GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

BZA
Case No. 16686
Exhibit No. 22

Memorandum

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TO: Board of Zoning Adjustments

FROM: Andrew Altman, Director
Office of Planning

DATE: April 10, 2001

SUBJECT: BZA Application #16686 (Medley Rooming House)
5812 5th Street, NW

APPLICATION

The application by Benjamin Medley requests, pursuant to 11 DCMR 3103.2, a use variance from the provision of §300.2 to allow a rooming house in the R-4 district.

PROPOSAL

The applicant proposes to convert the single-family house into a rooming house for five persons and is limiting the occupants to senior citizens only.

SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends that the variance request be denied, as the applicant has not demonstrated any uniqueness, extraordinary situation or hardship concerning the property.

SITE AND AREA DESCRIPTION

The subject property is located at 5812 5th Street, N.W., Square 3203, Lot 73, and is generally bounded by 5th Street to the east, Nicholson Street to the south, 6th Street to the west, and Oglethorpe Street to the north, in the Manor Park community (Attachment 1). The site is developed with a 2-story plus basement row house and is the middle unit in a set of three attached units. The unit to the east of the subject property, 5810 5th Street, is used as a single family dwelling, while the unit to the west of the site, 5814 5th Street, is currently vacant. To the rear of the property is a 15 feet wide alley. The residential community surrounding the property is predominantly developed with 2- and 3-story duplexes, three unit row houses, and some single family detached houses.

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ZONING REQUIREMENTS

The subject property is within the R-2 zone that permits single-family detached and semi-detached residential units. A rooming house is not a use permitted by right in the R-2 zone.

ANALYSIS

The subject property is developed with an approximately 1,800 square feet row house that has 3 bedrooms and a bathroom on the upper floor, a kitchen, living room, and dining room on the main floor, and a 1/2 bathroom, storage, and laundry facilities in the basement. One person who acts as a caretaker for the property currently occupies the house.

The applicant is proposing to convert the single-family house into a rooming house to accommodate 5 self-sufficient elderly persons. The applicant has informed us that he intends to convert the existing living room and a portion of the dining room into two bedrooms. Although requested, the applicant has not provided adequate drawings to demonstrate the proposed conversion. The applicant has not proposed any additional bathroom facilities and therefore all 5 persons will be expected to share the one bathroom on the upper floor and the ½ bathroom in the basement.

Currently, the exterior of the house needs upgrading as it is in a state of disrepair compared to adjacent units and other houses in its vicinity. For example, the steps at the entrance to the house need repair and many of the windows are not secure. The applicant has not demonstrated how he intends to improve the outward appearance of the house.

§199 of the Zoning Regulations defines a rooming house as:

> *"... a building or part of a building that provides sleeping accommodations for three (3) or more persons who are not members of the immediate family of the resident operator or manager, and in which accommodations are not under the exclusive control of the occupants. A rooming house provides accommodations on a monthly or longer basis. The term "rooming house" shall not be interpreted to include an establishment know as, or defined in this title as, a hotel, motel, inn, bed and breakfast, private club, tourist home, guest house, or other transient accommodation."*

The application proposes that the rooming house will accommodate five unrelated persons. However, the applicant has not provided any information regarding the daily operation of the rooming house and whether or not there will be a resident manager to oversee the day-to-day operation of the rooming house.

§2101.1 of the Zoning Regulations requires that a rooming house provide 1 parking space plus 1 additional space per 5 rooming units. The applicant is proposing 5 rooming units and therefore 2 on-site parking spaces are required. Currently, there are 2 cars parked in the area to the rear of the property that are not in operation. In order to meet the requirement for 2 parking spaces, these cars will have to be relocated or removed from the property and assigned to the residents.

