

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
Joel Lawson, Associate Director Development Review
DATE: September 9, 2014
SUBJECT: BZA Case 18776, 700-702 Kennedy Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

At the request of the Board, the Office of Planning (OP) is providing a supplemental report regarding the relief that has been requested for the construction of decks at 700-702 Kennedy Street.

As stated at the public hearing of July 15, 2014, OP is now able to recommend **approval** of the following request:

- § 772.1, lot occupancy (60% maximum, 67.6% proposed); and
- § 776.3, courts (15 feet required, 13.5 feet proposed).

In regard to the court relief that has been noted in a memorandum from the Zoning Administrator to the Board of Adjustment, dated February 18, 2014, OP has been unable to confirm with the Zoning Administrator that it is necessary.

OP was unable to initially recommend approval of this request due to the absence of information in the file. Since filing the previous report, dated June 10, 2014, OP has received additional information from the applicant that demonstrates an exceptional situation resulting in a practical difficulty, which was the only prong of the variance test that was unmet.

- Prior to remodeling the properties, there were three existing structures amounting to an area of 360 square feet: 1) a detached garage at 255 square feet; 2) a water tower for the previous Laundromat tenant at 49 square feet; 3) and egress stairs totaling 56 square feet. Given that the proposed decks will have a combined area of 316.6 square feet, decreasing the overall lot occupancy, the properties would demonstrate greater compliance with the Zoning Regulations.
- The applicant is remodeling the units using the existing footprint of the structure, leaving several walls and the load bearing walls intact. The location of the walls limits the amount of livable space that can be provided in each unit, so the decks would essentially extend the livable space by providing an outdoor area as an amenity for each unit. This is especially important because the rear of the lot would provide required parking spaces for the units, limiting the amount of outdoor space available to future tenants.
- The Kennedy Street Small Area Plan encourages the revitalization of this corridor. The applicant has demonstrated the desire to add value to the neighborhood with the renovation of these units, and the residents will add to the vibrancy of the area. The outdoor space would be a tool to achieve this goal.

As provided in OP's original report, the proposed decks would not pose a substantial detriment to the public good, nor would it cause substantial harm to the Zoning Regulations.