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801 North Capital Street, NE Suite 4000
Washington, D.C. 20002

ADDITIONAL INFORMATION IN SUPPORT OF ZONING RELIEF
BZA Application No. 17035

The standard by which the Board of Zoning Adjustment (BZA) should approve a variance from the area provisions of the R-4 Zoning District (11DCMR Section 401.3 and *330.3*), is set forth in Section 3103.2 of the Zoning Regulations. Chapter 31 Board of Zoning Adjustment Rules of Practice and Procedure of the Title 11 District of Columbia Municipal Regulations indicate that:

Section 3103
Variances 3103.2

As set forth in D.C. Code Ann. § 5-424(g)(3) (1981), " [w]here, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Code Ann. §§5-413 to 5-432 (1981) would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; Provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."

BZA
Case No. 17035
Exhibit No. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 17035
EXHIBIT NO. 27

1. **"Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations."**

A. The building was constructed in 1958 during the advent of the District of Columbia zoning regulations. The original Lots 129 and 130 were combined creating Lot 839, thus exceeding the minimum lot area per family requirement as stated in 11DCMR Section 330.3. The existing site and building configuration create limits which support the justification for expansion of the current apartment allowable use of 5 units expanded to 11.

B. The 1959 Certificate of Occupancy identifies the building purpose as Medical Clinic for Humans. The expanded apartment use does not detract from the regulations or land use in the existing block. The existing configuration of the building does not lend itself for use as a single family detached or semi-detached dwelling as stated in the DC Zoning regulations. However, the current structural configuration of the building does support the *"conversion of dwellings into use dwellings for two(2) or more families"* as stated in 11DCMR Section 330 R-4 District General Provisions.

2. **"Where, by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property."**

C. Square 364 on which 915 rests covers two entire city blocks consisting of five land uses and four buildings, including a church located to the northwest corner of the square, Shaw Junior High School to the north and west of 915, the YWCA (used as apartments) is located adjacent to the eastern border of 915 and an open recreational space located directly west of 915, and 915 which is proposed for conversion from a 3-story medical facility to a 11-unit apartment building. The proposed use for 915 does not undermine the intent of the R-4 District because of the unusual circumstances affecting the entire square. Square 364 is a mixed use land area which has sufficient open spaces and buildings supporting 915 as a compatible use.

D. Shaw Junior High School and the adjacent alleys located at the rear and west site border create a buffer and sufficient separation between 915 Rhode Island Avenue and adjacent uses. The land and building configuration is constricted by alleys on the western and northern borders and YWCA facilities on the east, a facility used as an apartment building. Directly in front of 915, Rhode Island Avenue and a public park serve as a southern buffer. Additionally the proposed use is in scale and harmony with the exisitng adjacent uses.

3. **"The strict application of any regulation adopted under D.C. Code Ann. §§5-413 to 5-432 (1981) would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property."**

E. Because of the exceptional shape of the structure which existed at the time of the adoption of current zoning regulations, an undue economic hardship would be imposed upon the owner of the property if required to change the structure to satisfy strict compliance with the zoning regulations permitted as a matter of right in the R-4 Zone.

F. The current building configuration with concrete floors and steel supports does not support reconfiguration into separate row dwellings. The building would have to be extensively reconfigured imposing a structural and extensive financial hardship for the owner if the building had to be reconfigured. The economics of keeping floor areas in tack, and eliminating the need for extensive fire separation between the units and other code required changes, reduces renovation cost.

G. Practical economic hardship: There are housing shortages everywhere, apartments are needed to support Howard University Hospital staff especially nurses. The conversion of the building for apartment use will be used as an incentive to secure new nursing staff and support other hospital personnel.

H. An economic hardship would be imposed on the owner if require to conform to current zoning regulations which restricts the use to 5 apartments in the building as a matter of right. The hospital is experiencing financial difficulty due to budget reductions and other increasing costs. A building configuration with 11 apartments is needed to help offset the $1,000,000.00 construction renovation costs.

4. **"Relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."**

I.

The rhythmic flow of the building masses: The use of varying shades of red brick as the primary building facade material along with modest transitions in building heights along Rhode Island Avenue, NW serve to reinforce an interesting rhythmic flow extending from the 8-story apartment building set along the east side of 9th Street, steeping down to 9th Street then up to YWCA, steeping down to 915 then dropping to the alley surface rising on the west side of the alley to Shaw Junior High School, with the site line terminating at grade on the west side of Shaw along areas which define open space and recreation.

