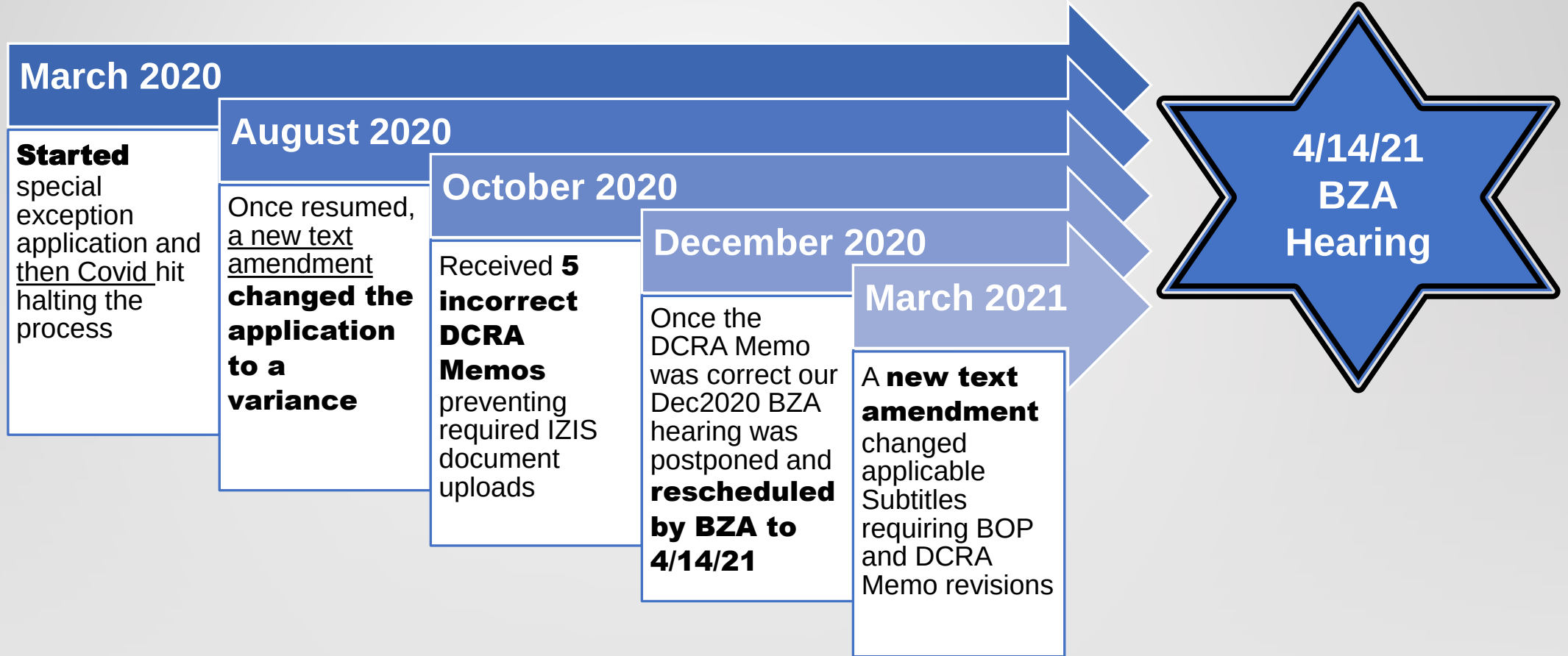


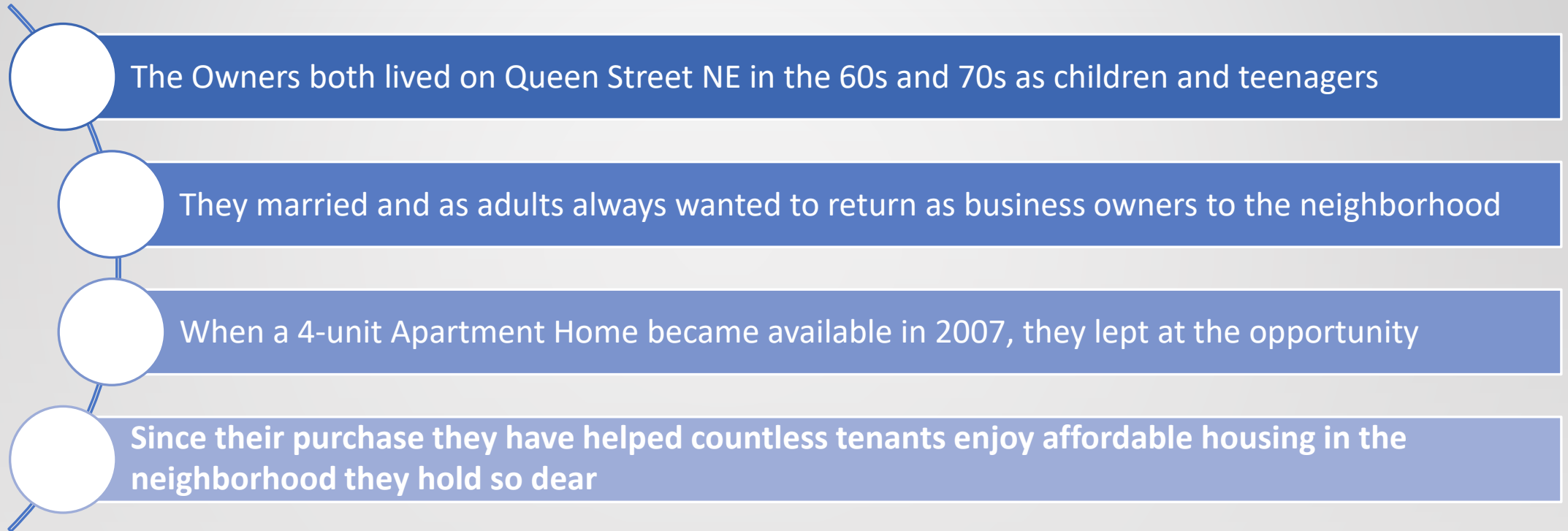
Mooney Management
BZA Application #20275
Lot Area Variance Relief

1350 QUEEN STREET N.E.
WASHINGTON, DC 20002

BZA Application Timeline



History of the Owners



Maintained Like Home

**Prior to this application,
the Applicants
have not previously
structurally altered
the existing Apartment Home**



Nature of Relief Sought

- The property is currently a 4-unit Apartment Home located in the R1 Zone, on Square 4076W, on two Lots 0057/0058; each lot is 1818sf (the “**Property**”).
- A proposed interior renovation to add one additional 5th unit in the cellar/basement level of the Property. The general purpose and intent of the Property will not change.
- This variance to increase the number of dwelling units in the Property does not provide the requisite 900 sq. ft. of lot area for each dwelling unit.
- To have five units within the Property, the required lot area would be 4500sf however the existing lot area is 3636sf resulting in a 864sf variance.
- The Property hereby requests a BZA area variance pursuant to 11 DCMR § X-1000.1 and lot occupancy relief pursuant to 11 DCMR § U-320.2.



