

BZA Application #19736
1928 15th Street SE
Mi Casa, Inc.

Presented by:
Alyssa Bigley
Cozen O'Connor



The Property – 1928 15th Street SE



Zoning Map



Square 5766
Lot 0800
R-3 Zone
Anacostia Historic District

The Applicant

- Mi Casa, Inc. is a non-profit organization with over 25 years of experience providing affordable, family-sized housing in the District
 - Promotes access to affordable housing across the District, preserving diverse neighborhoods and preventing displacement of low-income residents
 - Transform and renovate abandoned homes or vacant lots into high quality, energy efficient single-family homes for first-time home buyer
 - Preserve existing and building new affordable multi-family rental housing
 - Work with tenant associations to assist in becoming cooperative owners in order to acquire and renovate the building as well to preserve the building as long-term affordable housing
- Relevant projects include:
 - Home Again Initiative (11 single-family homes throughout District)
 - DCHA Scattered Site Demonstration Program (14 single-family homes)
 - The Genesis Inter-Generational Community Program in Brightwood
 - Ivy City Special Demonstration Project
 - United Second Street SE Cooperative

The Project

- “Vacants to Vibrants” Initiative
 - Project is part of DHCD’s commitment to Mayor Bowser to redevelop vacant properties into new affordable housing
- DHCD’s Property and Acquisition Disposition Division awarded the long vacant property to Mi Casa in 2017
 - The home will be affordable to a homeowner at a value of no more than 50% AMI made possible through DHCD financing
 - 15-year affordability covenant
- True family-sized residence
 - Detached home with four bedrooms and large yard

Community Outreach

- ANC 8A voted unanimously to support the application
 - March 19th - ANC 8A Executive Committee
 - April 3rd – Full ANC meeting
 - April 16th – ANC 8A Executive Committee
 - May 1st – Full ANC meeting (vote of support)
- Applicant previously presented the Project to ANC 8A and community groups during the HPRB application process and received a vote of support
- Six letters of support, three of which were recently modified
- Office of Planning support for original application

