

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: May 27, 2014

SUBJECT: BZA Case 18762, 1547 7th Street NW Relief to permit the renovation and addition to an existing building for commercial and residential use in the C-2-A District at premises 1547 7th Street, N W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception.

- § 411.11 Roof Structures (9 ft. 8 in. setback required, 6 ft setback proposed)

OP recommends **approval** of the following variances.

- § 774 1 Rear Yard (min. 15 ft. required, 0 ft. existing, 0 ft. proposed),
- § 776.3 Court Width (10 ft 6 in x 17 ft 4 in. existing, min. 15 ft required, 10 ft. 6 in x 17 ft 4 in. proposed);
- § 776.4 Court Area (188.4 sf existing, 512 sf required, 188.4 sf. proposed), and
- § 2001.3 Nonconforming Structure

The Applicant has also requested variance relief from lot occupancy requirements under Section 772.1 for the proposed third-story addition, however, because the proposed third-story's lot occupancy would be 60%, it would appear to comply with Section 772.1 of the Zoning Regulations

II. LOCATION AND SITE DESCRIPTION

Address	1547 7 th Street NW (the "Subject Property")
Legal Description	Square 445, Lot 197
Ward	2
Lot Characteristics	The rectangular corner lot is 2,552 square feet in area. It is bounded on the north by Q Street, on the south by P Street, on the west by 7 th Street, and on the east by 6 th Street.
Zoning	C-2-A

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EXHIBIT NO. 25
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Existing Development	Existing development includes a vacant two-story building and cellar, constructed in 1910. The building is approximately 4,818 square feet of gross floor area plus a cellar. The building was last used for retail and residential uses. The building is one of the remaining examples of the Arts and Crafts architectural movement in the District.
Historic District	NA
Adjacent Properties	Adjacent properties include two and a half story rowhouses and one and two story retail structures.
Surrounding Neighborhood Character	The surrounding neighborhood character includes two and three story rowhouses and one and two story retail structures.

III. APPLICATION IN BRIEF

Proposal	The Applicant proposes to renovate the existing building and construct a third story addition. Proposed uses include retail on the ground and cellar levels, (partial) office or residential use on the second floor, and residential use on the third floor. The application indicates that the Subject Property does not include on-site parking and that no additional parking is required or proposed. The Subject Property does not include a rear yard and none is proposed. The existing structure includes a court with a width of ten feet and an area of 188.4 square feet. The existing court is a one-story high areaway at the cellar level and a court on the ground and second levels. The Applicant proposes to fill in the existing areaway at the cellar level. The new court would start at the ground level and would extend vertically three floors. No expansion of the court area is proposed. The roof would include storage space and amenities for building residents. A roof structure would be used to provide access and would be set back six feet from the eastern edge of the roof adjacent to the closed court, thus requiring relief.
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IV. ZONING REQUIREMENTS and RELIEF REQUESTED

C-2-A Zone	Regulation	Existing	Proposed	Relief
Roof Structure Setback § 411	9 ft. 8 in.	NA	6 ft.	Relief required
Height § 770	50 ft. max.	29 ft.	40 ft.	None required
Lot Width	NA	44 ft.	44 ft.	None required
Lot Area	NA	2,552 sf.	2,552 sf.	None required
Floor Area Ratio § 771	2.5	1.9	2.5	None required
Floor Area Ratio §771 (non-residential)	1.5	1.0	1.0	None required
Lot Occupancy § 772.1	60% max.	96%	96% (Floors 1-2) 60% (Floor 3)	None required
Rear Yard § 774.1	15 ft. min.	0 ft.	0 ft.	Relief required
Court Width § 776.3	15 ft. width min.	10'-6" x 17'-4"	10'-6" x 17'-4"	Relief required
Court Area § 776.4	512 sf.	188 sf.	188 sf.	Relief required
Parking § 2101.1	7	0	0	None required
Nonconforming Structure § 2001.3	NA	NA	NA	Relief required



Subject Property



Subject Property

V. OFFICE OF PLANNING ANALYSIS

- a. Variance Relief from § 774.1 (Rear Yard), § 776.4 (Court), Nonconforming Structure § 2001.3**
 - i. Exceptional Situation Resulting in a Practical Difficulty**

The Subject Property has a vacant and deteriorating building, constructed in 1910, that exceeds the permitted lot occupancy for the C-2-A zone, and which also includes a substandard rear yard and closed court. The structure, while not located in a Historic District, is one of the few remaining examples of the Arts and Crafts style of architecture in the District, and its retention poses challenges for potential significant modifications to the existing structure. According to the Applicant's proposal, the distinctive gabled roof would largely be retained and the third floor addition would be setback from 7th and Q Streets, lessening its visual impact.

