Board of Zoning Adjustment
Case Number 16986

2003 MAR 25 AM 11:24

Supplemental Submission
as requested at the March 11, 2003 BZA Hearing

Subject Property: 2131 & 2133 10th St. NW
Square 358, Lots 58 & 59

Property is zoned R-5-B

Applicant seeks area variances pursuant to Subsections 403.2, 402.4, 404.1 and 406.1 as outlined in the original application.

BZA
Case No. 16986
Exhibit No. 36

Board of Zoning Adjustment
District of Columbia
CASE NO. 16986
EXHIBIT NO. 36

Contents of Supplemental Submission

I. **Immediate neighborhood lots and dwellings as requested.**
   - **Photographs**
   - **Study of existing lot occupancy**
   - **Study of existing FARs for 10th and W Streets, N.W.**
   - **Proposed construction for 2131 and 2133 10th Street, N.W.**

II. **Additional information requested.**

III. **Practical difficulties and uniqueness of subject site.**

IV. **Conclusion**

I. Immediate neighborhood lots and dwellings.

Address	Sq.	Lot	Approx. Lot Size	Approx. Lot Occupancy	Approx. FAR	Direction from Subject
927 W St., NW **	357	75	825 sq. ft.	83%	1.65	N
925 W St., NW *	357	78	825 sq. ft.	79%	1.58	N
923 W St., NW * #	357	73	825 sq. ft.	58%	1.16	N
921 W St., NW *	357	72	825 sq. ft.	79%	1.58	N
924 W St., NW *	358	60	625 sq. ft.	70%	1.40	E
922 W St., NW *	358	61	625 sq. ft.	75%	1.55	E
2129 10th St., NW	358	57	675 sq. ft.	79%	1.58	S
2127 10th St., NW *	358	56	675 sq. ft.	75%	1.55	S
2125 10th St., NW *	358	55	675 sq. ft.	75%	1.55	S
2123 10th St., NW *	358	54	877 sq. ft.	62%	1.24	S
2121 10th St., NW *	358	53	877 sq. ft.	77%	1.54	S
2130 10th St., NW ***	331	39	551 sq. ft.	83%	2.50	W
2128 10th St., NW	331	40	551 sq. ft.	83%	1.66	W
2126 10th St., NW	331	41	551 sq. ft.	76%	1.52	W
2124 10th St., NW	331	42	551 sq. ft.	76%	1.52	W

Notes:

* Lot has alley access.
** Corner lot, no alley access.
*** Three story, corner lot, no alley access.
# This is the only lot on this chart that does not exceed R-5-B's 60% lot coverage requirement.

Please see the following pages for maps and pictures.

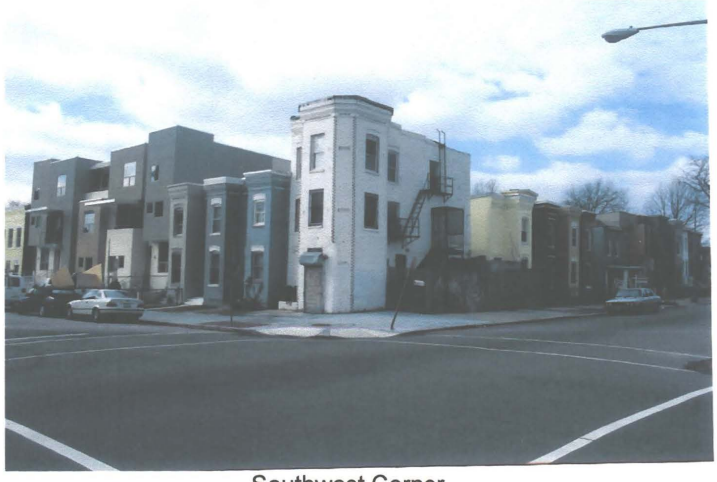
Intersection of 10th and W Streets N.W., Washington, D.C.