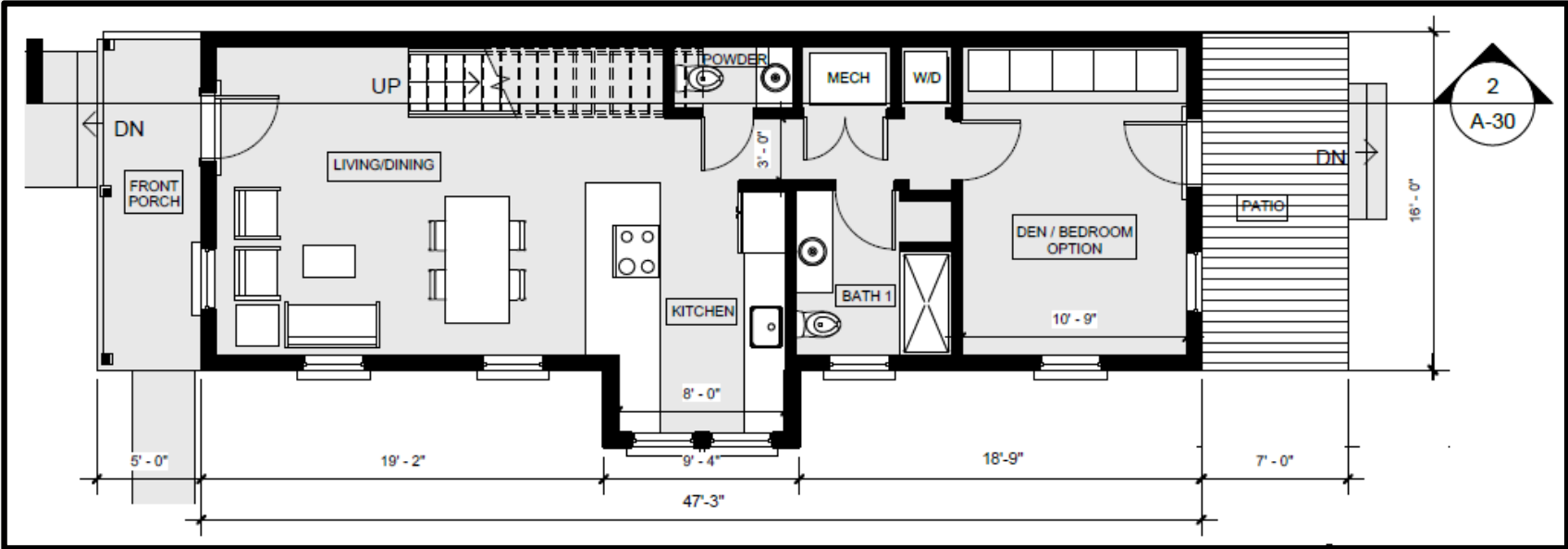
Outreach to Neighbor

- 9/12/17 – Call with neighbor to discuss DHCD disposition
- 10/9/17 – Onsite meeting between Mi Casa, neighbor and ANC
- 11/1/17 – Meeting between Mi Casa and neighbor
- 12/20/17 – Meeting between Mi Casa and neighbor
- 3/26/18 – Call with neighbor
- 3/28/18 – Call with neighbor
- 4/3/18 – ANC 8A meeting; meet with neighbor to discuss resolution
- 4/5/18 – Request hearing postponement to work on resolution with neighbor
- 4/24/18 – Email to neighbor with project re-design adding four-inch side yard per neighbor request
- 4/27/18 – Email settlement agreement to neighbor
- 4/30/18 – Meet with neighbor at property
- 5/1/18 – ANC 8A votes to support project
- 5/3/18 – Email neighbor offering larger rear easement
- 5/8/18 – Neighbor signs settlement agreement
- 5/9/18 – 5/16/18 – Discussions with OP regarding revised design with four-inch side yard
- 5/16/18 – Email neighbor regarding OP recommended side yard maintenance language
- 5/22/18 – Neighbor refuses to sign revised settlement agreement