According to the Applicant, adherence to the court and rear yard requirements would create a practical difficulty and would require the removal of a significant portion of the existing structure. The Application also states that the existing lot size is relatively large compared to the other lots in Square 445 and does not include alley access; however, it is unclear how the relatively large lot size or a lack of alley access creates a practical difficulty necessitating a third-story addition.

§ 774.1 Rear Yard

Compliance with the rear yard regulations for the third floor addition would pose significant structural and circulation issues for both the addition and the existing structure. The Applicant proposes to construct the third story addition directly on top of the southern portion of the existing building in order to extend the existing

load-bearing walls vertically. The proposed third floor would largely be set back from both 7th Street and Q Street, however, the Applicant states that the amount of structure (columns and beams) required for setting all of the walls back would adversely impact the layout of the floor below and would be more expensive to design and build. Setting back the third floor to comply with the required rear yard would create the need for additional shoring and structural support for the existing floors. In addition, setting back the wall to provide the rear yard would require the Applicant to move the building's vertical circulation towards the center of the existing structure, significantly impacting the existing structure's efficiency and potential use as a restaurant.

§ 776.3 Court Width; 776.4 Court Area

The Applicant is not proposing to expand or reduce the existing court area and width, but proposes to extend the existing court area vertically, which makes it more nonconforming. The existing building's footprint, structure, and layout result in a court area which could not reasonably be expanded without creating significant design and structural changes to the building's interior configuration (including the layout of the retail, office, residential, and core functions). As with the creation of a rear yard, expanding the court would create the need for additional shoring and structural support for the existing floors and would adversely impact the layout of the floor below.

ii. No Substantial Detriment to the Public Good

Granting the requested relief would not result in a substantial detriment to the public good. The existing structure's lack of a rear yard and court dimensions would not change under the Applicant's proposal. Further, the project's proposed additional residential units would enhance the 7th Street area by revitalizing an underutilized vacant structure into a mixed-use retail/residential space. The project should not have a detrimental impact on light and air or create an unreasonable intensity of residential use. The court would abut an open area on the adjacent property to the southeast, and therefore should maintain sufficient open space between the proposed structure and the adjacent properties.

The proposal creatively allows for the rehabilitation of a building in a manner that would be contextually consistent with the neighboring land uses. Although the subject structure was built in 1910 and is not located in a historic district, it nevertheless contributes to the character of the surrounding neighborhood. A third floor addition would not be out of character with the surrounding properties. The proposed addition would largely be set back from the façade of the existing structure, which should help to preserve the integrity of its Arts and Crafts design.

District Department of Transportation (DDOT) Public Space Committee approval is required for the lobby and stair projections into public space. In addition, trash storage should be located internal to the structure and not in public space.

iii. No Substantial Harm to the Zoning Regulations

The requested variances would not cause substantial harm to the Zoning Regulations. OP is supportive of the rehabilitation of underused properties and the creation of housing in the District. District policy also supports reinvestment in urban properties with infill development that reflects the prevailing character of the neighborhood and development limitations of the zone designation.

b. Special Exception Relief pursuant to § 411.1 Roof Structure Setback

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The roof structure would satisfy the setback requirements on the north, south, and west sides of the building. On the east edge of the structure, it would be set back six feet from the closed court, and the application states that it could not be set back any further from the court walls due to the location and design of the building's mechanical equipment, core, and circulation. The Applicant states that the storage area portion of the roof structure is designed to provide a minimal amount of usable space; however, it is unclear why the storage area could not be reduced to lessen or eliminate the Applicant's need for roof structure setback relief.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposed roof structure should not impair the light and air to neighboring properties. It would be located on the eastern edge of the building roof, minimizing its visibility from the street. Further, the roof structure would be located adjacent to the closed court, and the separation from the neighboring structures to the east should help to minimize its impact to neighboring properties.

VI. COMMUNITY COMMENTS

On May 6, 2014, ANC 6E voted unanimously to support the application. An adjacent neighbor residing at 640 Q Street NW submitted a letter supporting the Applicant's request for relief.