

January 11, 2016

Board of Zoning Adjustment  
441 4<sup>th</sup> St. NW  
Suite 200S  
Washington, DC 20001

RE: BZA 19067

Dear Board Members,

Appellant submitted the attached expert report on October 23, 2015 as an attachment to Appellant's Supplemental Statement in Support of the Appeal. The report provides an analysis of the plans for the May and October Permits that are the subject of this appeal. The report is identical to what Appellant submitted on October 23, 2015 and is being entered as a separate exhibit for the Board's ease of review.

Respectfully Submitted,

A handwritten signature in black ink that reads "Lyn Abrams". The signature is written in a cursive style.

Lyn Abrams  
Representative for ANC 4C



**1117 Allison Street, NW Multi-Family Residential Development**

**Zoning Peer Review Report**

Submitted to:  
Lyn Abrams  
1119 Allison Street, NW  
Washington, DC 20011

Prepared by:  
**Workshop for High Performance  
Architecture PLLC**  
3025 Daniel Lane, NW

October 21, 2015

**Workshop for High Performance Architecture PLLC [or WHiP Architecture]** is a single-member, limited liability company providing professional architectural, planning and interior design services. Founded in 2013 by Patrick Williams, AIA, NCARB, LEED AP BD+C, WHiP Architecture fully embraces the Integrated Design Approach and Integrated Team Process methodologies for designing and building which assures the most responsive, accurate and cost effective project outcomes.

This Zoning Peer Review was conducted by **Patrick Williams**, AIA, NCARB, LEED AP BD+C, Principal & Owner, who is a Registered Architect in the District of Columbia.

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## 1.0 INTRODUCTION

Workshop for High Performance Architecture PLLC [WHiP Architecture] has completed an independent peer review of the Zoning Regulations compliance for **1117 Allison Street, NW** project, as described in the revised Permit Set drawings submitted to DCRA on or around October 8, 2015 and currently being reviewed under building permit application **B1600488**. The 1117 Allison Street, NW proposed multi-family residential development is located at the north side of the 1100 block of Allison Street, NW and shares a property wall separation with 1119 Allison Street NW, in Washington, DC 20011.

The purpose of this Peer Review is to evaluate the Zoning compliance for the proposed 1117 Allison Street, NW multi-family residential development project on behalf of Lyn Abrams, the owner of the adjoining residence at 1119 Allison Street, NW, as per **Section 3.0 Peer Review Scope Statement**.

## 2.0 PROJECT DESCRIPTION

The existing residential building on the property located at 1117 Allison Street, NW, Washington, DC 20001 is a two-story, single family row house with basement. The proposed multi-family residential development would be created by demolishing all of this existing residential building, except the front elevation abutting Allison Street, NW and the existing party walls.

As currently proposed, the project would contain 3 residential units, each two-bedroom and approximately 1,463 s.f. Gross Floor Area. Each residential unit occupies a complete floor level. On-site parking totaling 2 spaces would be provided at grade level at the rear of the property, abutting a 15-foot wide public alley.

## 3.0 PEER REVIEW SCOPE STATEMENT

As a component of our client's Board of Zoning Adjustments (BZA) case hearing **BZA 19067** which challenges the legitimacy of this Project, Lyn Abrams has retained Workshop for High Performance Architecture (WHiP Architecture) to conduct a Zoning review of the revised Permit Set associated with the current building permit application **B1600488**, which proposes revisions to building permit **B1505734** previously issued by DCRA on May 27, 2015 for the Project. The scope of this review is limited to specific zoning items identified as follows:

- Percentage of Lot Occupancy

- Pervious Surface

The current Zoning regulations that have purview over the 1117 Allison Street, NW multi-family residential development project are as follows:

- **Zoning:** DC Zoning Regulation (DCMR 11)

In furtherance to the above, a review was also conducted of the revised Permit Set drawings submitted to DCRA on or around October 8, 2015 and currently being reviewed under building permit application B1600488, and compared to the Permit Set drawings associated with building permit B1505734, as previously issued by DCRA on May 27, 2015 for the Project, specifically regarding the Front Porch and Plat.

This Peer Review Report provides our conclusions in **Section 4.0 Summary of Peer Review Findings**, as well as our analysis of the Zoning Regulation requirements in **Section 5.0 Appendix**.

## 4.0 SUMMARY OF PEER REVIEW FINDINGS

Workshop for High Performance Architecture (WHiP Architecture) provides the following as its summary of the findings of the Zoning Peer Review, from our analysis of the information conveyed in and/or derived from the revised Permit Set drawings submitted to DCRA on or around October 8, 2015 and currently being reviewed under building permit application B1600488.

