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

**Re:** **Application of Teofilo Ayala**
**3568 14th Street NW**
**Lot 22 in Square 2688**

**BZA Application No.**
**ANC 1A01**
**Zoned C-2-A**

## STATEMENT OF THE APPLICANT

### I.

### Nature of Relief Sought

This is an application pursuant to Section 3103.2of the Zoning Regulations for an area variance from the strict application of Section 771.2, the floor area ratio limitation, to permit conversion from a carryout to a restaurant on the first floor and expansion of the restaurant to the second floor of an existing building in the C-2-A zone at premises known as 3568 14th Street, NW the (Subject Property). No other relief is requested.

### II.

### Jurisdiction

The Board has jurisdiction to grant the relief requested pursuant to Section 3103.2 of the Zoning Regulations of the District of Columbia.

### III.

### Background

**A. Project History and Basis for Request.**

The owner acquired the property on November 11, 2000. In the fall of 2001, he contracted plans to renovate the existing building. The building was built in 1912 and was in need of substantial repair and upgrade. Since the second floor dwelling unit had not been occupied for some time, he determined to convert use of the entire building from a carryout on the first floor and a dwelling unit on the second floor into a restaurant specializing in Hispanic cuisine. The immediate neighborhood has a large population of Hispanic citizens and, although there are a number of carryouts and fast-food establishments, there are no family oriented sit down restaurants oriented toward the predominant population.

Because of the shape and size of the existing building, the proposal required utilization of the entire building. Plans were drawn and a permit application was submitted. The application was denied on the basis that the proposal exceeded the allowable floor area ratio for a

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nonresidential use in the C-2-A zoning district. The building was in need of immediate repair so the plans were revised to allow renovation and upgrade consistent with the existing authorized uses. A building permit was obtained and construction began.

In February 2003 in the middle of renovation efforts, the roof of the building caved in after a heavy snowfall. The plan for conversion was curtailed as new permits were acquired to respond to the additional issues arising from the roof failure.

The additional cost of construction resulting from the roof cave-in severely limited the economic viability of returning to the previously approved uses. The owner is now before the Board to plead for relief from the area requirements of the C-2-A zoning district to allow full conversion of the existing building into a restaurant. It is anticipated that the renovation and conversion will result in a number of positive effects:

- A safe clean place where neighbors of Hispanic descent can bring their entire family to sit and enjoy a traditional meal without having to leave the immediate neighborhood; and, where others can come to get a taste of traditional Hispanic cuisine in a traditional setting.
- More job opportunities for neighborhood residents;
    - Staffing the restaurant will require a broader scope of employees than a carryout, e.g., cooks, cooks assistants, waiters, busboys, etc.
- Lesser potential for ancillary impact in that the effects of the use are primarily confined to the interior space.
    - A restaurant presupposes limited use of pre-wrapped food products or disposable containers that could result in non-biodegradable trash items strewn throughout the neighborhood;
- Reasonable return on investment for the owner;
    - The existing authorized uses will not provide the level of income necessary to offset the cost of revitalization. It is anticipated that a comfortable sit-down restaurant in the existing neighborhood will be the arbiter of change that will be embraced by neighboring residents.

## B. Description of Subject Property

The subject property is known as lot 22 in square 2688 and carries the address 3568 14th Street NW. It is a corner lot located at the Southwest corner of the intersection of 14th Street and Perry Place in Northwest Washington, DC. The lot is located within the C-2-A, Community Business Center District.

The lot is improved by a two-story brick and frame structure. It has a partial cellar level used for mechanical equipment, laundry, a small office, and storage. Perry Place intersects 14th Street at an angle. As a result, the building is angular in shape. At the front the building is only fourteen feet (14 ft.) wide and angles to a width of approximately thirty feet (30 ft.) at the rear.

The principal entrance to the building in on 14th Street, but there is a second entrance from Perry Place. The building is currently vacant.

## C. Description of Surrounding Area

The subject property is located in Ward 1 in the Columbia Heights neighborhood of NW Washington. The area is primarily residential with the exception of the 14th Street commercial corridor. There are a variety of commercial, residential and mixed-use buildings along 14th Street within a few blocks of the subject site. The Twin Oaks Apartment Complex is two blocks north of the site and encompasses the entire west side of the block between Quincy Street and Randolph Street NW. There is another large apartment building two blocks south of the site, also on the west side, that that encompasses nearly the entire block between Oak Street to Otis Place. With the exception of two or three purely residential structures, the remainder of the corridor is populated with commercial and mixed-use structures. A small number of the spaces are vacant or posted for sale. The most notable example is the Washington Urban League building that stretches from 3501 to 3507 14th Street NW.

West of the 14th Street commercial corridor, the zone changes R-5-B and properties are developed with a combination of one-family, two-family and multifamily structures. East of the corridor the zone becomes R-4 and the land is improved with one and two-family dwellings with some older apartment buildings.

### D. Current Use of the Site

The last authorized use of the property was "Delicatessen/Carryout" on the first floor with a dwelling unit on the second floor. The building is currently vacant.

### E. Description of the Proposal

The applicant proposes to renovate the existing building and convert the entire structure to a restaurant.

## IV

## Points in Support of Application

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| Exhibit 1 | Renovation Plan Sheet 1 |
| Exhibit 2 | Renovation Plan Sheet 2 – Seating Layout |
| Exhibit 3 | DC Surveyor's Plat |
| Exhibit 4 | Picture 1 – Front View |
| Exhibit 5 | Picture 2 – Side View |
| Exhibit 6 | Picture 3 – Rear View |
| Exhibit 7 | Property Detail |