

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: October 20, 2015

SUBJECT: BZA Case 19094, 64 W Street NW, Special Exception Relief Pursuant to § 336

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) cannot support the requested § 336 (R-4 Conversion) Special Exception relief pursuant to 11 DCMR § 3104.1 to allow the applicant to convert the single-family dwelling at 64 W Street NW to a three-unit apartment house, as currently proposed.

The drawings, as submitted, are internally inconsistent. OP does support any modification to the front façade, including the roofline, existing dormer, and front porch, as shown on some drawing sets. Should the BZA act to approve the request, the order should include a condition requiring the applicant to submit a final set of dimensioned drawings, consistent with the Board's approval, showing the retained porch and dormer so that the Department of Consumer and Regulatory Affairs might administer the permit process.

II. LOCATION AND SITE DESCRIPTION

Address	64 W Street NW
Legal Description	Square 3118, Lot 52
Ward/ANC	5, 5E
Lot Characteristics	The rectangular lot is 2,880 square feet in area and is bordered on the north by W Street NW, a twenty-foot wide public alley on the south, and adjoining row dwellings to the east and west.
Zoning	R-4 – Row dwellings, conversions, and apartments.
Existing Development	Vacant, two story row dwelling, which is permitted in the zone. The detached garage has been demolished.
Historic District	Not applicable.
Adjacent Properties	Adjacent properties are primarily row dwellings.
Surrounding Neighborhood Character	The surrounding neighborhood character is primarily residential. The nearest commercial corridor is located on H Street, NE, which is approximately two blocks south of the subject site.

III. APPLICATION IN BRIEF

The applicant is requesting special exception relief under § 336 to permit the conversion of an existing residential building in the R-4 zone district to a three-unit apartment building; the demolition of a rear mudroom and deck, and the construction of a rear addition of about thirty feet in depth, including a two story deck and a roof deck.

IV. ZONING REQUIREMENTS AND RELIEF REQUESTED

R-4 Zone	Regulation	Existing ¹	Proposed	Relief
Height § 400	35 ft. max. 3 stories	28 ft. 3 in. 2 stories	28 ft. 3 in. 2 stories	None required
Lot Width § 401	18 ft. min.	20 ft.	20 ft.	None required
Lot Area § 401	1,800 sq. ft. min. (900 sq. ft./du)	2,880 sq. ft.	2,880 sq. ft.	None required
Floor Area Ratio § 402	None prescribed	--	--	None required
Lot Occupancy § 403	60% max.	31%	48%	None required
Rear Yard § 404	20 ft. min.	99 ft.	79 ft.	None required
Parking § 2101	1 space/du	1	2	None required

V. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief pursuant to § 336 Conversion of a residential building in the R-4 District (Pre-1958)

336.1 Conversion of an existing residential building existing prior to May 12, 1958, to an apartment house shall be permitted as a special exception in the R-4 District if approved by the Board of Zoning Adjustment under § 3104, subject to §§ 336.2 through 336.11.

The applicant is requesting special exception relief to convert an existing single-family dwelling to a three-unit apartment building, with a rear addition and a roof deck.

336.2 The maximum height of the residential building and any additions thereto shall not exceed thirty-five feet (35 ft.), except that the Board of Zoning Adjustment may grant a special exception from this limit under § 3104, subject to §§ 336.3 through 336.11.

The existing height of the building is 28 feet 3 inches and the applicant is not proposing to modify the building height.

336.3 The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Chapter 26, Inclusionary Zoning, including the set aside requirement set forth at § 2603.9.

The applicant is proposing three units; therefore, the project is not subject to the requirements of Chapter 26.

¹ Information provided by applicant. See Exhibit 6.

336.4 There must be an existing residential building on the property at the time of filing an application for a building permit.

The property is currently developed with a two-story single-family row dwelling that is vacant.

336.5 There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per dwelling unit.

The existing land area is 2,880 square feet, which is greater than the required 2,700 square feet.

336.6 Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code.

The adjacent properties located at 62 and 66 W Street NW do not have chimneys or other external vents.

336.7 Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator. No solar system on adjacent property

The applicant is proposing to construct a roof deck that would be located at the rear of the structure.

The adjacent properties do not appear to have existing solar energy systems and a search of Department of Consumer and Regulatory Affairs (DCRA) records does not indicate permits for solar at either 62 or 66 W Street NW.

336.8 A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size.

The property features a dormer window with three decorative lattice panes. The applicant's revised plans (Exhibit 22) appear to maintain the dormer; however, the pre-hearing statement (Exhibit 26, Sheet a5) no longer shows the dormer. The applicant is proposing to modify other details found on the front elevation, including changes to the existing front porch. The existing porch is under roof and the applicant is proposing to eliminate the roof (Exhibit 26, Sheet a3). OP does not support these unnecessary alterations.

*336.9 Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The applicant is proposing a rear addition that measures 19 feet 1 inch in depth and a rear deck that measures an additional 10 feet 5 inches in depth. The rear façade of the property

at 66 W Street NW is even with the rear façade of the subject property. The rear façade of the property at 62 W Street NW does not extend to the full depth of the subject property. Although the adjoining lots in Square 3118 are deep, measuring 144 feet, 30 foot deep addition and the roof deck in particular, could impact the privacy of use and enjoyment of the neighboring properties.

