

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Project Manager
JL Joel Lawson, Associate Director Development Review
DATE: March 22, 2016

SUBJECT: BZA Case 19236, 755 Columbia Road, N.W.- Conversion of a row dwelling to three units pursuant to § 336

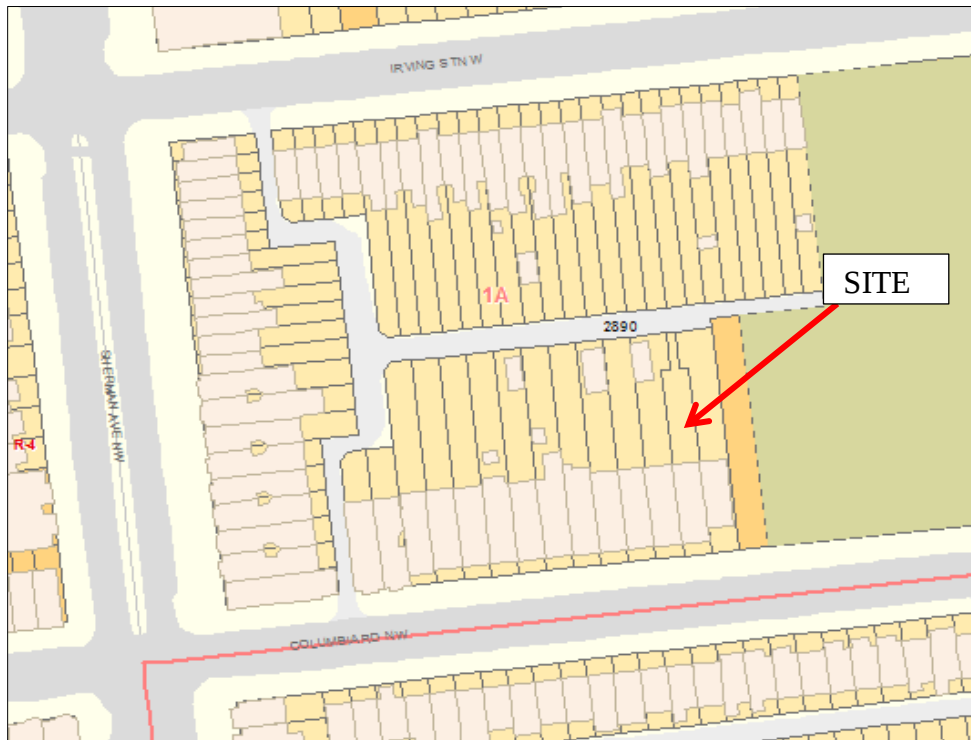
I. OFFICE OF PLANNING RECOMMENDATION

Hobart LLC requests special exception relief pursuant to § 3104.1 and § 336 to convert a single-family row dwelling to a three unit apartment building in the R-4 zone. The Office of Planning (OP) recommends **approval** of the requested special exception as follows:

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

II. LOCATION AND SITE DESCRIPTION

Address	755 Columbia Road NW
Legal Description	Square 2890, Lot 100
Ward/ANC	1, ANC 1A
Lot Characteristics	The irregularly shaped lot slopes steeply up from Columbia Road and flattens out towards the rear where it abuts a 16-foot wide alley.
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 properties to the east and west are two-story, single-family rowhouses. The property to the east is the subject of a similar application (BZA Case 19234) for conversion. Similarly, two-story, single-family rowhouses are directly to the north across the alley and to the south across Columbia Road. .
Surrounding Neighborhood Character	The neighborhood is a mix of two-story row homes and two and three story apartment buildings.



Site Location



Photograph



The Applicant owns three adjoining lots, Square 2890, Lots 100, 99 and 805 (See Subdivision above). Lots 100 and 99 are developed with two-story row dwellings while Lot 805 is undeveloped. The lots have areas of 2,528, 2,143 and 2,700 square feet respectively. The applicant intends to subdivide the lots to create two lots of 2,700 square feet¹ and one lot of 1,972 square feet. The units on the two 2,700 square foot lots (Lot 99 and 100) would be converted to three unit apartment units and Lot 99 is the subject of BZA Case # 19235. The applicant states that Lot 805 (the vacant parcel) would be developed with a matter-of-right flat.

¹ To meet the requirements of § 401.3: 900 square foot of land area per unit

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

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

V. OFFICE OF PLANNING ANALYSIS

Conversion of a Residential Building Existing Prior to May 12, 1958, to Apartment Houses (R-4)

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 existing building was constructed prior to 1958 and the proposal is to convert the existing single-family dwelling into a 3-unit apartment building, through the addition of a third floor and extension of the rear portion of the building.

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 would be increased to 35 feet.

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.*

Not applicable as the building would have 3 units.

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 rowhouse.

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

With the subdivision of the land to an area of 2,700 square feet, the proposal would meet the 900 square feet of land area per dwelling unit requirement.

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.*

The applicant has provided a photograph demonstrating that the chimney on the adjacent property at 757 Columbia Road is on the opposite side of the rowhouse and away from the subject property. Similarly, there are no adjacent vents. Therefore, the functions of the chimney would not be impeded by the proposed additions.

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.*

There is not a solar system on the adjacent property.

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.*

The existing house has no turret, tower, or dormers.

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:*

(a) *The light and air available to neighboring properties shall not be unduly affected;*

The proposed addition would extend 42 feet beyond the house at 757 Columbia Road. It is likely that for a period of the day, the new three story addition would affect the light into the rear yard but not substantially or unduly so to affect the use of the rear yard.

Lot 99 would be developed concurrently and similar to the subject property. The applicant has designed the building that adequate light and air is received by each unit.

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

The portion of the proposed building that extends beyond the building to the west at 757 Columbia Road, NW would have no windows or openings to allow views into the rear yard of the adjacent

property. Therefore, the enjoyment and privacy of their property would not be substantially affected.

On the east side of the proposed building, a portion of the addition would be setback from the property line. The proposed addition on Lot 99 would have a similar design and setback to minimize direct views. Therefore, the enjoyment and privacy of Lot 99 should not be substantially affected.

- (c) *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 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 a design that is similar in design, height and scale to the other two properties which are owned by the applicant. The three units are at the end of the string of 14, two-story rowhouses with a majority of the southern street frontage occupied by the Bruce Monroe Community Park to the east of the site. On the northern side of there are three-story rowhouses.

Special Exception Criteria - § 3104.1

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 Zoning Regulations for low density residential use and meets the area requirements as well the requirements of § 336 for conversions and additions to residential structures within the R-4 District.

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

As demonstrated in the § 336 review above, the proposal would not adversely affect the availability of light, air or privacy of the neighboring properties.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) comments will be submitted under separate cover.

VII. COMMUNITY COMMENTS

The property is within ANC 1A. On March 9, 2016, the ANC voted to recommend approval of the proposed conversion and addition. The neighbor to the south of the property submitted a letter, Exhibit #26, expressing conditional support pending the provision of parking spaces and satisfaction regarding trash bins.