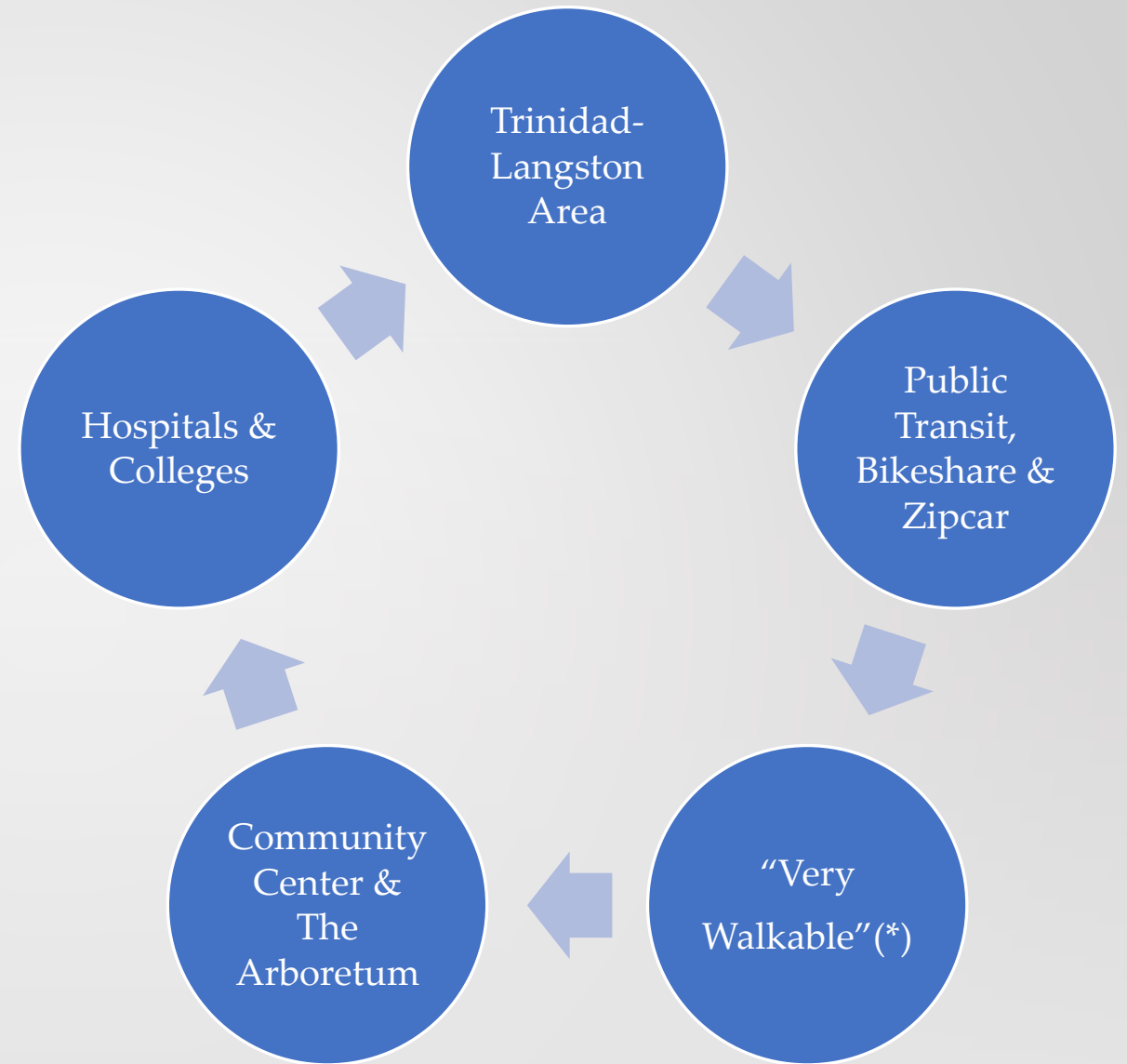
Background to Grant Relief

- The existing 4 units are each approximately 550sf
- There is approximately 1100sf on the lower-level basement which currently has approximately 825sf of idle space used for maintenance/utility, storage, plumbing/water heater, electrical and furnace.
- The two Property lots (0057 and 0058) will be resized and remapped into one lot to account for the load change resulting from this project increase 4 units to 5 units, per DC Office of Tax & Revenue mapping
- Following BZA approval, the Certificate of Occupancy will be amended from 4 units to 5 units.
- Lastly, the official building plat change process combining 0057 and 0058 is already underway with the Surveyor of the District of Columbia's office.



