

**MEMORANDUM**

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

**FROM:** Maxine Brown-Roberts, Development Review Specialist  
*JL* Joel Lawson, Associate Director Development Review

**DATE:** July 14, 2022

**SUBJECT:** BZA Case 20777- Special Exception relief to replace an architectural element on an existing row building at 206 P Street, NW

**I. RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the requested special exception relief from the requirements of:

- E § 206.1, rooftop or upper floor additions (roof top architectural elements shall not be removed or significantly altered; existing mansard roof with two dormer windows; removal and replacement of mansard and dormers proposed) pursuant to E § 206.4, Subtitle E § 5207.1, and Subtitle X § 901.2.

**II. LOCATION AND SITE DESCRIPTION**

Address	206 P Street, NW
Applicant	Rusmir Music
Legal Description	Square 0552, Lot 0141
Ward/ANC	5/5E
Zone	RF-1 - provides for areas predominantly developed with row houses on small lots within which no more than two dwelling units are permitted by right.
Lot Characteristics	A generally rectangular lot measuring approximately 17 feet in width and 135 feet in depth. The property is bounded by P Street to the north, an improved 30 foot wide public alley to the south, and adjoining lots to the east and west.
Existing Development	The property is developed with a three-story flat.
Adjacent Properties	The property to the east is developed with a three-story apartment building while the property to the west is a three-story row dwelling.
Surrounding Neighborhood Character	The surrounding neighborhood is primarily residential with two and three story residences interspersed with schools and churches.
Proposed Development	The Applicant is proposing to replace the existing two-window dormer with a larger, single shed dormer.

**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

RF-1 Zone	Regulation	Existing	Proposed <sup>1</sup>	Relief:
Height, E § 403.1	35 ft. max./3 stories	34 ft/2 stories	34 ft./3 stories	None Required
Lot Width E§ 201.1	18 ft. min.	17 ft.	17 ft.	None Required
Lot Area E § 201.1	1,800 sq. ft. min.	2,295 sq. ft	2,295 sq. ft	None Required
Lot Occupancy E § 404.1 E § 5201	60% max. 70%	46.5%	46.5%	None Required
Rear Yard E § 306.1	20 ft. min.	50.1 ft.	50.1 ft	None Required
Front Setback E§ 405.1	In range of existing front setbacks on block.	Within the range 14.7 ft.	Within the range 14.7 ft.	None Required
Parking C C § 701.5	1 space	2 spaces	2 spaces	None Required
E § 206.1, pursuant to E § 206.4 and E § 5207.1.	Architectural Element to be retained	2 window dormer	Replace with shed dormer with triple double hung windows.	<b>SE Required</b>

Site Location Map



<sup>1</sup> Information provided by the Applicant

#### IV. ANALYSIS

Subtitle E § 206.1 requires that rooftop architectural elements be retained. However, Subtitle E § 206.4 allows removal by special exception, subject to the provisions of Subtitle E § 5207 and Subtitle X, Chapter 9. The proposal is to remove the two existing dormers and construct a new single shed dormer on the third floor, to provide a more comfortable space on the interior, as the existing wall is sloping and creates a reduced amount of head room in the area of the front wall (Exhibit 4, pages A1 and A-4).

#### **Subtitle E, Chapter 5207 SPECIAL EXCEPTION CRITERIA ROOF TOP OR UPPER FLOOR ELEMENTS**

*5207.1 The Board of Zoning Adjustment may grant relief from the requirements of Subtitle E § 206.1 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 buildings on both adjacent properties are set forward of the subject building. The proposed size and location of the single shed dormer should not cast any shadows on the adjacent buildings and therefore their light and air should not be unduly affected.

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

The building to the west protrudes past the subject building and has no windows on its side façade. There are also no windows on the side of the proposed dormer which would allow views into the building to the east. Views to the north, along P Street, should be no more than that which exist today. As such, the proposed removal and replacement of the dormer window should not unduly compromise the privacy of use and enjoyment of 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;*

This block of P Street consists of houses with a multiple architectural styles, many with third floor additions, although most do not have dormers. The replacement of the existing two window dormer with a single shed dormer should not visually intrude upon the character, scale, and pattern of houses along P Street.

*(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 graphical representations to the record, including photographs and plans and elevations sufficient to represent the relationship of the proposed construction to adjacent buildings and views from public ways.

- (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.*

No special treatment is recommended at this time.

### **Subtitle X Chapter 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 proposed replacement of the two-window dormer with a shed dormer would not change the residential use and purposes, as permitted in the RF-1 zone. The proposed change would meet the RF-1 development standards and would be consistent with the purpose and intent of the Zoning Regulations and Zoning Maps.

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

As provided in the above analysis, the proposed shed dormer should not adversely affect the use of neighboring property.

- (c) *Will meet such special conditions as may be specified in this title.*

The proposed relief meets special conditions specified in Subtitle E § 5207 as demonstrated above.

### **V. OTHER DISTRICT AGENCIES**

Comments from other District agencies had not been filed in the record at the time of the submission of this report.

### **VI. ADVISORY NEIGHBORHOOD COMMISSION**

ANC 5E submitted comments at Exhibit 26 indicating support for the application.

### **VII. COMMUNITY COMMENTS TO DATE**

Letters in support of the subject application were filed at Exhibits 24 and 25.