#16735

~~Special Exception~~ VARIANCE for 901 East Capitol Street, SE

Lot: 58 (lot 804 will be combined and consolidated into this lot)
Square 942

Existing Building Footprint: 799 square feet

Proposed Building Footprint 1133 square feet

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VARIANCE
Preliminary Statement for ~~Special Exception~~

The existing property is in an R-4 district. The structure is a two story row structure. The most recent Certificates of Occupancy show that the second floor may be used for doctors' offices and that the first floor may be used as a store for selling sewing supplies. The store which sold sewing supplies no longer occupies the first floor, so that the legal occupancy of this space has reverted back to the original legal occupancy of single family or flat for the R-4 district. No changes are being asked for in either the use or size of the second floor, for which a valid Certificate of Occupancy for doctors' offices is in effect. Consequently, the property has been categorized by Mr. Toya Bello at the Building Department as a mixed use property.

The existing lot on which the existing structure is located is lot 58. The area of this lot is 1,543 square feet The Owner will be purchasing the contiguous lot 804, whose area is 133.3 square feet, and consolidating this lot with the original lot 58. The total area of the consolidated lot will be 1,676.2 square feet.

The existing building footprint is 799 square feet. This computes as 52% of lot occupancy. The proposed building footprint is 1,133 square feet. This computes as 67.6% of lot occupancy. The proposed addition is a three story extension to the original two story structure into the rear yard. Consequently, the proposed addition will require a variance from Article to exceed the lot occupancy requirement. ~~In addition, it will require a variance from Article since it is already a non-conforming structure because the existing structure exceeds the 40% lot occupancy requirement for this sort of structure in an R-4 zone.~~

The Owner intends to include a bay projecting four feet onto public space as part of the addition. The bay is a matter of right and not the subject of this variance request.

The Owner intends to talk with neighbors to secure their agreement to this addition and to circulate a petition to neighbors to this effect. Once the petition has been circulated and signed, it will be added to this file.

The Owner will work closely with the local ANC and the Capitol Hill Restoration Society in evaluating this Special Exception, and will attend all appropriate meetings of those groups.

The Owner will suffer a practical hardship if not allowed to exceed the percent of lot occupancy requirements for the following reasons:

BZA
Case No. 16735
Exhibit No. 12

Board of Zoning Adjustment
District of Columbia
CASE NO.16735
EXHIBIT NO.12

- As the property presently exists, the portion devoted to residential use is only 765 square feet. This is far too small an area to accommodate a normal primary residence, particularly one with a home office attached, as the owner would like. The only other alternative would be to terminate the lease to the doctors' offices on the second floor and reclaim this area for the primary residence/home office. But even this additional amount of space would not provide enough room for a primary residence with a home office. In addition, this would have the unfortunate neighborhood impact of eliminating a long standing neighborhood doctor's office as well as eliminating a source of income from the building owner.

- As can be seen on a map of adjacent properties, the subject property is by far the smallest building in the area. The other houses already extend back as far as the subject property is proposing to extend. Preventing the subject property from extending back as far as its neighbors presents a distinct practical difficulty to the property because a normally sized house, like all of the neighboring structures, cannot be fit on the property under these constraints.

By virtue of being a corner lot, and a corner lot whose structure has not filled out the corner like almost all other corner properties in the Capitol Hill neighborhood, this is an individual and unique property which is due unique consideration.

The addition will not unduly compromise the light and air or privacy of any abutting property. The addition will in fact, by bringing the structure to the same depth as its neighbors, have the same effect on its neighboring structures as they have on each other. Nor will the addition, together with the original building, visually intrude upon the character, scale and pattern of the houses along the street frontage. The addition will, in fact, improve the character, scale and pattern of the street frontage by partially filling in an otherwise intrusive and large parking lot.

The intent of the Zoning Ordinance is to regulate construction so as to produce a coherent and uniform neighborhood pattern of houses. The existing subject property in fact stands out from its neighbors by leaving a gap in the wall of houses which front ninth street and by not extending as far back as its neighbors. With the proposed addition, the structure will match its neighbors in scale and lot coverage, reinforcing the intent of the Zoning Ordinance to create a uniform neighborhood.

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