Northwest Corner



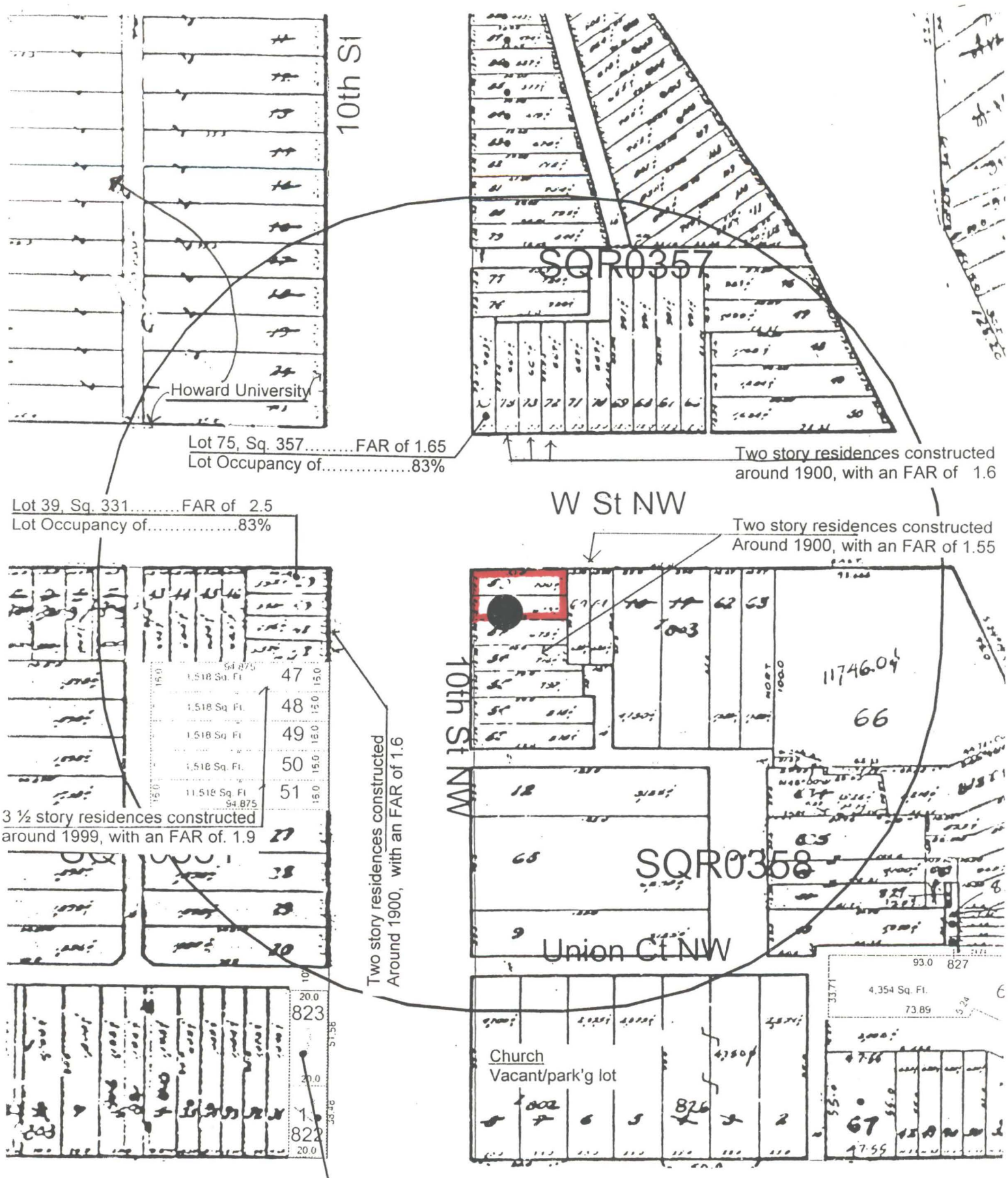
Northeast Corner
Square 357, Lots 75, 78, 73, 72, etc.



Southwest Corner
Square 331, Lots 39, 40, 41, 42, etc.

