

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
SEVEN BRICK ROAD LLC**

**1401 SOUTH CAROLINA AVE., SE
ANC 6B**

STATEMENT OF THE APPLICANT

NATURE OF THE RELIEF SOUGHT

This statement is submitted by Seven Brick Road LLC, (the “Applicant”), the owner of 1401 South Carolina Avenue SE (the “Property”). (Square 1060, Lot 100). The Applicant seeks a variance from the requirements regarding additions to nonconforming structures (§2001.3) with respect to lot occupancy (§403.2) and rear yard setback (§404.1) to allow the rehabilitate of an existing church into a residential flat.

BACKGROUND

The property is on a R-4 zoned corner lot of 1653 square feet located on the south-east corner at the intersection of South Carolina Avenue SE and 14th Street SE. The property is improved by a small brick church believed to have been constructed c.1971. The purpose built church contains a single main floor worship area and a lower-level administrative area covering 1,260 sq. ft. of the lot (76%). The main two-story portion is 980 sq. ft. covering 59% of the lot. A basement level above-

grade extension covers the additional 17% of the lot. The church is flanked on both sides by single-family row houses. The property is within the boundaries of ANC 6B and outside the Capital Hill Historic District.

PROPOSED DEVELOPMENT

The Applicant proposes to rehabilitate the existing church into a by-right flat within the existing building footprint. The two-level lower unit will have three bedrooms and approximately 1,890 sq. feet of living space. The two-level upper unit will have two or three bedrooms and approximately 1,700 square feet of living area. The renovation proposes the construction of an additional story within the footprint of the existing two-story structure, 980 sq. ft. (59%) of the lot. The total height of the building with the addition will be approximately 37 feet. A two-level deck is proposed above the basement addition within the existing 214 sq. ft. footprint. The existing front porch and the two front stairways will be removed. A new porch is proposed that follows the property line facing South Carolina Avenue SE. The upper unit entry will be facing South Carolina Avenue SE mimicking the adjoining properties on the block. To mitigate the current institutional appearance of the structure, a projecting bay in public space is proposed on the 14th Street SE façade to create a more residential style structure. The existing 14th Street SE side entry, also in public space, will be redesigned within the same footprint as the existing entry but in the style of the adjoining line of row houses along 14th Street SE. One off-

rear setback combined with a substandard lot size presents practical construction issues in meeting the lot occupancy requirements, i.e. razing a portion of the existing structure.

Strict Application of the Zoning Regulations Would Cause Practical Difficulty or Exceptional and Undue Hardship: The applicant would encounter practical difficulties and undue hardship if the Zoning Regulations were strictly applied to the project. The structure, as originally constructed, exceeds the permitted lot occupancy and rear yard requirements. Strict enforcement of these requirements would require the applicant to demolish a small but significant portion of the existing structure. While the applicant is not seeking to increase lot coverage, substantial modifications are needed to the current structure in order to meet residential requirements. The main floor of the property currently has a 15 foot interior ceiling height with a partial mezzanine level. The front entrance and side entrance are currently 9 feet above grade level. The proposed plans would lower the entrance to a level of 6 feet above grade, which is more in line with the existing residential buildings on the block. The reconfigured interior floors require 12 feet of additional height. The existing structure at 26 feet high is lower than the adjoining structures on South Carolina Avenue SE. The proposed addition will result in a structure that is slightly higher than the adjoining structure but within the 40 feet height limit allowed.

1. The property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition;
2. The owner would encounter practical difficulties if the zoning regulations were strictly applied or exceptional and undue hardship; and
3. The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

As discussed below, this project meets all three prongs of the area variance test.

THE APPLICANT MEETS THE BURDEN OF PROOF FOR VARIANCE RELIEF

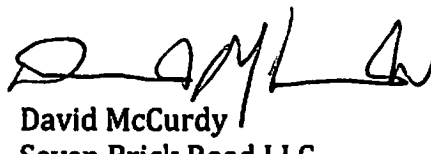
The Property is affected by an exceptional situation or condition as a result of the following factors: (1) The existing structure is nonconforming as to lot occupancy and rear yard setback. Under §403.2, a row dwelling or flat is permitted to have a maximum of 60% of lot occupancy. Under §404.1, a row dwelling or flat is required to have a minimum rear yard of 20 feet. The existing structure has a lot occupancy of 76% and a rear yard of 18 feet thus, the structure is nonconforming. While the application has been unable to locate the original building permit for the structure or a related BZA case allowing this structure, it is assumed that the structure was constructed legally at the time. (2) The Property has a substandard lot size of 1,653 square feet where a minimum of 1,800 square feet is specified in §401.3. (3) The purpose built church requires substantial modifications in order to meet residential requirements. (4) The existing nonconforming lot occupancy and

No Substantial Detriment to the Public Good Nor Substantial Impairment to the Intent, Purpose and Integrity of the Zone Plan. The requested variances will serve the public good and not cause substantial impairment to the intent and purpose of the Zone Plan. The church was a relatively recent addition to the block and not in character with the surrounding residential use and structures. The proposed renovations would convert the property from an institutional use to a residential use. The property has been the source of noise and traffic complaints in the past. Residential use will bring the property back in harmony with the surrounding residential properties. The renovation plan proposes the removal of the large and unattractive entrance to the church and replaces it with an entrance more in keeping with the adjacent residential properties. The rear porches will add balance to the structure and are in keeping with the residential character of the neighborhood.

CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for area variance relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

Respectfully submitted



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