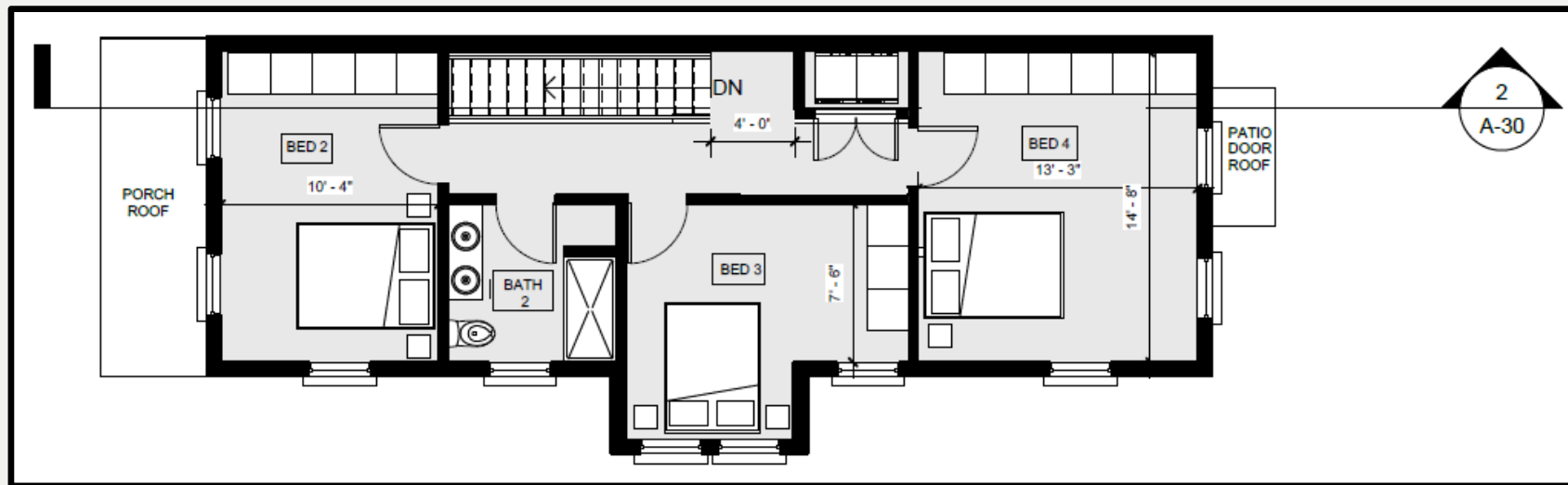
Blockface Context



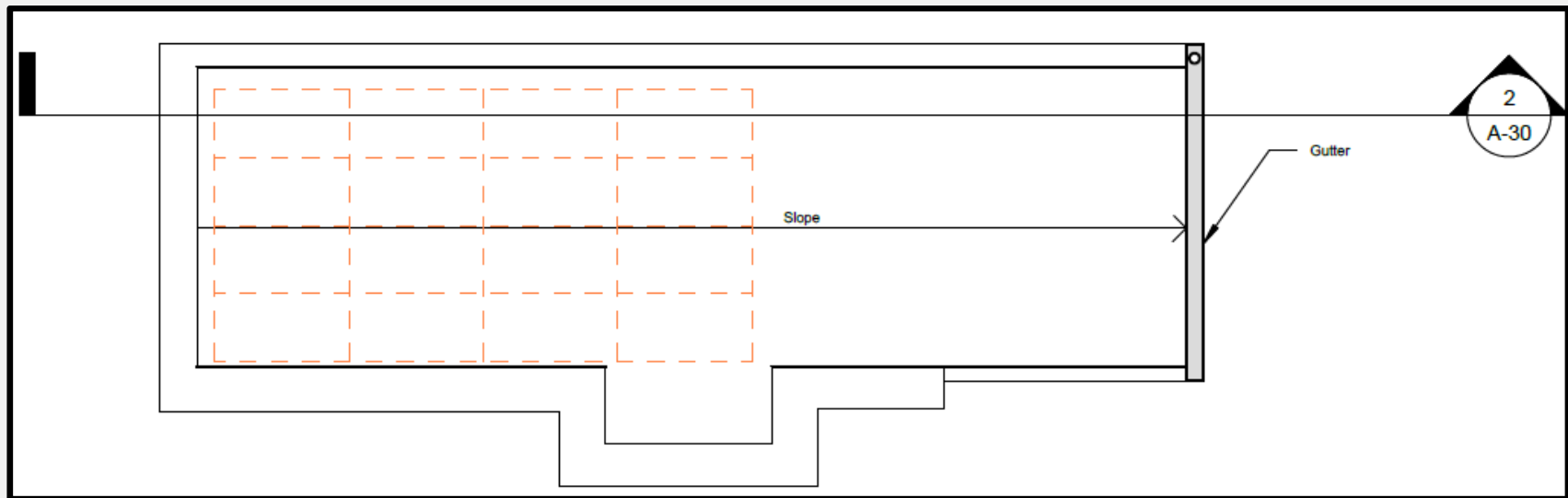
Architectural Plans – First Floor



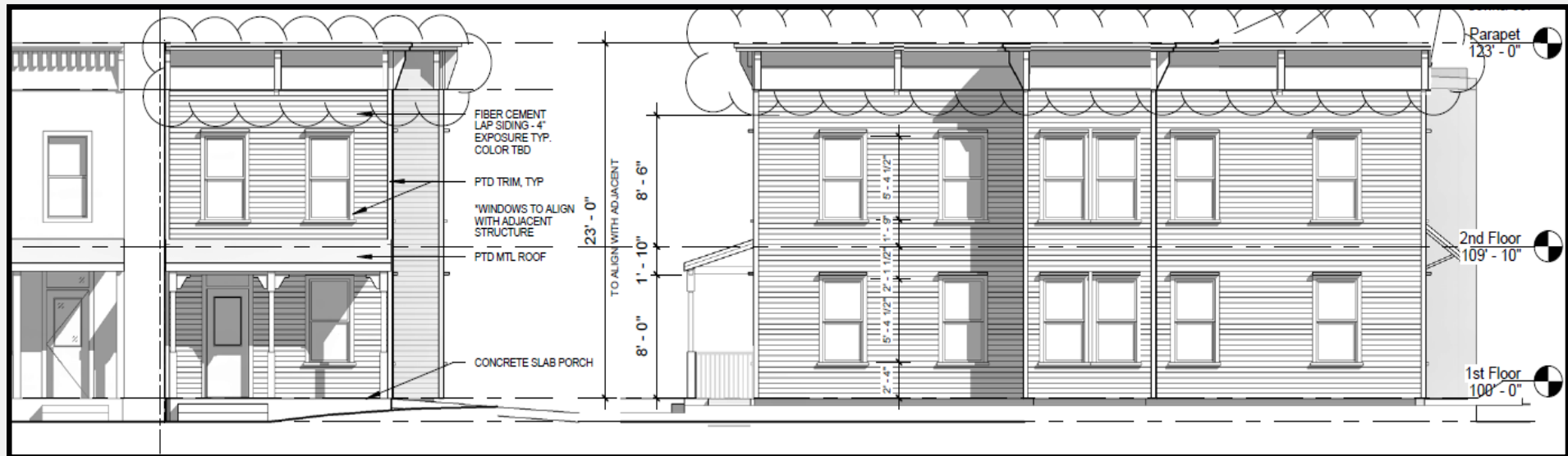
Architectural Plans – Second Floor



Architectural Plans – Roof



Building Elevations



Variance Relief Requested

Subtitle D § 302.1 - Lot Dimensions

- Detached building is required to have a lot area of 4,000 square feet and a lot width of 40 feet
- The Property is only 2,688 square feet with a lot width of 28 feet

Subtitle D § 307.2 - Side Yard

- Minimum side yard requirement of 8 feet
- The Project will provide a side yard of 4 inches along the property line to the north and a fully conforming 8-foot side yard on the southern lot line

Reduced Standard of Review for Public Service

- A reduced, more flexible standard of review can be applied for a nonprofit public service organization
 - Court of Appeals cases include *Monaco v. BZA*, *National Black Child Development Institute v. BZA*, *Dupont Circle Citizens Assoc. v. BZA*, *Williams v. BZA*, *Draude v. BZA*
- “Public need for a use is an important factor in granting or denying a variance” (*Monaco*)
- Distinguishes a nonprofit organization from a commercial user that “might not be able to establish uniqueness in a particular site’s exceptional profit making potential” (*Monaco*)
- Under *Monaco*, it is appropriate to consider factors including:
 - The property owner’s needs in finding an exceptional situation or condition
 - Weigh more fully the equities in an individual case

Board Should Apply Reduced Standard for Mi Casa

- Nonprofit organization working in conjunction with DHCD, seeking to provide affordable, single-family homes
- Project meets factors set forth in *Draude* case
 1. Specific design constitutes an institutional necessity, not merely the most desired of various options
 - Goal to provide true family-sized home with four bedrooms drives design of the project
 - Smaller home would reduce bedrooms and overall floor area
 - Maintain level of affordability
 - Further delays will create issues with DHCD financing
 2. The design features require the variance sought
 - Applicant cannot construct any home without relief from lot dimension requirements due to inability to construct attached structure
 - Compliant side yards would greatly reduce width and capacity of home
- Applicant has worked extensively with neighbor to resolve objections, which led to four-inch side yard

Property is Exceptional and Unique

- Long vacant corner lot with an abutting neighboring side yard
- Anacostia Historic District
- Applicant's programmatic needs, including to provide affordable, family-sized home