### 4.1 Zoning Regulation Review Items:

#### DC ZONING REGULATION (DCMR 11)

##### Lot Occupancy:

**PEER REVIEW NOTE #1:** The existing lot area is 3126 square feet. However, there are significant ambiguities and dimensional errors in the Plat on Revised Sheets C1 and Proposed First Floor Plan on A4 of the May 2015 permit drawings. If you add the dimensions shown on Revised Sheet C1 that indicate the total length of the “Existing Building”, “New Addition” and “Porch”, it calculates to 87.5 feet. However, if you add the same dimensions shown on Sheet A4, it calculates to 83 feet. Additionally, the individual dimensions for those areas are different between Revised Sheet C1 and A4. Furthermore, the existing front porch is, in actuality, at least 8 feet deep, not 6 feet as shown on these sheets. Therefore, separate calculations were done for each sheet.

In the May 2015 Permit Set drawings, the information derived from and/or provided in the Plat on Revised Sheet C1 results in a calculated lot occupancy (which includes the primary structure, covered rear deck, covered rear stairway, covered front porch and covered side atrium) of 1960 square feet or 62.70 percent of the lot area.

In the May 2015 Permit Set drawings, the information derived from and/or provided in the Proposed First Floor Plan on Sheet A4 results in a calculated lot occupancy (which includes the primary structure, covered rear deck, covered rear stairway, covered front porch and covered side atrium) of 1870 square feet or 59.82 percent of the lot area.

In the revised Permit Set drawings (October 2015), the calculated lot occupancy, which includes the primary structure, covered rear deck, covered rear stairway and covered side atrium is 1781.14 square feet or 56.97 percent of the lot area.

- **Reference: DCMR 11-403 Percentage of Lot Occupancy**



- o *No structure, including its accessory building, shall occupy its lot in excess of 60 percentage of lot occupancy.*

**Pervious Surface:**

**PEER REVIEW NOTE #2:** Based on information provided and/or derived from Sheets C1 and C1-Copy In the revised Permit Set drawings (October 2015), the calculated percentage of pervious surface as proposed is 34.74%.

- **Reference: DCMR 11-199 Definitions**

- o **Impervious surface** - an area that impedes the percolation of water into the subsoil and impedes plant growth. Impervious surfaces include the footprints of principal and accessory buildings, footprints of patios, driveways, other paved areas, tennis courts, and swimming pools, and any path or walkway that is covered by impervious material. (39 DCR 1904)

- **Reference: DCMR 11-412 Pervious Surface**

- o The minimum percentage of pervious surface of a lot in an R-4 Residence District which is larger than 2,000 square feet, shall be 20 percent (Section 412.4). The percent of pervious surface area shall be calculated by dividing the total area of pervious surfaces on the lot by the total area of the lot.

**4.2 Permit Drawings Review Items:**

**Front Porch (Ambiguities & Dimensional Errors):**

**PEER REVIEW NOTE #3:** In the revised Permit Set drawings (October 2015), Sheet A3 indicates that the front porch is to be demolished. However, on the previous Sheet A3 in the approved permit B1505734 (May 2015), the front porch was shown as existing to remain. Since, the previous Sheet A3 did not show the front porch as being removed but the new Sheet A3 does, this is essentially a material change in the revised Permit Set drawings (October 2015). Also, the existing front porch is in actuality at least 8 FT deep, not 6 FT as shown on Sheet A3.

**Plat (Dimension Errors):**

**PEER REVIEW NOTE #4:** In the previous Zoning & Building Code Peer Review Report dated April 27, 2015, dimension errors were identified on the Plat associated with the approved permit B1505734 (May 2015). Adjustments were needed regarding the 15 FT Building Reservation Line setback. The Plat drawings indicated on Sheets C1 and C1-Copy in the revised Permit Set drawings (October

**2015) continue to have dimension errors. The 63 FT 9 5/8 inch dimension shown at the rear of the lot is not correct and should instead be 49.3 FT.**

- **Reference: DCRA Building Plat Instructions** – *The Department of Consumer & Regulatory Affairs' (DCRA) Office of the Surveyor maintains the legal records of all land plats and subdivisions of private and District government property within the District of Columbia. The existing records cover a period of more than two centuries. DCRA requires that the Plat is to be drawn by the DC Office of the Surveyor upon which the new development footprint is to be drawn by the architect/civil engineer.*

Peer Reviewer:

Patrick Williams, AIA, NCARB, LEED AP BD+C,

Principal | Owner, WHiP Architecture

District of Columbia Architect License #ARC 101164

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## 5.0 APPENDIX

### 5.1 Zoning Requirements Analysis

The 1117 Alison Street, NW multi-family residential development property is zoned within the District of Columbia's **R-4 Residence zoning district**. The R-4 Residence District Zoning requirements permit matter-of-right development of single-family residential uses (including detached, semi-detached, row dwellings, and flats), churches and public schools with a minimum lot width of 18 feet, a minimum lot area of 1,800 square feet and a maximum lot occupancy of 60% for row dwellings, churches and flats, a minimum lot width of 30 feet and a minimum lot area of 3,000 square feet for semi-detached structures, a minimum lot width of 40 feet and a minimum lot area of 4,000 square feet and 40% lot occupancy for all other structures (20% lot occupancy for public recreation and community centers); and a maximum height of three (3) stories/forty (40) feet (60 feet for churches and schools and 45 feet for public recreation and community centers). Conversions of existing buildings to apartments are permitted for lots with a minimum lot area of 900 square feet per dwelling unit. Rear yard requirement is twenty (20) feet.