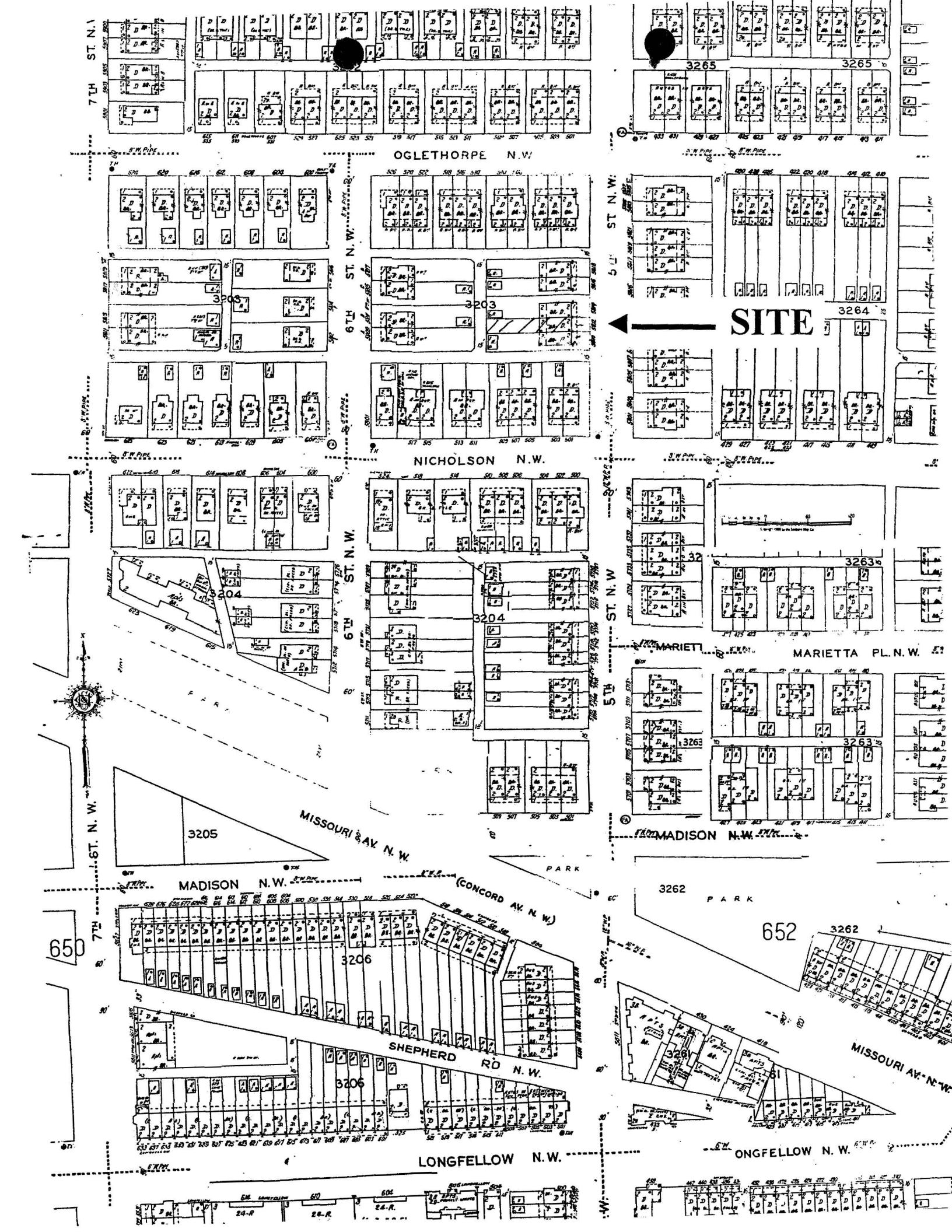
SUMMARY AND RECOMMENDATION

As outlined above, the applicant has not met the standards for approval. It is not unique and demonstrates no extraordinary situation. In particular, the applicant has not demonstrated any hardship concerning the property. Additionally, the applicant has not provided sufficient information concerning the operation of the facility. Therefore, the Office of Planning recommends that the Board of Zoning Adjustment **DENY** the variance for rooming house.

Attachment 1 – Site Location

AA/mbr


SITE
Takoma
PINEY BRANCH RD
MISSOURI AVE
16TH ST
GEORGIA AVE
13TH ST
4TH ST
ARKANSAS AVE
KANSAS AVE
NEW HAMPSHIRE AVE
ROCK CREEK FORD RD
ROCK CREEK CHURCH RD
FT STEVENS DR
ASPEN ST
WHITTIER ST
VAN BUREN ST
UNDERWOOD ST
TUCKERMAN ST
SHERIDAN ST
RITTENHOUSE ST
PEABODY ST
OGLETHORPE ST
NICHOLSON ST
MONTAGUE ST
MADISON ST
LONGFELLOW ST
KENNEDY ST
JEFFERSON ST
INGRAHAM ST
HAMILTON ST
GALLATIN ST
FARRAGUT ST
EMERSON ST
DELAFIELD PL
DECATUR ST
CRITTENDEN ST
BUCHANAN ST
ALLISON ST
WEBSTER ST
VARNUM ST
UPSHUR ST
TAYLOR ST
SHEPHERD RD
ATTACHMENT


7TH ST. N.W.
OGLETHORPE N.W.
6TH ST. N.W.
NICHOLSON N.W.
5TH ST. N.W.
SITE
MARIETTA PL. N.W.
MADISON N.W.
MISSOURI AV. N.W.
PARK
7TH ST. N.W.
(CONCORD AV. N.W.)
SHEPHERD RD N.W.
LONGFELLOW N.W.
3265
3264
3263
3262
3205
3206
3204
3203
650
652