



MEMORANDUM

TO: District Board of Zoning Adjustment

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FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: February 22, 2011

SUBJECT: BZA Case No.18174, 732 15th Street, S.E

I. OFFICE OF PLANNING RECOMMENDATION

The subject application requests variance relief pursuant to 11 DCMR§ 3102.3, § 772.1 (lot occupancy) and § 2101.1 (parking) to allow a two-story addition to an existing one-story building. Because the existing development creates the non-conformity, but the proposed addition by itself would be conforming, the Office of Planning (OP) believes that the appropriate area of relief is from § 2001.3 for an addition to a non-conforming structure and the application was reviewed as such. No existing non-conformity would be increases or extended by this proposal.

The Office of Planning (OP) recommends **approval** of the variances to allow an addition to a structure that currently does not exceed the residential lot occupancy and parking requirements. The granting of the variances would allow the redevelopment of the site that would help to further enhance the neighborhood.

II. AREA AND SITE DESCRIPTION

Address:	732 15 th Street, S.E.
Legal Description:	Square 1077, Lot 808
Ward:	Ward 6, ANC-6B
Zoning:	C-2-A
Lot Characteristics:	The lot is irregularly shaped with an area of 2,616 square feet and is developed with a one-story building that formerly housed a laundromat.
Adjacent Properties:	To the east of the property and across 15 th Street is a one-story, vacant commercial building in the C-2-A zone. Properties to the north are developed with two-story row houses in the R-4 zone, while to the west is an alley of varying widths and two-and three-story row houses in the R-4 district. To the south is a one-story building which houses a Domino's Pizza restaurant and three-story row houses in the C-2-A zone.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18174

EXHIBIT NO. 25



Neighborhood Character:	The neighborhood is predominantly developed with two- and three-story row houses with one-story commercial uses on all four quadrants of the intersection of 15 th Street and Pennsylvania Avenue S.E.
Historic Preservation:	None

III. PROPOSAL

The applicant wishes to convert the existing commercial building to residential use and enlarge it with a two-story addition above the existing structure. The building would accommodate five apartment units.

IV. MAPS



Site Location



Picture of Site

V. ZONING REQUIREMENTS and REQUESTED RELIEF

C-2-A Zone	Regulation	Existing	Proposed ¹	Relief
Height (ft.) § 400	50 ft. max.	10.83 ft.	47.83 ft.	None required
Lot Width (ft.) § 401	None prescribed	20 ft. at front 5 ft. at rear	20 ft. at front 5 ft. at rear	None required
Lot Area (sq. ft.) § 401	None prescribed	2,616 sq. ft.	2,616 sq. ft.	None required
Floor Area Ratio § 401	2.5	2.1	2.1	None required
Lot Occupancy § 403	60% max.	68.8%.	68.8% for existing building; 60% for addition	Existing non- conformity for existing structure
Rear Yard (ft.) § 404	15 ft. min.	36.25 ft.	36.25 ft.	None required
Parking Spaces	3	0	0	Required

VI. OFFICE OF PLANNING ANALYSIS

§ 2001.3

The existing one-story structure was constructed prior to the existing Zoning Regulations and has always been utilized by commercial uses. The C-2-A district permits all residential uses, all commercial uses, or a mix of uses. The applicant proposes to convert the existing building to all residential use and add two residential floors, in effect, converting a commercial property to a

¹ Information provided by applicant.

wholly residential use. The regulations allow a lot occupancy of up to 100% for commercial uses and up to 60% for residential uses. The existing building currently occupies 68.8% of the site which is 8.8% over the allowed residential lot occupancy and makes the structure non-conforming for residential use. Section 2001.3 states:

Enlargements or additions may be made to the structure; provided:

- (a) The structure shall conform to percentage of lot occupancy requirements, except as provided in § 2001.13;***
- (b) The addition or enlargement itself shall:***
 - (1) Conform to use and structure requirements; and***
 - (2) Neither increase or extend any existing, nonconforming aspect of the structure; nor create any new nonconformity of structure and addition combined.***

The applicant states that the existing structure is unable to meet the lot occupancy requirement and therefore a variance is required. The proposed addition would be built to conform to use and structure requirements and would not create or extend any new non-conformity.

§ 2100.1

The property currently does not provide any on-site parking spaces. The new residential use would require three spaces from which the applicant has requested relief.

The application meets the variance relief as follows:

i. Uniqueness Resulting in a Practical Difficulty

Lot Occupancy

The property is unique due to an exceptional circumstance. The existing one-story structure was constructed as a commercial building and has always been utilized by commercial uses. Under the current Zoning Regulations, commercial structures are allowed a lot occupancy of up to 100% while residential structures are allowed up to 60%. The existing structure has a lot occupancy of 68.8% and becomes non-conforming due to the change in use of the building. Meeting the residential lot occupancy requirement would require the demolition of 12 feet of the existing building. Such a demolition would adversely affect the integrity of the structure and systems, thus making it difficult to meet the requirement.

Parking

The subject property is unique because of its shape. The property is generally rectangular in nature with a width of 20-feet. However, where it abuts the alley, it narrows to a width of five-feet. This is a unique situation as the properties in the surrounding area all have widths at the rear which are greater than five feet. Although the applicant may have been able to accommodate parking to the rear of the building, the narrowness of this portion of the property results in a practical difficulty to the applicant as vehicles cannot access the property. A new curb cut to provide access from the street, inside the existing building, is unlikely to be approved and would result in an undesirable building form.

ii. No Substantial Detriment to the Public Good

Lot Occupancy:

Retaining the lower floor of the proposed building at 68.8 % lot occupancy would not affect the public good as the light and air of adjacent buildings would not be negatively impacted. The adjacent structure to the north is a residential building and has similar lot occupancy and building length. Therefore, the present situation would be retained and the light and air to that property would not be impacted. The adjacent commercial building to the south has a substantial setback and similarly would not be impacted by retaining the existing lot occupancy

Parking

With no parking being provided on the site, the applicant has proposed to landscape the rear yard. If parking spaces or a parking garage were to be provided it could entail another structure on the site or a concrete parking pad which could not be accessed by vehicles. Landscaping would be more pleasing as well as lessen the run-off from the site. Parking is allowed along 15th Street and the Potomac Avenue Metro Station is one block to the northwest of the site at the Potomac Avenue and Pennsylvania Avenue intersection. Busses also travel along Potomac Avenue and Pennsylvania Avenue. Additionally, a Zip Car location is on 14th Street, one block west of the subject property

iii. No Substantial Harm to the Zoning Regulations

The proposal would retain the existing lot occupancy and parking situations that have existed since the building was constructed. The change to residential use would not impact adjacent properties or the wider community and would maintain the integrity of the zone Plan. In addition to the public transit options noted above, the applicant states that they will mitigate the parking situation through:

- The provision of WMATA SmarTrip card with a \$100 fare provided for each unit; and
- A Capital Bikeshare membership to each new resident.

VII. COMMUNITY COMMENTS

The proposal was reviewed by ANC-6B on February 8, 2011 and voted to recommend approval of the requested variances.

VIII. CONCLUSION AND RECOMMENDATION

The proposed retention of the structure at the existing lot occupancy would not be detrimental to the adjacent properties or the neighborhood in general. The renovation of the existing building and the addition would be an asset to the community. The applicant has offered mitigation measures to offset the lack of on-site parking. OP therefore recommends approval of the requested variances.