Desirable Community

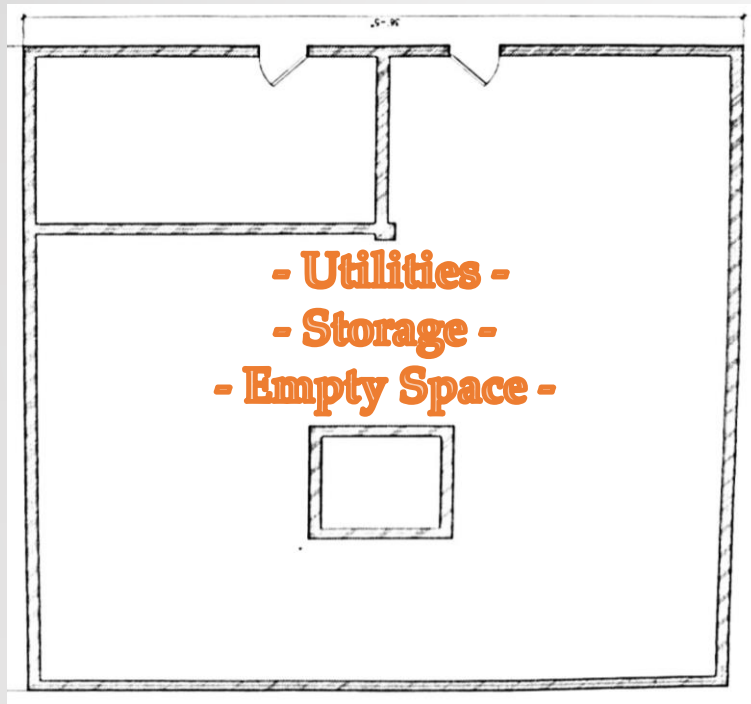
Should have affordable
housing available
to as many people
as possible