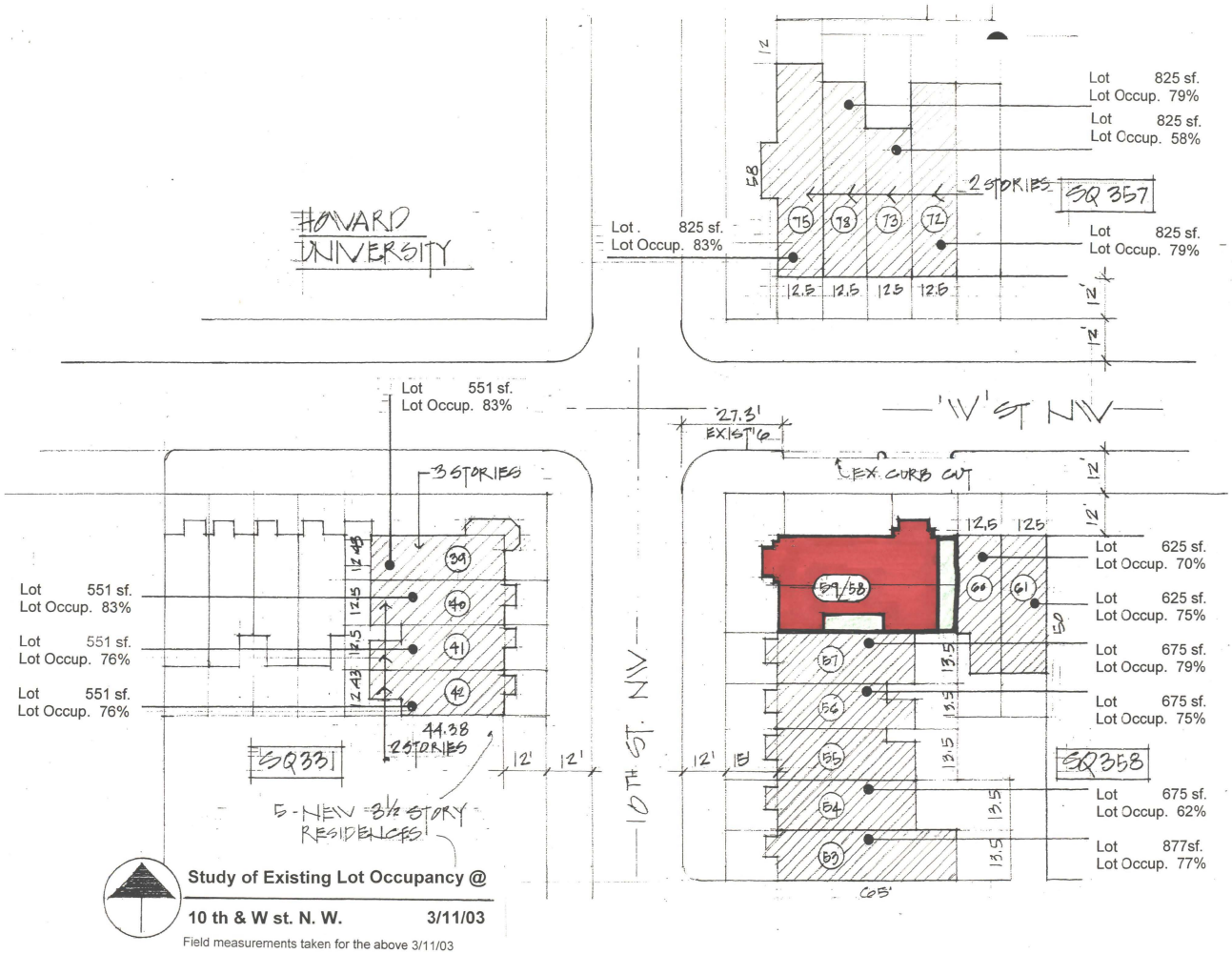


Southeast Corner – Subject
Case no. 16986
Square 358, Lots 61, 60, Subject, & 57



Study of Existing FAR's for Corne

10 th & W st N. W.



