

## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Karen Thomas, Case Manager

*JL* Joel Lawson, Associate Director Development Review

**DATE:** March 22, 2016

**SUBJECT:** BZA Case 19235, 753 Columbia Road NW – Conversion of a row dwelling pursuant to Section 336

### **I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following:

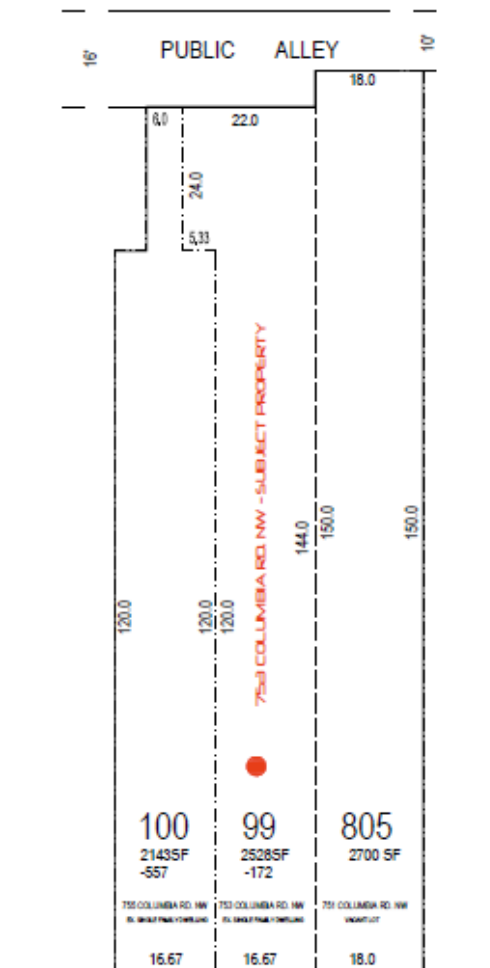
- Special Exception relief: § 336 - Conversions (900 sf/unit per lot area (max.)): 3 units proposed).

### **II. LOCATION AND SITE DESCRIPTION**

|                                    |                                                                                                                                                                                                                                                                      |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address                            | 753 Columbia Road NW                                                                                                                                                                                                                                                 |
| Legal Description                  | Square 2800, Lot 99                                                                                                                                                                                                                                                  |
| Ward                               | 1, ANC 1A                                                                                                                                                                                                                                                            |
| Lot Characteristics                | The irregularly-shaped lot is well above the grade elevation at the Columbia Road frontage and it abuts a 16-foot wide alley at the rear. The lot width to the front of the property has an existing non-conforming lot width of 16.67 feet and 19 feet at the rear. |
| Zoning                             | R-4 – detached and semi detached single family dwellings.                                                                                                                                                                                                            |
| Existing Development               | Currently developed with a vacant two-story row dwelling.                                                                                                                                                                                                            |
| Adjacent Properties                | The adjacent property to the west is a single-family semi-detached dwelling, the subject of a similar application (BZA 19236) for conversion and to the east is an unimproved lot.                                                                                   |
| Surrounding Neighborhood Character | The neighborhood is a mix of two-story row homes and small apartment buildings.                                                                                                                                                                                      |

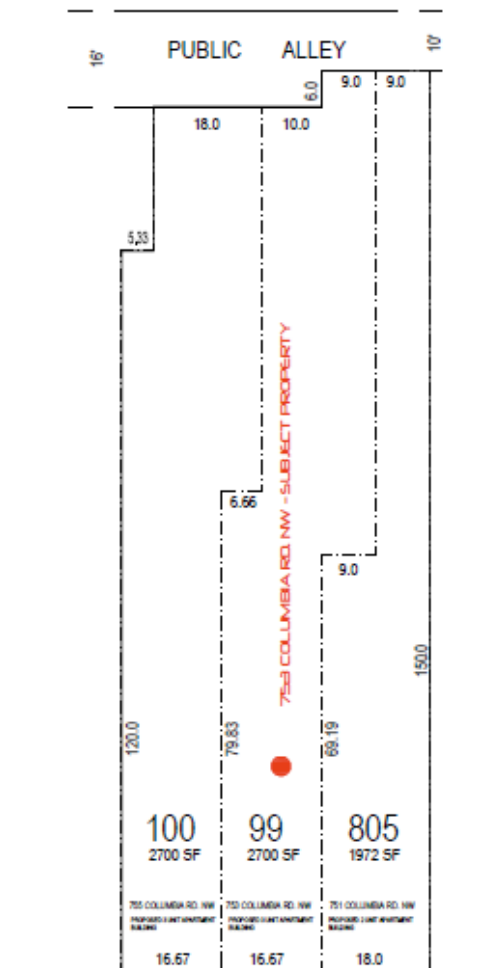
### III. APPLICATION-IN-BRIEF

The adjoining lots and the subject property (all owned by the applicant) would be subdivided to create two 2,700 square foot lots (Lot 100 and Lot 99) to conform to the area requirement of Sections 401 and 336 (Exhibit 31, Page 3). The applicant proposes to convert an existing single-family residential structure on Lot 99 to a 3-unit condominium apartment building, with two parking spaces. The conversion would consist of a renovated structure with a one-story addition to the front and a three-story rear addition to the existing building. The proposed conversion of the building on adjacent Lot 100 is the subject of BZA # 19236.