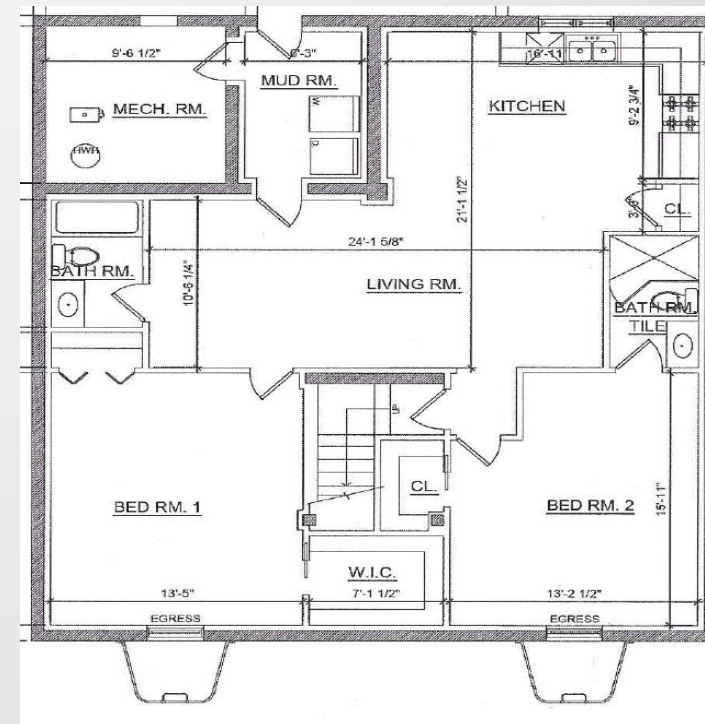
(*) per WalkScore.com

Modernization Project – 5th Unit Addition

- Empty, Underutilized Basement

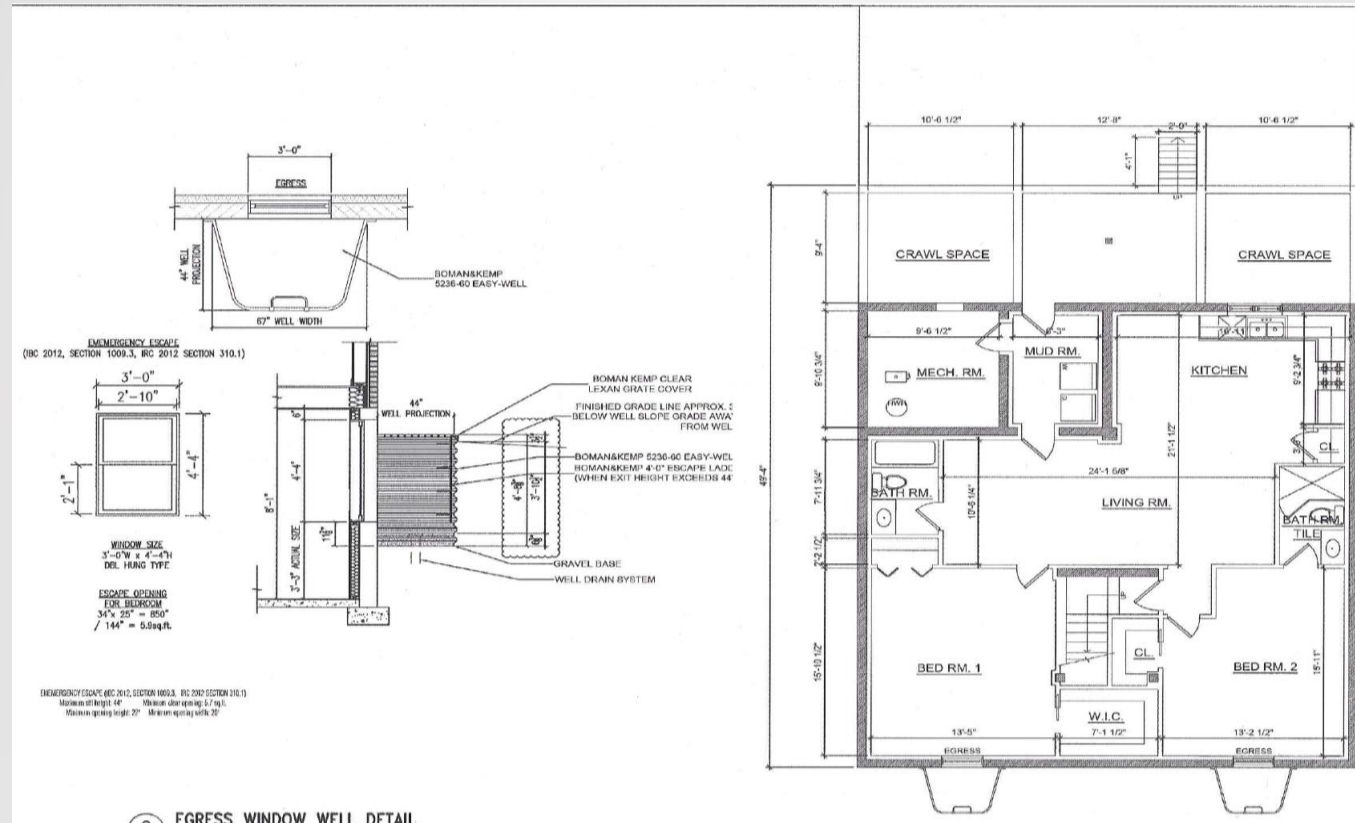


- 2 Bedrooms / 2 Full Baths in Basement



Modernization Project – 5th Unit Addition

2 Bedrooms / 2 Full Baths in Basement



Meets 3-Part Variance Burden Of Proof

1 of 3

THE PROPERTY IS
AFFECTED BY AN
EXCEPTIONAL SITUATION
OR CONDITION

- The Property is an interior, conjoined building on a city block
- The Applicants own all available land to the front and rear of both lots
- There is no additional land available to add or purchase in order to satisfy the 864sf variance
- The Property is unique because it is improved as a purpose-built Apartment House which was constructed in 1940 and became legally nonconforming upon the adoption of the 1958 Zoning Regulations
- These conditions make strict application of this requirement exceptionally difficult

