

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Joshua Mitchum, Development Review Specialist
^{MBR} Maxine Brown-Roberts, Associate Director, Development Review

DATE: July 10, 2026

SUBJECT: BZA Case 21463: Request for special exception relief to construct a three-story, rear yard addition to an existing attached, two-story with cellar principal dwelling unit in the RF-1 Zone.

I. OFFICE OF PLANNING RECOMMENDATION

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

- **Rear Extension, E § 207.5** (10 ft. max. beyond neighboring rear wall required, 0 ft. beyond neighboring rear wall existing, 16 ft. beyond neighboring rear wall proposed); and
- **Roof Top or Upper Floor Elements, E § 204.1** (Significant alteration or removal of original rooftop architectural elements of a principal structure)

OP has also discussed with the Applicant that they add a cornice element on the new roof peak in order to maintain consistency with the general character of houses on the block.

II. LOCATION AND SITE DESCRIPTION

Address:	443 17 th Street, SE
Applicant:	Megan Crowe & Adam Finkel represented by Eric Teran
Legal Description:	Square 1090, Lot 0042
Ward / ANC:	Ward 7 / ANC 7D
Zone:	RF-1, Residential Row Homes
Historic Districts:	N/A
Lot Characteristics:	The 2,161 square foot lot is rectangular in shape and has a width of 14.75 feet and a length of 146.54 feet and abuts a 20-foot-wide public alley in the rear.
Existing Development:	The lot is currently improved with a two-story with cellar row dwelling and a carport.
Adjacent Properties:	The property is bounded to the north, south, east, and west by single-family attached and semidetached residential dwellings in the RF-1 Zone.

Surrounding Neighborhood Character:	The surrounding neighborhood is characterized by attached and semidetached, single-family residential uses.
Proposed Development:	The Applicant proposes to construct a three-story rear addition.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief
Density E § 201	2 principal units max.	1 principal unit and a carport	No change	None requested
Lot Width (Row) E § 202	18 ft. min.	14.75 ft.	No change	None requested (Existing nonconformity)
Lot Area (Row) E § 202	1,800 sq. ft. min.	2,161 sq. ft.	No change	None requested
Height E § 203	35 ft. max.	22.3 ft.	32.3 ft.	None requested
Roof Top or Upper Floor Elements E § 204	Significant alteration or removal of original rooftop architectural elements of a principal structure requires Sp. Ex.	-	Removal of existing roof and cornice of principal structure	Special Exception requested
Front Yard E § 206	Consistent with block face	Consistent with block face	No change	None requested
Rear Yard E § 207	20 ft. min.	64 ft.	48 ft.	None requested
Rear Extension E § 207.4	10 ft. max. beyond neighboring rear wall	0 ft.	16 ft.	Special Exception requested
Side Yard E § 208	None required, but 5 ft. min. if provided	0 ft.	0 ft.	None requested
Lot Occupancy E § 210	60% max. 70% max. by Sp. Ex.	36%	50%	None requested
Parking C § 701	1 space per 2 dwelling units	1 space	No change	None requested

IV. OFFICE OF PLANNING ANALYSIS

Subtitle E § 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 up to a maximum of seventy percent (70%) for all new and existing structures on the lot;

(b) Yards, including alley centerline setback;

The Applicant has requested special exception approval from the rear yard (rear extension) requirements of Subtitle E § 207.

(c) Courts; and

(d) Pervious surface.

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;

The special exception for the proposed addition, if granted, should not unduly affect the light and air available to neighboring properties. The Applicant has submitted a sun/shadow study with the application (Exhibit 11) that shows that the proposed addition would not cast any additional shadows on the property to the south. In relation to the property to the north, the studies show that there will be some extra shadows during the winter and summer months but would not be at a level considered to be undue compared to a matter-of-right construction.

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

The special exception for the proposed addition, if granted, should not unduly compromise the privacy of use and enjoyment of neighboring properties. The proposed addition does not feature any windows that would face directly into adjacent properties. The proposed addition would feature a window that faces west, overlooking the subject property's rear yard and into the rear yard alley, however, this would not constitute an undue impact to the privacy of use and enjoyment of neighboring properties.

- (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 special exception for the proposed addition, if granted, should not substantially visually intrude upon the character, scale, or pattern of 17th Street SE. While the majority of dwellings on 17th Street SE appear to be two-story buildings, there are several three-story buildings in the surrounding area. Furthermore, the proposed 16-foot rear wall extension would not create a building footprint that would be excessive or inconsistent with similar properties in the surrounding area.

- (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 has provided plans, photographs, and elevation drawings as part of their application that sufficiently represent the relationship of the proposed addition to adjacent buildings and views from public ways.

- 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 in this case.

- 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 proposal does not introduce any nonconforming use, lot occupancy, height, or number of stories as a special exception beyond what is authorized in this section.

Subtitle E § 204 ROOF TOP OR UPPER FLOOR ELEMENTS

- 204.4 *The Board of Zoning Adjustment may grant relief from the requirements of Subtitle E § 204.1 as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:*

- (a) *The proposed construction shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

- (1) *The light and air available to neighboring properties shall not be unduly*

affected;

The special exception, if granted, should not unduly affect the light and air available to neighboring properties.

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

The special exception, if granted, should not unduly affect the privacy of use and enjoyment of neighboring properties. The Applicant's proposal, to remove the existing cornice architectural element of the structure, neither introduces nor exacerbates existing privacy issues for neighboring properties.

- (3) *The proposed construction, 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;*

While the adjacent properties to the left and right of the subject property do not feature cornices, OP would note that the majority of homes in the block face have cornices. At Exhibit 32 is an updated burden of proof statement from the Applicant that states constructing an addition on top of the existing cornice line would create difficult waterproofing conditions that could affect adjacent properties.

- (b) *In demonstrating compliance with paragraph (a), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed construction to adjacent buildings and views from public ways; and*

The Applicant has provided plans, photographs and elevation drawings as part of their application. However, OP notes that the architectural plans found in Exhibit 22 do not depict the existing conditions of the property that sufficiently show the exact nature of the cornice elements that are proposed to be removed.

- (c) *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 or nearby properties, or to maintain the general character of a block.*

OP recommends that the Applicant install a cornice element on the new roof peak in order to maintain consistency with the general character of houses on the block. As stated earlier in the report, while the adjacent homes do not feature cornices, the majority of the properties on the block have them. Installing a cornice element on the proposed third story addition would be a sufficient replacement for the original element on the second story.

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 special exceptions, if granted, would be in harmony with the general purpose and intent of the RF-1 Zone, which is to “provide for areas predominately developed with residential row buildings on small within which no more than two principal dwelling units are permitted”. The Applicant’s proposal, to extend the rear wall of their property beyond ten feet of neighboring properties and to remove the existing cornice architectural element, would not compromise the subject property’s ability to adhere to the RF-1 Zone’s purpose and intent.

- (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 this report, the special exceptions, if granted, would not adversely affect the use of neighboring property in accordance with the Zoning Regulations and the RF-1 Zone. The proposal does not introduce or expand an existing nonconforming use, nor does it 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.*

Special conditions have not been specified in the case of the subject application.

V. OTHER DISTRICT AGENCIES

As of the filing of this report, comments from other District agencies have not been submitted to the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

As of the filing of this report, comments from ANC 7D have not been submitted to the record.

VII. COMMUNITY COMMENTS

At Exhibit 20 is a letter in support from the Capitol Hill Restoration Society.

At Exhibit 25 are two letters in support of the proposal from the owners of 441 17th Street SE.

Attachment: Location Map

Location Map