Study of Existing Lot Occupancy @

10 th & W st. N. W. **3/11/03**

Field measurements taken for the above 3/11/03

Proposed Construction for
2131 & 2133 10 th Street, N. W.
Washington , DC

Loder.Gravett LLC
11607 Clubhouse Court
Reston, Virginia 20190

P.D. Gravett, Principal
Architect

703.599.7122
703.522.5460 Fax

3/20/03

REV- 3/20/03 - BZA
2128 - 2129

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., 11-6, 2002

Plat for Building Permit of SQ-358 LOTS 58,59

Scale: 1 inch = 10 feet Recorded in Book 17 Page 55

Receipt No. 1600

Furnished to: GRAVETT

Surveyor, D.C.

By DA 690

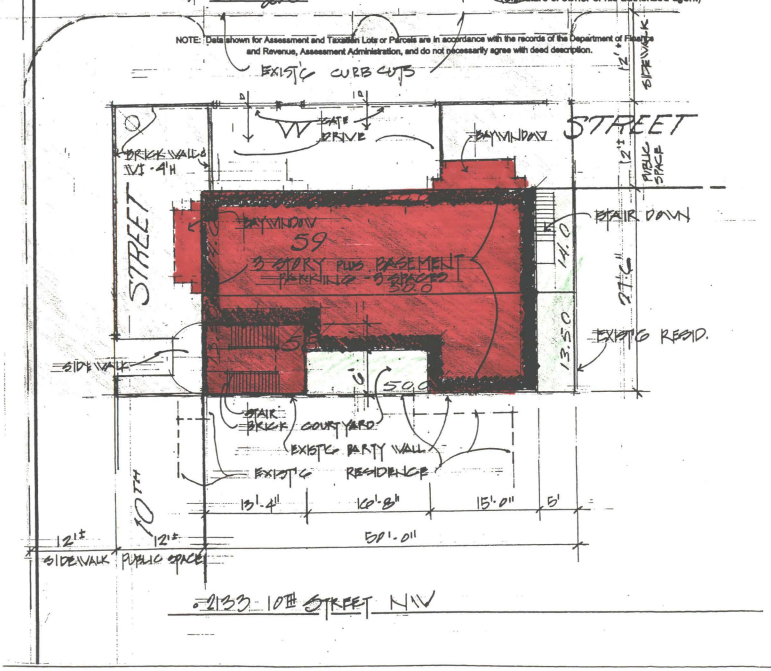
I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat;and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: 12/20/02

PD GRAVETT

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



Lots 58 & 59 , Square 358

Item	Minimum Required	Proposed Construction
Lot Area	1,375 sq. ft.	----
Lot Occupancy	60 %	82.73 %
Floor Area Ratio	1.8	2.3
Parking Spaces	2	3
Rear Yard	15 ft.	5.0 ft.
Closed Court	15 ft. w.	6.0 ft. w.
	350 sq. ft.	100.02 sq. ft.
Height	50 ft.	47 ft.

Proposed Construction for
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Washington , DC

Loder.Gravett LLC
11607 Clubhouse Court
Reston, Virginia 20190

P.D. Gravett, Principal Architect

703.599.7122
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12/23/02 1

II. Additional information requested: An apartment unit is allowed to exist in a basement or a cellar.

Pursuant to Section 199 of the D.C. Zoning Regulations, there are several definitions that should be cited. There are definitions for cellar, gross floor area, habitable room, rooming unit, rooming house, and boarding house. Board of Zoning Adjustment Appeal Case for 5620 Colorado Avenue, N.W., the Samaritans Inn Case, (199401995), Brightwood Citizens Association and the Sixteenth Street Citizens Association vs D.C. Zoning Administrator (DCRA) and a D.C. Court of Appeals Case (1994-1995) Samaritans Inn vs the Department of Consumer and Regulatory Affairs, definitions of the aforementioned terms were thoroughly discussed. The proposed apartment unit is allowed by definition under the D.C. Zoning Regulations and the unit must comply with the D.C. Building and the D.C. Housing Codes. An apartment unit is allowed to exist in a basement or a cellar provided that all applicable Codes are satisfied.

