

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

EDWARD V. HANLON

Appellant

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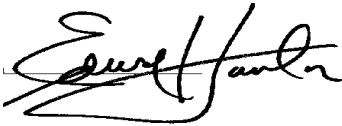
No.: 18429

**LINE ATTACHING EXHIBIT NO. 17
TO APPELLANT'S MOTION
FOR RECONSIDERATION OF DECISION
AND
MOTION FOR RE-HEARING**

Comes Now the Appellant, Edward V. Hanlon, and files Line Attaching Exhibit No. 17 to Appellant's Motion for Reconsideration of Decision and Motion for Re-Hearing and states as follows:

1. Exhibit No. 17 was cited in footnote number 6 on page 8 of Appellant's Motion for Reconsideration of Decision and Motion for Re-Hearing but inadvertently not included with the filed Motion. A copy of Exhibit No. 17, the *April 27, 2010 Determination Letter with subject: Re: 1020 Monroe Street, N.W.* , signed by Zoning Administrator Matthew LeGrant is attached.

Respectfully submitted,



Edward V. Hanlon
1523 Swann Street NW
Washington, DC 20009

CERTIFICATE OF SERVICE

I certify that on this date one copy of the foregoing was sent via email:

Jay A. Surabian, Esq.
Assistant Attorney General
Department of Consumer and Regulatory Affairs
1100 4th Street SW, 5th Floor
Washington, DC. 20024
jay.surabian@dc.gov

Martin P. Sullivan, Esq.
Sullivan & Barros, LLP
1990 M Street NW, Suite 200
Washington, DC 20036
msullivan@sullivanbarros.com

I certify that on this date one copy of the foregoing was sent first class postage pre-paid to:

Advisory Neighborhood
Commission 2B
#9 Dupont Circle, NW
Washington, DC 20036



Edward V. Hanlon

12/16/13
Date

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



EXHIBIT NO. 17

April 27, 2010

Mr. Christopher H. Collins, Esquire
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W.
Washington, DC 20006

Re: 1020 Monroe Street, N.W. (Square 2840, Lot 820)

Dear Mr. Collins:

The purpose of this letter is to confirm the conclusions reached in our meeting of March 9, 2010 that the proposed redevelopment of the above-referenced property in accordance with the plans and zoning computations attached hereto, and as further described herein, will conform to the applicable DC Zoning Regulations, and can be undertaken as a matter of right.

Existing Building

The property is located in the C-2-A zone, at the southeast corner of 11th and Monroe Streets, NW. The site contains 11,960 sq. ft. of land area. The records of the District indicate that the existing vacant building on the site was built prior to 1958. The building is not in a historic district, and is not a historic landmark. The existing building contains four stories, which includes commercial units, common utilities and storage space, restroom facilities for the commercial units, and one apartment unit on the first floor, with residential units on the three upper floors. There is no basement or cellar in the building.

The building is currently configured with 23 residential units, including one unit on the first floor and the remaining units on the upper floors. There are five commercial units on the first floor, all with direct access to 11th Street, including one unit that appears to have been created by the combination of two commercial spaces, and which was most recently used as a church. The first floor has a lobby entrance on Monroe Street and stairs for access to the residential units on the upper floors, and a hallway leading from the first floor lobby, down a corridor, and out to the south end of the building. The corridor is also the rearmost portion of the commercial units, and serves as the access to the commercial restroom facilities, and the common storage and utility rooms on the first floor.

The building height is 43 ft., 10.5 in. to the top of the parapet, as measured at the middle of the front of the building on 11th Street, NW. There is an existing stair tower on the roof, with a height of 52 ft., 10.5 in. The stair tower does not meet the minimum 1:1 setback on one of its four sides.

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BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18263

Board of Zoning Adjustment
District of Columbia

CASE NO. 18263

EXHIBIT NO. 35

1100 4th Street, S.W., 3rd Floor, Washington, DC 20024
Phone: (202) 442-4576 Fax: (202) 442-4871

The total gross floor area of the building is 34,260 sq. ft. (2.8 FAR), of which 6390 sq. ft. (0.53 FAR) is configured for non-residential use, and 27,870 sq. ft. (2.33 FAR) is configured for residential use. The building is therefore non-conforming as to FAR.

The "footprint" of the residential floors is smaller than that of the first floor. The maximum lot occupancy of the building is 69.31%. Because this is calculated at a floor where there is residential use, and because there is one apartment unit on the first floor, the building is non-conforming as to lot occupancy.

The rear yard measures 7 ft., 8 in. The building is therefore non-conforming as to rear yard. There is no side yard. There is an irregularly-shaped open court at the rear of the building, and the width of this open court is at least 16 ft., 6 in., which conforms with the open court requirement.

There is no on-site parking or loading.