Exceptional Conditions Create Practical Difficulties

- Abutting property to the north has its own side yard
 - Applicant cannot construct an attached dwelling
 - Therefore, Applicant cannot meet the lot dimension requirements for any other type of dwelling at the Property
- With strict application of side yard requirements, the resulting structure would be only 12 feet wide
 - Much narrower than the other structures along 15th Street SE
 - Practical difficulties in satisfying certain Building Code requirements, including, but not limited to, stairwell widths for new construction
- Historic preservation requirements and pending HPRB application
 - With two compliant side yards, structure would be 12-foot-wide and free-standing in middle of lot would not meet historic preservation goals

No Substantial Detriment to the Public Good or Impairment of Zone Plan

- OP supports lot dimension relief
- Applicant has designed the Project to fit with the scale and pattern of homes in the neighborhood, including as to the neighborhood's historic aspects
 - Project aligns with height, pattern and scale of other homes in neighborhood
- Applicant has worked extensively with neighboring property owner, which lead to revised design with four-inch side yard for additional light and air
- Neighborhood is overwhelmingly residential in nature and the project will be a single-family residence
- Project implements several goals in the District's Comprehensive Plan that encourage development of affordable housing
 - Project will benefit the community by adding a new single-family affordable home to the neighborhood

Proposed Conditions of Approval

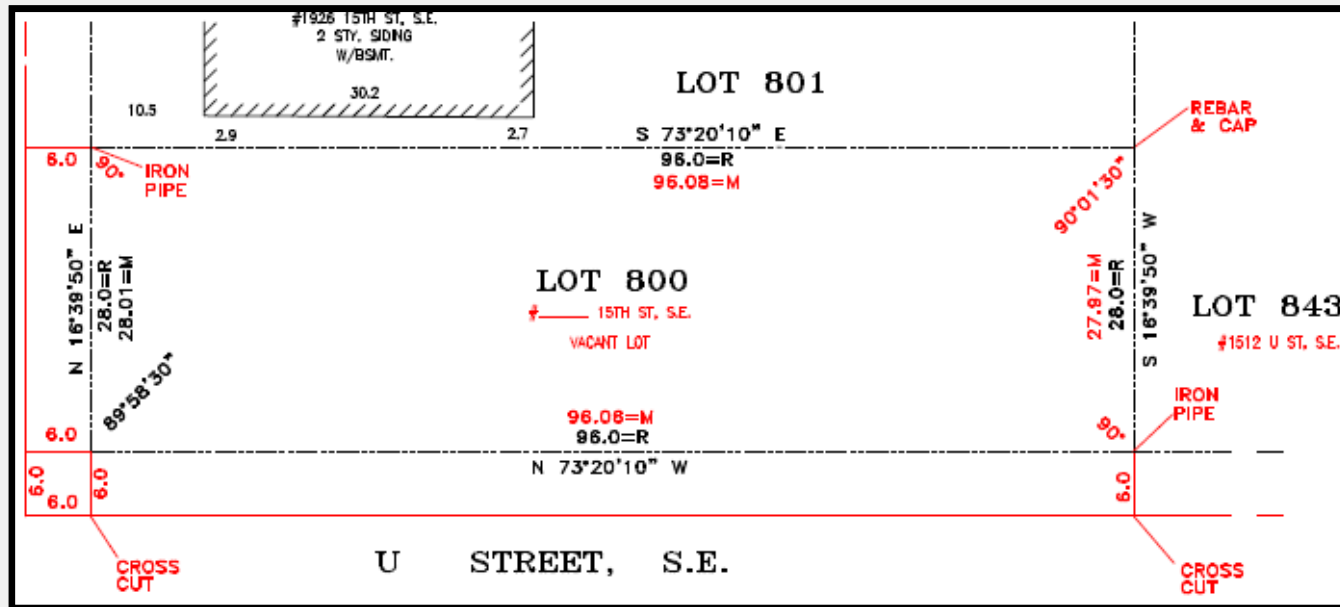
- Flexibility on interior layout, partition locations, size, and location of bedrooms and stairs to the extent that such variations do not require additional relief from the Zoning Regulations and such that the variations do not change the external configuration or appearance of the building.
- Flexibility to vary architectural design features of building in accord with the design approved by Historic Preservation Review Board, provided that the overall height, mass, bulk, and number of stories in the building remain consistent with approved plans and any refinements do not result in new or increased areas of relief.