The conversion and any associated additions, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street or alley.

The applicant is proposing modifications to the rear façade of the property that would not be in keeping with the prevailing character of houses along the alley. The applicant is showing rear decks at the first and second level, along with a proposed third floor roof deck. (Exhibit 22, Sheet a5)

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

The proposal satisfies the area requirements for conversion of residential structures within the R-4 District, although the extent and potential impact of the additions may be contrary to the intent of the conversion provision.

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

The proposed conversion would result in modifications to the front and rear façade that would not be in keeping with the character and pattern of houses on the subject street and alley. The proposal could adversely affect the availability of light and air to the neighboring properties. The proposed roof deck would negatively impact the privacy of use and enjoyment of the neighboring properties.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation has no objection to the approval of the requested variance. (Exhibit 24)

VII. COMMUNITY COMMENTS

Four letters in opposition have been filed in the record as of the drafting of this report. (Exhibits 17, 18, 20, and 23)

ANC 5E had not taken a position at the time this report was drafted.

Attachment: Location Map

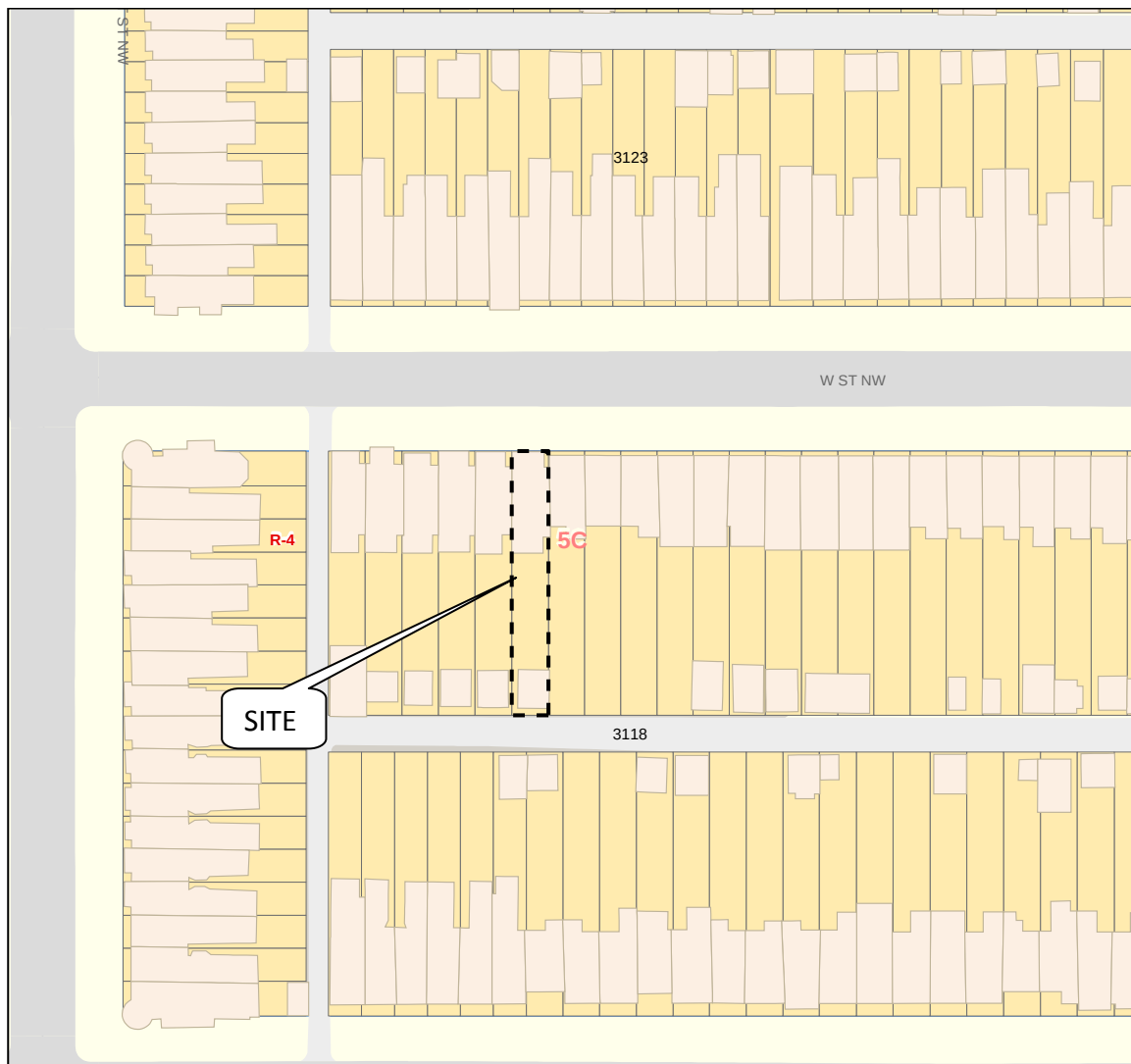


Figure 1: Location Map