

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

Application of 307 Taylor St NW LLC  
ANC 4C

STATEMENT OF THE APPLICANT

This is the application of 307 Taylor St NW LLC ("**Applicant**") for a special exception to allow the conversion of a residential structure into a three-unit apartment house. The property that is the subject of this application is 307 Taylor Street NW (Square 3312, Lot 44) (the "**Property**"). The Property is included in the R-4 Zone District. A portion of the District of Columbia Zoning Map is attached as Exhibit B, and a Surveyor's plat is attached as Exhibit C.

I. NATURE OF RELIEF SOUGHT

The Applicant requests that the Board of Zoning Adjustment ("**BZA**" or "**Board**") approve a special exception under Section 336 to allow the conversion of a pre-1958 residential building into an apartment house.

II. JURISDICTION OF THE BOARD

The Board has jurisdiction to grant the relief requested pursuant to Section 3104.1 of the Zoning Regulations (11 DCMR § 3104.1).

III. DESCRIPTION OF PROPERTY AND SURROUNDING AREA

The Property is located in the Petworth/Grant Circle neighborhood of Ward 4. The Property is rectangular-shaped and contains approximately 2,850 square feet of land area. The Property is bounded to the north by a public alley, to the south by Taylor Street, to the east by a two-story residential building, and to the west by a two-story residential building. The Property is very deep,

with a length of approximately 142.5 feet. The Property is improved with a two-story single family dwelling constructed circa 1922 and a separate rear car port along the alley.

The surrounding area is primarily residential, consisting mostly of single family row dwellings, flats, and small apartment buildings converted from single family dwellings and flats.

#### IV. THE PROPOSED PROJECT

The Applicant proposes to add to and convert the existing pre-1958 residential building into a three-unit apartment house (the “**Project**”), as shown on the plans attached as Exhibit D. The majority of the original building will be extensively preserved and enhanced. From the front, the building will remain the same. All original architectural details on the front (south) façade, will be retained and enhanced.

The Applicant will renovate the existing building and construct a two-story rear addition. The addition will level out the existing roof that slopes toward the back, and it will extend back from the existing building by approximately 39.9 feet. The addition will not be any taller than the existing building, but it will contain a small penthouse for stairway access to the roof deck on the addition. The addition and the penthouse will not be visible from Taylor Street. Also, with the addition, a generous rear yard, measuring approximately 45.7 feet, will remain, and the car port will be removed.<sup>1</sup> The proposed rear yard is comparable to the existing rear yard between the building and the car port measuring approximately 54 feet.

Except for the requested relief herein, the Project will conform to the Zoning Regulations.

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<sup>1</sup> The rear yard is measured from the rear stairs, but if measured from the rear of the addition, the rear yard would measure approximately 59.3 feet.

V. THE APPLICATION MEETS THE REQUIREMENTS FOR A SPECIAL EXCEPTION FOR  
CONVERSION OF A RESIDENTIAL BUILDING INTO AN APARTMENT HOUSE

Under Section 336 of the Zoning Regulations, the conversion of a pre-1958 residential building into an apartment house is permitted if approved by the Board as a special exception. Sections 336.2 – 336.11 set forth the special exception criteria that the application must satisfy for the Board to approve such a conversion. As described below, the proposed Project satisfies these criteria.

- A. The maximum height of the residential building and any additions thereto shall not exceed thirty-five feet (35 ft )... (Section 336.2)

The proposed Project will have a maximum height of 28.6 feet.<sup>2</sup>

- B. *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. (Section 336.3)*

This section is not applicable since the Project will contain only three units.

- C. *There must be an existing residential building on the property at the time of filing an application for a building permit. (Section 336.4)*

The Property currently contains a single family residential building constructed circa 1922.

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

The Property has a lot area of 2,850 square feet, but only 2,700 square feet is required for three dwelling units.

- E. *Any addition, including a roof structure or penthouse, shall not block or impede the function of a chimney or other external vent on an adjacent property required by any municipal code. (Section 336.6)*

The addition will be entirely at the rear of the existing building and will not be taller than the neighboring buildings. Furthermore, the adjacent buildings do not have any chimneys or vents

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<sup>2</sup> Measured to the top of the penthouse, the Project will have a height of 35 feet.

adjacent to the Property. Therefore, the proposed addition will not block or impede any chimneys or external vents.

- F. 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. (Section 336.7)*

The adjacent properties do not contain solar panels, and the Applicant is not aware of any permits for solar panels.

- G. 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. (Section 336.8)*

All of the architectural details on the top front of the existing building will remain. The rear rooftop does not contain any architectural elements.

- H. The light and air available to neighboring properties shall not be unduly affected. (Section 336.9(a))*

The addition will not impede the availability of light and air to neighboring properties because it is modest in scale and will be appropriate for the site. The Project will be approximately 28.6 feet tall, and the Project will have a conforming lot occupancy of 59.8%. In addition, a large 45.7-foot rear yard behind the addition will be provided. Therefore, because of its low height consistent with neighboring buildings and ample open space, the Project will not unduly cast shadows or block air available to neighboring properties.

- I. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised. (Section 336.9(b))*

The Project will not compromise the privacy or use and enjoyment of neighboring properties. The addition will not contain any windows on its sides to give residents new vantage points to view into neighboring properties. Indeed, the addition will limit the ability of residents

inside the addition to view into neighboring properties because the windows will be further back on the Property than the existing condition. Further, the addition will not be taller than neighboring buildings, so it will not result in a taller structure that would intrude on neighboring properties. Therefore, because the addition's scale and height are appropriate for the site, it will not unduly compromise privacy and use and enjoyment of neighboring properties.

- J. 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. (Section 336.9(c))*

The addition will not be visible from the street. While it will be visible from the alley, the addition will maintain the scale and pattern of houses. As viewed from the alley, the style of the addition will be compatible with neighboring buildings. The addition's rear façade will have the design and materials similar to the existing condition and to other nearby properties. Also, the addition will maintain the two-story scale consistent the other properties on the block.

- K. In demonstrating compliance with § 336.9 the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways. (Section 336.10)*

The plans attached as Exhibit D demonstrate the application's compliance with § 336.9.

- L. The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties; or to maintain the general character of a block. (Section 336.11)*

No special treatment is necessary because the addition will maintain ample open space, will be a size and scale appropriate for the site, and will have a design consistent with the neighborhood.

- M. The requested relief will be in harmony with the general purpose and intent of the zoning regulations and zoning maps and will not tend to affect adversely the use of neighboring property.*

Because the application satisfies the specific criteria set forth in Section 336, the proposed addition and conversion will be harmonious with the general purpose and intent of the Zoning Regulations and Zoning Map and will not adversely affect neighboring property.

## **VI. EXHIBITS**

|           |                                                                        |
|-----------|------------------------------------------------------------------------|
| EXHIBIT A | Application Form, Self-Certification Form, and Letter of Authorization |
| EXHIBIT B | Excerpt of Zoning Map                                                  |
| EXHIBIT C | Surveyor's Plat                                                        |
| EXHIBIT D | Project Plans                                                          |
| EXHIBIT E | Photos of Property and Existing Building                               |
| EXHIBIT F | List of Property Owners within 200 Feet                                |

## **VII. CONCLUSION**

For all of the above reasons, the Applicant is entitled to the requested special exception in this case.

Respectfully submitted,  
GOULSTON & STORRS, PC



Cary R. Kadlecek