

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: September 4, 2026

SUBJECT: BZA Case 21475: Request for special exception relief to allow a third-floor addition on an existing non-conforming, four-unit apartment building at 1226 F Street, NE.

I. RECOMMENDATION

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

- E § 207.1, Rear Yard (Required: 20 ft. min., 1 ft. existing/proposed); and
- E § 210.1, Lot Occupancy (60% max./70% by special exception, 82% existing, 70% third floor only)

II. LOCATION AND SITE DESCRIPTION

Address:	1226 F Street, NE
Applicant:	Sullivan & Barros, LLP on behalf of Barry Rodgers
Legal Description:	Square 1006; Lot 26
Ward / ANC:	Ward 6; ANC 6A
Zone:	RF-1, low to moderate density residential
Historic Districts	N/A
Lot Characteristics:	Rectangular, corner lot measuring 1,973 SF in area with a 5 ft. public alleyway to the rear.
Existing Development:	4-unit Apartment Building
Adjacent Properties:	Varies: Row buildings to moderate-density apartment buildings
Surrounding Neighborhood Character:	Low to Moderate Density Residential Neighborhood
Proposed Development:	Third-floor expansion of an existing four unit apartment.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief:
Density E § 201	2 principal units max.	4 units	No Change	None Requested

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RF-1 Zone	Regulation	Existing	Proposed	Relief:
Lot Width E § 202	18 ft. min.	30 ft.	No Change	None Requested
Lot Area E § 202	1,800 sq. ft. min.	1,973 sq. ft.	No Change	None Requested
Height E § 203	35 ft. max.	22 ft.	31 ft. 6.5 in.	None Requested
Rear Yard E § 207	20 ft. min.	1 ft.	1 ft.	Existing Non Conformity. 3rd Floor would maintain the nonconformity, Relief Requested
Side Yard E § 208	5 ft.	9 ft. 0.5 in.	No Change	None Requested
Lot Occupancy E § 210	60% max.; 70% by Special Exception	82%	70% (3rd floor only)	Relief Requested

IV. OP ANALYSIS

Subtitle E Chapter 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;*
- (c) Courts; and*
- (d) Pervious surface.*

The applicant requests special exception relief from the maximum lot occupancy and minimum rear yard requirements.

5201.2 & 5201.3 not applicable 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 proposal would increase the building height but would not exceed the maximum number of stories or height permitted in the RF-1 zone. The addition would not increase the building footprint. The building is detached and separated from the property to the north by a five-foot public alley, which should not restrict airflow. The applicant submitted a shadow study showing impacts of the addition. Based on the study, the third story would expand the shadows on neighboring buildings, mostly on roof tops during the winter months. However, the shadows cast should not have significant impacts on adjacent properties year-round. Therefore, granting the special exceptions should not have undue or excessive impacts on light and air for neighboring properties.

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

The third-floor addition would not include windows facing the rear yard and would not have direct views into the property to the north on 13th Street NE. The building does not directly abut another building and has over a 9-foot side yard to the west, and properties along Maryland Avenue, NE have rear yards, which, collectively, should provide adequate separation. Therefore, OP does not anticipate the proposed increase in living space on the third floor should impact privacy or enjoyment of neighboring properties. The applicant proposes additional privacy screening on the rooftop terrace, which should increase privacy for the 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 proposed addition would be visible from 13th Street, NE and F Street, NE. The third floor should not conflict with or detract from the general pattern of development of housing in the surrounding area, as there are buildings of varying heights, density, design, and number of units. However, OP has recommended the applicant reduce the bulk of the third-floor rooftop cornice to make the addition look subsidiary and ancillary to the original building, which the applicant has addressed.

- (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, shadow studies, and elevations to sufficiently represent the relationship of the proposed addition 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.

As stated above, OP recommended that the applicant reduce the size of the cornice of the proposed third floor to avoid adding top-heavy bulk; and the existing rear addition and proposed third floor addition should match in color and material, if possible. The applicant has provided updated drawings and renderings in Exhibits 36B1 and 36B2 to address OP

comments.

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 addition would otherwise comply with the RF-1 development standards, and the proposal would not change the existing number of apartment units. The requested lot occupancy of 70% is allowed by special exception in the RF-1 zone, and the proposed rear yard would maintain the existing rear yard.

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 in both use and scale. The project would serve to increase the livable space within the existing apartment building but not increase the number of units. The proposal would not deviate from the existing rear yard. Moreover, the requested 70% lot occupancy for the third floor only is within what is allowed through special exception but would be less than the existing lot occupancy of the existing building.

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

Approval of the requested special exceptions should not adversely affect the use of neighboring properties. The addition generally complies with the development requirements of the RF-1 zone and should not conflict with the character or appearance of other properties within the immediate area, as there is no dominant architectural pattern and the existing exterior of the building will primarily remain as it appears today. The addition, as designed, should not negatively impact light, air, or privacy for neighbors.

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

OP does not recommend conditions, special materials, or treatments as part of approval of the special exceptions. However, in an effort to produce a superior and compatible addition, OP recommended design modifications to the third-floor rooftop elements as stated above, to which the applicant has complied.

V. OTHER DISTRICT AGENCIES

There have been no comments from District agencies filed to the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

As of the writing of this report, there is no report from ANC 6A in the record.

VII. COMMUNITY COMMENTS

There are 14 filings of opposition in the case record; however, some filings consist of screenshots of text messages which do not clearly state a position. The Capital Hill Restoration Society (CHRS) submitted a letter in support.

Figure 1: Location Map

