the subject building. The third floor addition, tucked into the “L” of the 3rd floor and set back from all edges of the building, would have little to no visual impact from ground level, and should have very little impact on the light available to nearby buildings. It would not

change the overall outline or form of the historic building.

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

Granting the requested relief should not impair the intent of the Regulations. The Regulations generally intend to limit the height of alley buildings. However, in this particular instance, where the height is already above the limit, and the proposed addition would be hidden by that existing height, the impacts of the addition would be negligible to non-existent. Approval of the variance should not set a precedent because of the exceptional conditions affecting this property, which result in minimal impacts for the addition beyond the existing condition.

V. HISTORIC PRESERVATION

Development Review staff discussed the project with Historic Preservation Office (HPO) staff. HPO has previously reviewed the proposal and has no preservation or design concerns. A formal review would happen at the time of building permit.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of this writing the record does not contain comments from other District agencies. DDOT stated in an email to OP that they have no objection to the application.

VII. ANC COMMENTS

Exhibit 12 is an ANC memo in support of the application.

VIII. COMMUNITY COMMENTS

As of this writing there are no comments from the community in the record.

IX. VICINITY MAP

