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Architecture • Interiors

REPORT

Project: N Street Village - Miriam's House
1300 Florida Ave, NW
Washington, DC 20009
Renovation

Prepared By: Stoiber + Associates, PC

Date: 8 January 2013

RE: Preliminary Statement of Compliance with Burden of Proof

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This statement is submitted by N Street Village, Inc (the "Applicant"), the owner of the parcel located at 1300 Florida Avenue, NW more particularly described as Lot 822 Square 234 (the "Property"). The applicant seeks special exception approval allowing 25 occupants for a Community-Based Residential Facility complying with the items specified in section 358 of Title 11.

A. Background information regarding the property.

The property consists of an approximately 6,599 square feet lot and is located on the southwest corner of intersection of Florida Avenue and 13th Street. The property is zoned R-5-B. The current use of the property is a Community-Based Residential Facility in a two story existing brick structure with a cellar. The structure serves as housing for women with HIV/AIDS and their children under certain circumstances and for a programmatically determined length of time. Currently the facility operates with 20 residents with approval from BZA application 16207 following guidelines outlined in Section 358 of the zoning regulations.

B. Description of Proposal and Zoning Relief

The applicant proposes converting two staff apartments located on the second floor into six single residential units, and the conversion of two units located on the lower level into a single accessible unit. The work being proposed would have an occupancy of 25 residents allowable under section 358 of the zoning regulations if approved by the Board of Zoning Adjustment.

The increase in occupancy would meet the current needs of the facility and have little change on the people using the facility because staff are not included as part of the certificate of occupancy. The elimination of live-in staff present at the facility is due to an increase in the overall health of residents and the program needs shifting merging with N Street Village, Inc who operates a similar operation in the city.

C. Standards for Approving Special Exception Relief

The following contains items listed in section 358 of the zoning regulations that the applicant addresses to seek a special exception of the board.

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BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18524
EXHIBIT NO. 5

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1. Section 358.1 – *A youth residential care home or community residence facility for sixteen (16) to twenty-five (25) persons, not including resident supervisors or staff and their families, shall be permitted as a special exception in an R-5 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

The applicant believes the approval of the special exception will have little impact from the current conditions and maintain harmony with the general purpose and intent of the Zoning Regulations and Zoning Map. Since 1996 the facility has provided housing for woman with HIV/AIDS and their children under certain circumstances and for a programmatically determined length of time and has strived to work in harmony with the area and neighboring properties. There has been no record of residents disturbing neighbors and any future developments will have negligible change on the current conditions.

2. Section 358.2 – *There shall be no other property containing a community-based residential facility for seven (7) or more persons in the same square.*

The applicant is not aware of any property within square 234 that serves as a Community-Based Residential Facility.

3. Section 358.3 – *There shall be no other property containing a community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property.*

The applicant is not aware of any property within a 500 feet radius outside the sites boundary that serves as a Community-Based Residential Facility.

4. Section 358.4 – *There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.*

No parking can be provided on site. The residents of the facility are independently mobile and are highly unlikely to own automobiles. Only one staff member is on site at all times; some of these staff members use public transportation and on-street parking is typically available if needed.

Currently the property is grandfathered to provide no off-site parking for the current right of use (15 residents for a Community-Based Residential Facility) according to 2101.1 because the structure was built prior to May 12, 1958. The previous approval of 20 occupants as part of BZA application 16207 was approved without parking requirements by both the Zoning Board and and Office of Planning. The current circumstances of the residents have not changed. Residents are unlikely to own vehicles. Additionally, demand for parking is reduced through approval of this application because residents who do not own vehicle will replace previous staff members who would likely need parking.

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5. Section 358.5 - *The proposed facility shall meet all applicable code and licensing requirements.*

The facility operates under a licensed non-profit organization, N Street Village, Inc. and has passed all current building codes as part of the current proposed renovation by the DCRA (building Permit B1212653).

6. Section 358.6 - *The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.*

The facility will have an insignificant impact on traffic because residents are unlikely to own vehicles. Residents typically get around by walking and most transportation needs are met by public transportation of the nearby U Street MetroRail Station and MetroBus stops. To prevent blocking traffic for occasional deliveries and taxi cab waits, N Street Village will encourage these events to take place in the alley as previously agreed to in BZA Application 16207.

The residents are mature women who use the facility to sleep and cook independently from others in the facility and will have little impact on the noise of the neighborhood. The backyard is used minimally and should have little noise disturbance with neighbors.