#### DCMR 11-403 Percentage of Lot Occupancy

**403.2** *No structure, including its accessory building, shall occupy its lot in excess of the percentage of lot occupancy set forth in the following table:*

<b>ONE DISTRICT AND STRUCTURE</b>	<b>MAXIMUM PERCENTAGE OF LOT OCCUPANCY</b>
R-4 <i>Conversion of a building or structure to an apartment house</i>	<i>Greater of 60% or the lot occupancy as of the date of conversion</i>

**ANALYSIS:** The DC Zoning Regulation (DCMR 11) indicates a Maximum Lot Occupancy requirement of 60% for the Project. The existing Lot Size = 3,126 SF. The lot occupancy calculations for the various Permit Set drawings, are as follows:

Revised Sheet C1 of the May 2015 Permit Set drawings:

- primary structure, covered rear deck & covered side atrium: (20 FT x 87.5 FT) = 1750 SF
- covered front porch: 19.5 FT x 8 FT = 156 SF
- covered rear stairway: 6 FT x 9 FT = 54 SF
- Total Area of Lot Occupancy = **1960 SF**
- Total Area of Existing Lot = **3126 SF**

- Percentage of Lot Occupancy (proposed) =  $1960/3126\% = 62.70\%$

Sheet A4 of the May 2015 Permit Set drawings:

- primary structure, covered rear deck & covered side atrium: (20 FT x 83 FT) = 1660 SF
- covered front porch: 19.5 FT x 8 FT = 156 SF
- covered rear stairway: 6 FT x 9 FT = 54 SF
- Total Area of Lot Occupancy = **1870 SF**
- Total Area of Existing Lot = **3126 SF**
- Percentage of Lot Occupancy (proposed) =  $1870/3126\% = 59.82\%$

Revised Permit Set drawings (October 2015):

- primary structure: (20 FT x 55 FT) + (14 FT x 22.42 FT) = 1,413.88 SF
- covered rear deck: 14 FT x 9 FT = 126 SF
- covered side atrium: 31.21 FT x 6 FT = 187.26 SF
- covered rear stairway: 6 FT x 9 FT = 54 SF
- Total Area of Lot Occupancy = **1, 781.14 SF**
- Total Area of Existing Lot = **3,126 SF**
- Percentage of Lot Occupancy (proposed) =  $1781.14/3126\% = 56.97\%$

**DCMR 11-412 Pervious Surface**

**412.4** Except as required in § 412.3 for public recreation and community centers or as otherwise required by this title, in the R-4 zone a minimum pervious surface requirement for structures other than those listed in § 412.2 shall be based on lot size as set forth in the following table:

<b>MINIMUM LOT SIZE</b>	<b>MINIMUM PERCENTAGE OF PERVIOUS SURFACE</b>
Less than 1,800 square feet	0%
1,801 to 2,000 square feet	10%
Larger than 2000 square feet	20%

**412.5** The percent of pervious surface area shall be calculated by dividing the total area of pervious surfaces on the lot by the total area of the lot.

**412.6** Total Area of Pervious Surfaces are to include the following:

- Grass or mulched groundcover
- Permeable pavers or paving that facilitate the infiltration of water into the soil

- *Decks or porches constructed above the surface of the lot that are erected on pier foundations, and that maintain a permeable surface underneath that can facilitate the infiltration of water into the soil.*

**ANALYSIS:** The minimum percentage of pervious surface of a lot in an R-4 Residence District which is larger than 2,000 square feet, shall be 20 percent. The percentage of pervious surface proposed for the Project, is calculated as follows:

- Grass or mulched groundcover:
  - Front Yard:  $(20 \text{ FT} \times 15 \text{ FT}) + (4.5 \text{ FT} \times 4.5 \text{ FT}) = 279.75 \text{ SF}$
  - Covered Side Atrium:  $31.21 \text{ FT} \times 6 \text{ FT} = 187.26 \text{ SF}$
  - Rear Yard:  $(49.3 \text{ FT} \times 20 \text{ FT}) - (5 \text{ FT} \times 5 \text{ FT}) - (19 \text{ FT} \times 18 \text{ FT}) = 619 \text{ SF}$
  - **Grass or Mulched Groundcover Total Area = 1,086.01 SF**
- Permeable pavers or paving that facilitate the infiltration of water into the soil:
  - None Proposed
- Decks or porches constructed above the surface of the lot that are erected on pier foundations, and that maintain a permeable surface underneath that can facilitate the infiltration of water into the soil:
  - None Proposed

The percentage of pervious surface proposed =  $1086.01/3126\% = \mathbf{34.74\%}$ .

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