COLUMBIA ROAD, N.W.

SQUARE : 2890  
EXISTING LOTS SUBDIVISION



COLUMBIA ROAD, N.W.

SQUARE : 2890  
PROPOSED LOTS SUBDIVISION

#### IV. ZONING REQUIREMENTS and RELIEF REQUESTED

| R-4 Zone                 | Regulation                                                           | Existing            | Proposed                       | Relief                                    |
|--------------------------|----------------------------------------------------------------------|---------------------|--------------------------------|-------------------------------------------|
| Height § 400             | 35 ft. max.                                                          | 28 ft.<br>2 stories | 35 ft.<br>3 stories            | None required                             |
| Lot Width § 401          | 18 ft. min.                                                          | 16.67 ft.           | 16.67 ft. front<br>19 ft. rear | Existing non-conformity                   |
| Lot Area § 401,<br>§ 336 | 1,800 SF min.<br>(900 sf per unit)                                   | 2,523 SF            | 2,700 SF.<br>(3 units)         | None required<br><b>Special Exception</b> |
| Lot Occupancy § 403      | 60 % max.                                                            | 33.22%              | 59.74%                         | None required                             |
| Rear Yard § 404          | 20 ft. min.                                                          | 100 ft.             | 60.33 ft.                      | None required                             |
| Side Yard § 405          | None required<br>but if provided<br>8 feet min.                      | none                | none                           | None required                             |
| Court § 406              | 4 in. per foot of<br>height of court,<br>but not less than<br>10 ft. | None                | None                           | None required                             |
| Parking § 2101.1         | 1 space per<br>2 units                                               | None                | 2 spaces                       | None required                             |

#### V. OFFICE OF PLANNING ANALYSIS

**a. Special Exception Relief pursuant to § 336 Conversion of a residential building in the R-4 District (Pre-1958)**

*336.1 Conversion of an existing residential building existing prior to May 12, 1958, to an apartment house shall be permitted as a special exception in the R-4 District if approved by the Board of Zoning Adjustment under § 3104, subject to §§ 336.2 through 336.11.*

The applicant requests special exception relief to convert the existing single-family dwelling into a 3-unit apartment building, with a third floor addition and a rear 3-story lot line to lot line addition.

*336.2 The maximum height of the residential building and any additions thereto shall not exceed thirty-five feet (35 ft.), except that the Board of Zoning Adjustment may grant a special exception from this limit under § 3104, subject to §§ 336.3 through 336.11.*

The existing height of the building is 28 feet, and the height would be increased to 35 feet in conformance with this provision.

*336.3 The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Chapter 26, Inclusionary Zoning, including the set aside requirement set forth at § 2603.9.*

The proposed conversion would have 3 units. This provision would not apply.

*336.4 There must be an existing residential building on the property at the time of filing an application for a building permit.*

The property is currently developed with a two-story, brick semi-detached residential structure.

*336.5 There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per dwelling unit.*

The land area through the subdivision would be 2,700 square feet, which would satisfy this provision.

*336.6 Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code.*

No chimney or other external vent on the adjacent property would be impeded by the proposed addition to the subject property. The adjacent property at 755 Columbia Road is also owned by the applicant and is the subject of BZA 19236, concurrently filed with this application to the Board. The vacant property to the west, 751 Columbia Road, also owned by the applicant would be developed as a matter-of-right and is not the subject of this application.

*336.7 Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator. No solar system on adjacent property*

The proposed roof plan shows a roof deck with stair access. The adjacent property does not show an existing solar energy system.

*336.8 A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size.*

No dormers or turrets exist on the residential building. The roof is a flat roof, as shown in the applicant's photos.

*336.9 Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

*The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The privacy of the neighboring properties to either abutting properties should not be compromised. The plans indicate that the rear façade of the addition would not extend beyond the rear facade of the proposed 3-unit apartment building under consideration at # 751 (Lot 100) to the east, and the property to the west is currently undeveloped. The applicant provided dimensions and its relationship to the property to the east, also owned by the applicant, as part of the Board's record and to facilitate permit review by DCRA.

*The conversion and any associated additions, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street or alley.*

The conversion and the associated one-story addition and the three-story rear addition should not substantially visually intrude upon the character, scale and pattern of houses along the subject street or the alley. The property would be redeveloped in similar design, as one of three properties (owned by the applicant), at the end of the string of 14 row properties and a vacant lot abutting the Bruce Munroe Community Park.

**i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?**

The proposal satisfies the intent and purpose of the Regulations and Map, including the area requirements anticipated for conversions of residential structures within the R-4 District.

**ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?**

The proposal would not adversely affect the availability of light and air to the neighboring properties. According to the ANC's report (Exhibit #34) the applicant provided a shadow study to depict the impact on sunlight on the adjoin property, which was determined to be minimal. A negative impact on privacy is not anticipated beyond what currently exists.

## **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

### Public Space

OP's staff on the Public Space Committee provided comments regarding the proposed design and its impact on public space. The applicant has since addressed those concerns in a revised plan submittal to OP on 3/20/2016. The applicant's revised plans would be submitted to the record.

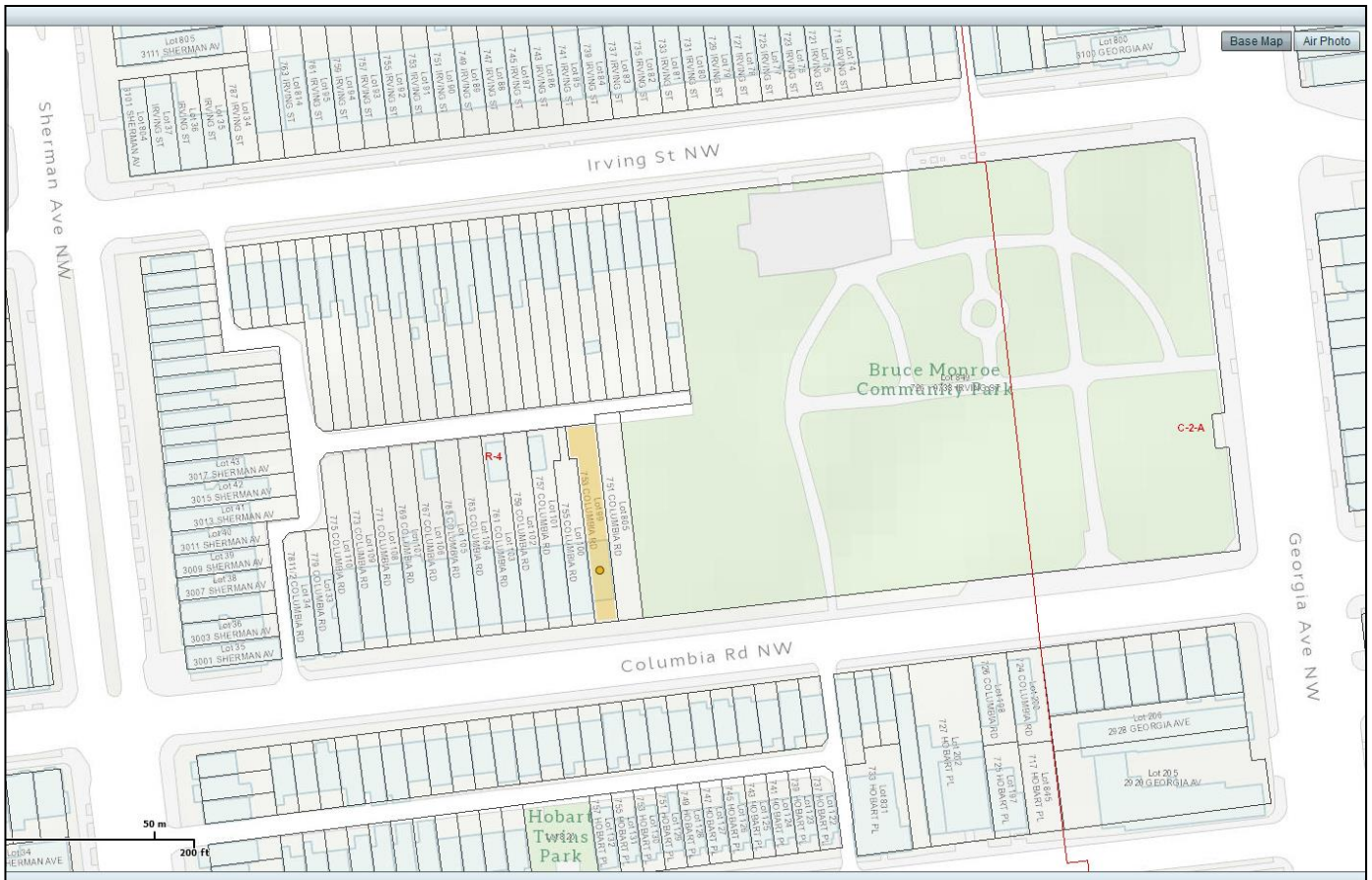
### District Department of Transportation (DDOT)

DDOT's comments would be submitted separately to the record.

## **VII. COMMUNITY COMMENTS**

Comment from a neighbor opposite the project site was submitted to the record as Exhibit #33 to the record expressing conditional support pending the provision of parking spaces and satisfaction regarding trash bins. ANC 1A voted unanimously to support the project as submitted at Exhibit #34.

Attachment: Location Map



**Location Map and Aerial**