III. Practical difficulties and uniqueness of subject site.

The major practical difficulty for this corner property is its unique size, narrow configuration, and lack of alley access. There is a three foot wide easement which runs north to south along the east lot line of lots 58 and 59. On the southern lot line there is an existing single family dwelling. To the east there is also an existing single family row house. The site is bounded on the north along W St., N.W. and the west along 10th St., N.W. by public space. The combined lot width of lots 58 and 59 is 27.5 ft. The depth of lots 58 and 59 is 50 feet. The total lot square footage of both lots is 1,375 square feet. Neither lot has alley access and both lots 58 and 59 would require a parking variance for relief from on-site parking for new residences should they be developed as single family dwellings. Although lot 59 is a corner lot with access to an existing curb cut, its unique size and narrow configuration of only 14 feet does not conform to the on-site parking depth requirement of 19 feet. These homes would require street parking and street parking in the neighborhood is already very difficult.

To the north side of the corner property there is an existing curb cut, which starts at 27 feet and 4 inches from 10th St. N.W., along W St. N.W. The project proposes to use the existing curb cut to provide access to required off-street parking to be located in the lower level of a four unit apartment building.

There is no more land adjacent to lots 58 and 59 to acquire. The unique size and configuration of the property presents practical difficulties which limit the architect's ability to comply with all provisions of the D.C. Zoning Regulations, thus requiring variance relief from Sections 403.2, 402.4, 404.1, and 406.1. The small corner lot size and lack of alley access pose significant limitations to the overall utility of this corner lot, for instance, there is no sense of privacy in the back yard of a corner lot as that which is enjoyed by mid-block lots.

IV. Conclusion

As pointed out in the D.C. Office of Planning report of March 4th recommending approval of the requests for variance relief as submitted by the Applicant, the proposed project is consistent with the Ward 1 Plan and the District of Columbia Comprehensive Plan. The proposed use complies with the use provisions of Section 350, of the D.C. Zoning Regulations, however, because of the property's unique size and narrow configuration the above variances are required to build the proposed four unit apartment building with off street parking.

The final plan for the site, with preliminary design input from the D.C. Office of Planning staff, from which the courtyard evolved, has been presented to ANC1B and the Cordoza-Shaw Neighborhood Association and both organizations have submitted written approval to the Board of Zoning Adjustment. The proposed development of a four unit apartment building with on-site parking will improve the lots upon which now sits a dilapidated, abandoned service gas station. The zoning classification changed from C-M-1 Commercial-Light Manufacturing to R-5-B Residential in 1989. Currently, the fence installed to secure the lot has been cut and knocked down on the 10th St. side. The lots have been used to dump trash. There is a D.C. Public School within one block to the south of the lots on 10th St., N.W. Under the Ward 1 Plan, this project will provide for the development of new housing for the District of Columbia, and it will clean up lots which have now become an eyesore and will eliminate life safety issues posed by a vacant building.

There is no threat to the public good. The proposed project does not pose a problem with light, air, or ventilation with the existing adjacent properties. The proposed use will stabilize and improve conditions of this corner lot under Section 707 of the D.C. Comprehensive Plan.

In conclusion, the lot analysis requested and data compiled in Section I of this supplement submission confirms that the lot coverage of .83 sought in this case is not excessive in this neighborhood. In fact .83 is the lot coverage for both of the other residentially developed corners at this intersection and the relief on the FAR of 2.3 requested in this application is less than the FAR of 2.5 at 2130 10th St., N.W. (331, Lot 39). Without the requested variance, a back yard 15 feet deep by 27.5 feet (412.5 sq. ft.) and a courtyard containing 350 square feet would reduce the developable lot occupancy to 612.5 square feet or 45%. The plan for the site was finished after reviewing comments from a preliminary design meeting with the D.C. Office of Planning staff in which they suggested we lessen the physical impact of our project on the adjacent residential properties. To the south (Lot 57, sq. 358) a courtyard was added which has an additional benefit of adding light and ventilation to the apartments. To the east (Lot 61, sq. 358) the existing 3 foot yard was increased to 5 feet creating more open space between the buildings.

In order to develop the above discussed four unit apartment building with off-street parking on a narrow and difficult corner site, the applicant asks the BZA to grant variance relief from Sections 403.2, 402.1, 404.1, and 406.1.