The most recent Certificates of Occupancy for the building indicate the following:

<u>C of O No.</u>	<u>Date</u>	<u>Address</u>	<u>Floor</u>	<u>Use</u>
No. 99237	(6/13/05)	1020 Monroe St., NW	1 through 4	23 unit apartment bldg
No. B138372	(4/17/84)	3417 11 th St., NW	1	Church seating 60 (also includes the 3419 11 th St. space in the bldg)
No. B161590	(9/18/91)	3421 11 th St., NW	1	Laundromat
No. 28490	(2/25/02)	3423 11 th St., NW	1	Retail sales of cell phones
		3425 11 th St., NW	1	(No C of O found in DCRA records, but physical appearance indicates former retail/ service use of some type)
No. B 77181	(3/2/71)	3427 11 th St., NW	1	TV/Radio repair

Proposed residential and commercial reconfiguration

The proposal is to reconfigure the residential units in the building, to create 28 units out of the existing 23 units. The first floor commercial units will be enlarged, by the elimination of the corridor and the common storage and utility space, so that the rearmost portion of the

commercial units runs all the way to the east wall of the first floor. No additional floor area is being added to the building, and the building footprint and envelope are not changing. Notwithstanding the non-conformities of the building as noted above, ordinary repairs, alterations and modernizations may be made to the building per Section 2001.3 of the Zoning Regulations. Accordingly, these proposed reconfigurations are permitted under the Zoning Regulations.

Proposed roof structure additions

A second stair tower is being added to the roof, and will match the height of the existing stair tower. This new stair tower will have a partially sloped wall so that, at every point, the stair tower will meet or exceed the 1:1 setback requirement. A trellis will be installed to connect the two stair towers at the highest point, so that the stair towers will be connected to create a single roof structure. There will be no sides to the trellis. The trellis pattern will be at least 51% "closed" on top (i.e. 49% or less of the total trellis area will be open), which will be sufficient to establish the connection between the two stair towers to make them a single roof structure. The trellis will meet or exceed the 1:1 roof structure setback requirement at every point. This roof structure configuration will meet the requirements of the Zoning Regulations.

Parking and Loading

There is no on-site parking or loading. No parking or loading is being added to the site, and none is required. Specifically:

--Residential parking--The number of residential units is being increased from 23 to 28. This represents an increase of less than 25% ($23 \text{ units} \times 1.25 = 28.75 = 29$). The parking requirement for residential units in the C-2-A zone is one space for each two units. The parking requirement would be 12 for the current 23 units (none are provided), and would be 14 under the new configuration. This also would be an increase of less than 25% ($12 \text{ spaces} \times 1.25 = 15$). Therefore, under either calculation, no additional parking must be provided, per Section 2100.7 of the Zoning Regulations.

--Commercial parking--The existing parking requirement for the commercial units would be as follows: The total commercial area is now 6390 sq. ft. of GFA (including a portion of the first floor common area for utilities and storage that was apportioned to the commercial GFA). Of that total, 2637 sq. ft. is included in the area formerly devoted to the church, and 3753 sq. ft. is devoted to the retail/service areas on the first floor. The church area has no fixed seating, or any indication of ever having had fixed seating. The church unit includes an area of approximately 1100 sq. ft. that is "usable for seating". Applying the formula provided in Chapter 21 of the Zoning Regulations, the 1100 sq. ft. usable for church seating would require 16 parking spaces ($1100 \text{ sq. ft.} / 7 \text{ sq. ft. per person} = 157 \text{ persons}$. $157 \text{ persons} / \text{one space for each 10 persons} = 15.7 = 16 \text{ spaces}$). The remaining 3753 sq. ft. of retail/service space would require 3 parking spaces ($3753 \text{ sq. ft.} - 3000 = 753 \text{ sq. ft.}$, $753 \text{ sq. ft.} / 300 = 2.51 = 3.0 \text{ spaces}$). Thus, the total

Mr. Christopher H. Collins, Esquire

April 27, 2010

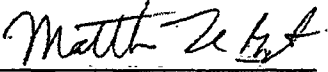
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requirement under the existing configuration would be 19 parking spaces ($16 + 3 = 19$). None are provided.

The proposed gross floor area for retail/service use is 6850 sq. ft. This is an increase of less than 25% over the existing 6390 sq. ft. ($6390 \times 1.25 = 7987.5$). This new square footage would require 13 parking spaces, which is less than the number that would be required under the existing configuration ($6850 \text{ sq. ft.} - 3000 = 3850 \text{ sq. ft.}$, $3850 \text{ sq. ft.} / 300 = 12.83 = 13 \text{ spaces}$). Thus, under either calculation, no additional parking must be provided, per Section 2100.7.

--Loading--Under Chapter 22, there is no loading requirement for an apartment house with less than 50 units. The loading requirement for the new commercial configuration will be the same as the requirement for the existing configuration, per Section 2201.1. Thus no additional loading is required for the project.

If you have any questions, please contact me via email at matt.legrant@dc.gov or by calling me at 202-442-4652.

Sincerely, 
Matthew Le Grant
Zoning Administrator