Meets 3-Part Variance Burden Of Proof

2 of 3

STRICT APPLICATION
WOULD RESULT IN
PRACTICAL DIFFICULTY
TO THE OWNERS

- Lot area was established at the time of construction in 1940
- Applicants would have to purchase land from one or both adjoining property owners
- The additional purchase of land would be a burdensome expense in relation to the 5th unit addition project scope
- Neighboring owners would likely not sell tiny parcels of their land which would either be lengthy negotiations and/or end with irregular property lines encroaching on neighboring yards
- Possible security issues, as a potential attractive nuisance on the lowest level with high visibility from the alleyway
- The purpose of variance relief is to prevent otherwise usable land from remaining idle

Meets 3-Part Variance Burden Of Proof

3 of 3

NO SUBSTANTIAL
DETRIMENT TO THE
PUBLIC OR IMPAIRMENT
TO THE ZONE PLAN

- The light and air to neighbors will not be compromised.
- The neighbors privacy and enjoyment will not be compromised.
- All alterations will have no impact to the character, scale and pattern of neighboring or adjoining homes
- The general purpose and intent of the Property will not change.
- The Property currently has four dedicated parking spaces in the rear which exceeds the DCMR guidelines for a five unit property.
- The front, adjoining sides and rear of the existing Apartment House will remain unchanged in compliance with Zoning regulations and maps.

Property Photos



Ensuring Public Policy

Subtitle E § 100.3(a)

The expanded residential use of the Property will “reinforce the importance of neighborhood character . . . preservation of housing stock . . . and the overall housing mix and health of the city.”

This variance relief will be consistent with public policy to encourage the creation of additional housing with limited or no impact to the public good. The Project will allow a new affordable housing unit in otherwise unused space at a Property that is in a dense, walkable, bikeable and transit-friendly neighborhood.

Neighbor and Tenant Approvals

Owners/Neighbors -11

Tenants - 6

FROM: Mooney Management, Owners of 1350 Queen St NE, Washington, DC 20002

☐ I AGREE
☐ I DISAGREE

Print Name: _____
Sign: _____

January 25, 2021

TO WHOM IT MAY CONCERN:

Application No. 20275

The Board of Zoning Adjustment (Board or BZA) will consider the application during the virtual public hearing session scheduled for Wednesday, April 14, 2021 at 9:30 a.m. via WebEx.

Application of Charles and Dara Mooney for an area variance from the lot dimensions for a new fifth apartment unit in the existing building at 1350 Queen Street, N.E. (Square 4076W, Lot 10).

PLEASE NOTE:

There is no need to be physically present at the hearing. If you wish to be withdrawn prior to the scheduled hearing date, please contact the Board of Zoning Adjustment at <https://dcor.dc.gov/BZACalendar>. The line-up of cases for the hearing will be posted to the BZA calendar the day prior to the hearing.

Those who wish to be present at the hearing are responsible for being present when their case is called. The published line-up of cases may change on the hearing day at the Board's discretion. Therefore, it is recommended that participants arrive at 9:30 a.m. to hear the case line up. Participants may also visit <https://dcor.dc.gov/onlineServices/webcast> to listen to the live broadcast of the hearing starting at 9:30 a.m. to hear the case line-up and may listen periodically throughout the hearing to see which case the Board is hearing at any point in time.

WHY YOU ARE RECEIVING THIS NOTICE

An Applicant within 200 feet of your property is seeking zoning relief for a project or use that is not allowed as a matter of right for the zoning district. The Zoning Regulations of the District of Columbia require providing notice of the public hearing at which the Applicant is scheduled to appear before the Board to present their case. You have an opportunity, if you wish, to participate in the case (see below).