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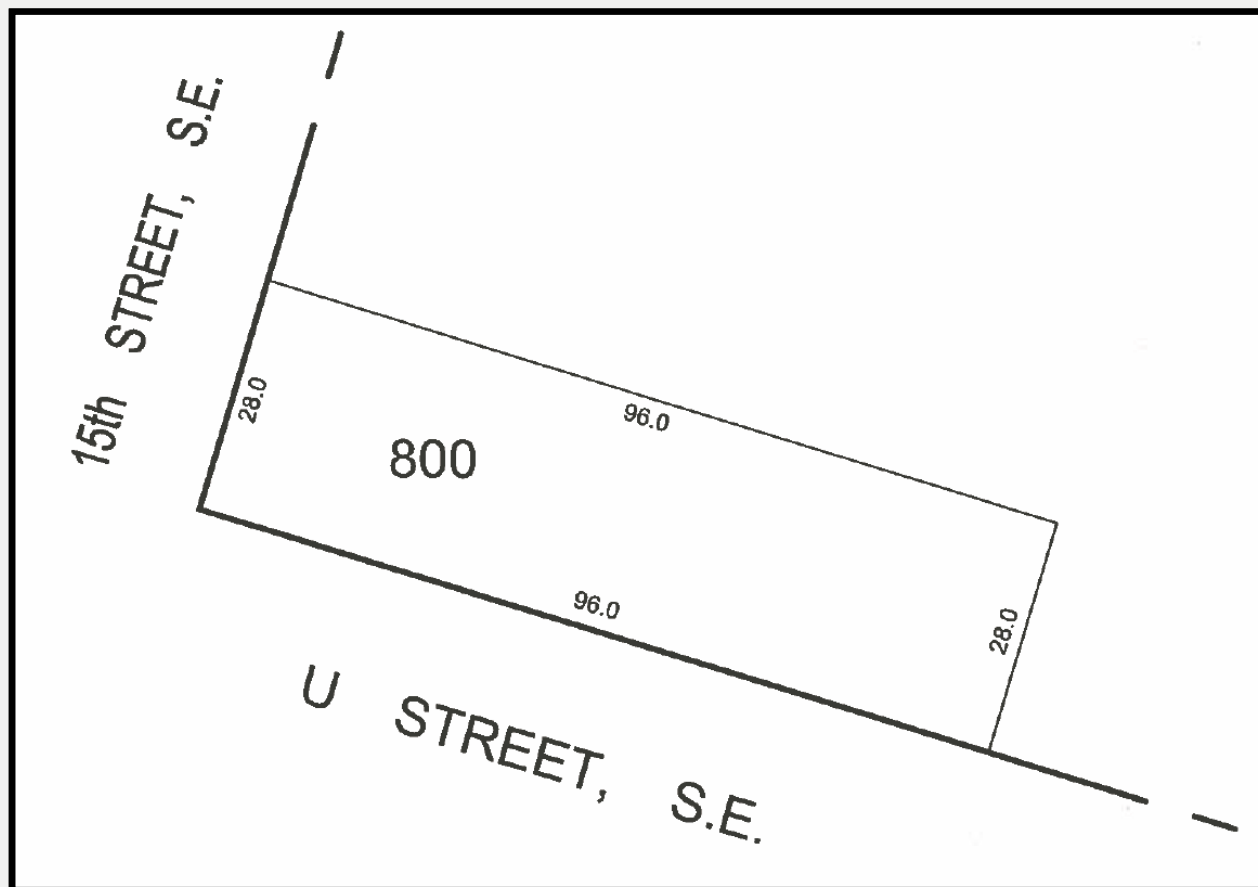
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Survey



Plat



Nearby Transportation Options

- Metro Stations

- Anacostia (0.7 miles)

- Bus routes

- 92, V2, W6, V5, W8, B2, A32 (within 0.2 miles)