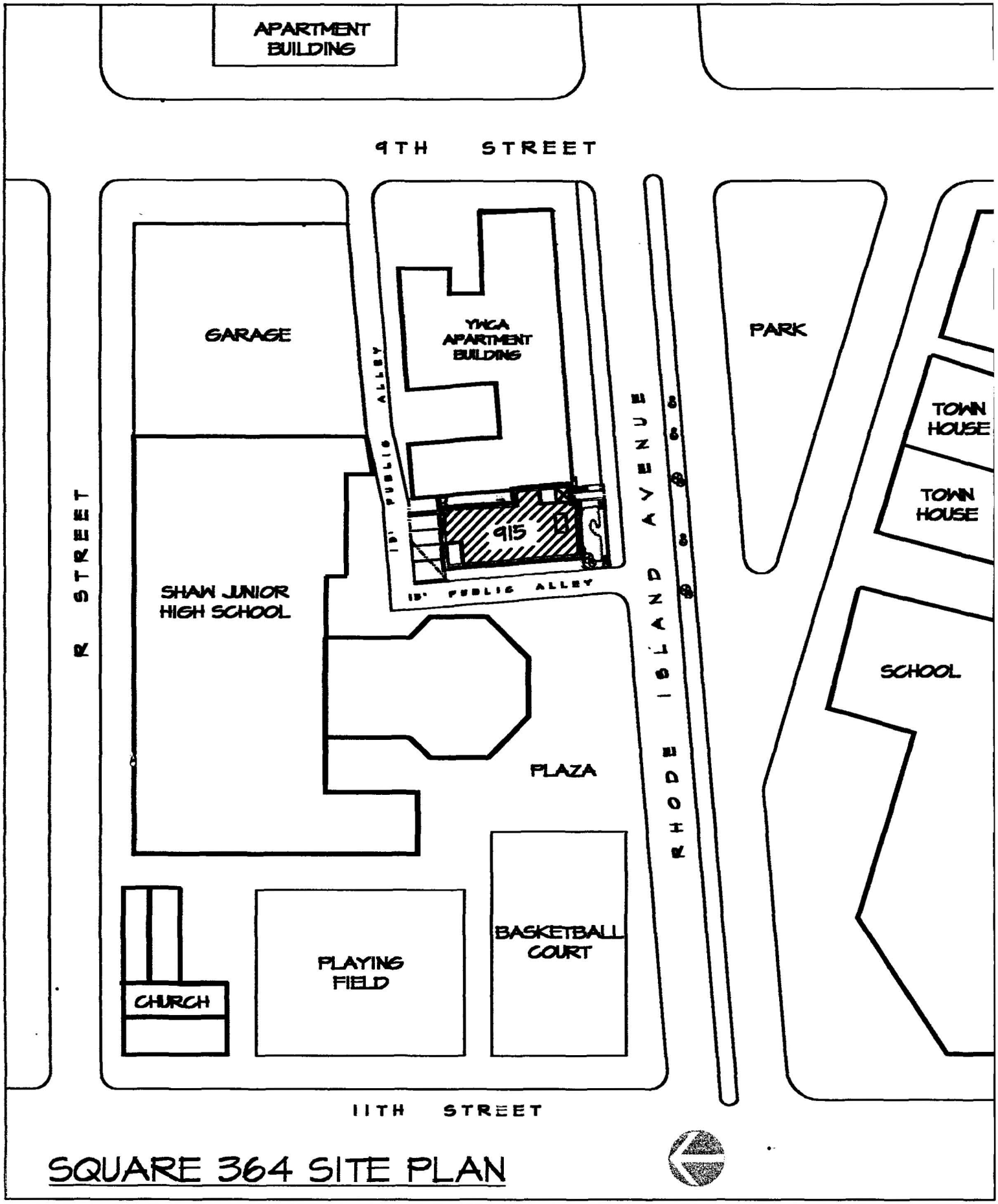
J. The proposed apartment use is compatible with adjacent land uses because there exists unusual features influencing the entire square that do not detract from the R-4 District. Also, the school, YWCA, Rhode Island Avenue and park act as substantial buffers between 915 and other land uses near the building. The YWCA, located adjacent to the eastern border of the 915 property along with the high-rise apartment building located approximately 150 feet east of the YWCA just across 9th Street also serves to reinforce the conversion of 915 from a medical facility to an existing compatible land use, an apartment building.

K. The existing use and interior configuration provided for multiple doctor's offices and treatment rooms. The apartments will lead to a reduction in density because it will have few people utilizing the building on a daily basis and the less intensive use . Therefore, vehicular and pedestrian traffic will be reduced.

The conversion of 915 Rhode Island Avenue, NW, into an apartment building, would not adversely affect the present character or future development of the surrounding area because the former and proposed use of the buildings are analogous. In addition, the surrounding neighborhood structures encompass existing uses that are similar to the 915 Rhode Island Avenue. Further, property proposed use and combined esthetic qualities of the building will not negatively impact the health, safety and welfare of the immediate or broader community, but in fact satisfies a serious need for support of staff housing needed by Howard University Hospital and contribute to addressing the expanded need for providing new housing in the city and near the Hospital.

Respectfully,

Edward M. Johnson, AIA
President



SQUARE 364 SITE PLAN