HOW TO FAMILIARIZE YOURSELF WITH THE CASE

A. Attend the Advisory Neighborhood Commission (ANC) Meeting

FROM: Mooney Management, Owners of 1350 Queen St NE, Washington, DC 20002

☐ I AGREE
☐ I DISAGREE

Print Name: _____
Sign: _____

January 25, 2021

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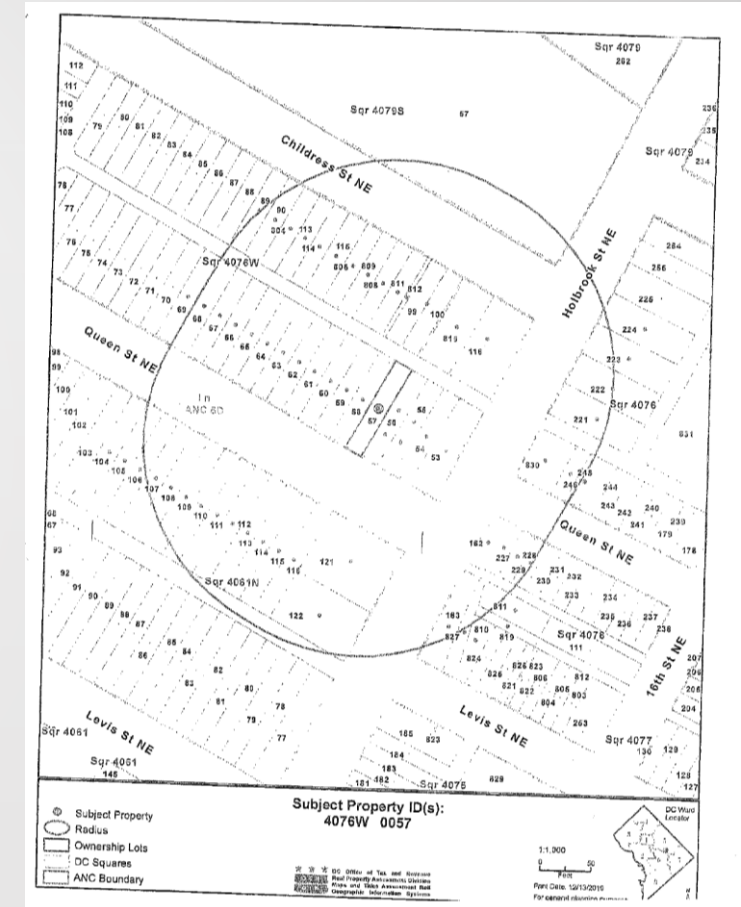
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WHY YOU ARE RECEIVING THIS NOTICE

As a lessee of a building or property for which the property owner (the "Applicant") is seeking zoning relief for a project or use that is not allowed as a matter of right for the zoning district, the Zoning Regulations of the District of Columbia require providing notice of the public hearing at which the Applicant is scheduled to appear before the Board to present their case. You have an opportunity, if you wish, to participate in the case (see below).

HOW TO FAMILIARIZE YOURSELF WITH THE CASE

A. Attend the Advisory Neighborhood Commission (ANC) Meeting



Supporting BZA Case Approvals

BZA CASE NO. 19625

PREVIOUS APPLICANT

Requested area variance relief from the 900-foot rule in order to **add two (2) units to an existing twenty-one (21)-unit apartment house** in the RF-1 Zone. No longer commercial storage and unused for over three years; the ground-floor space remained vacant.

PREVIOUS APPLICANT'S SUPPORT

The Office of Planning recommended approval finding the expansion of the existing ground floor units into the space was impractical as it would be disruptive to existing tenants and would result in odd-shaped inefficient units. The Board agreed with the Office of Planning's assessment and granted area variance relief

SIMILARITIES TO BZA CASE NO. 20275

Our vacant basement space below other units cannot be combined with the units above without significant disruption to the existing tenants. Combining unit above would only result in very small 275 sq. ft. of additional living space after the addition of stairs and dividing walls for living space and bathroom in each new unit addition. This would also unduly increased rental expense for at least two affected existing tenants who have not requested this type of addition to their units.

Supporting BZA Case Approvals

BZA CASE NO. 19196

PREVIOUS APPLICANT

Requested relief from the 900 square foot rule in order to convert a **lower-level storage space** into a residential unit in the RF-1 Zone. Some space was used for storage and the applicant was proposing to **convert an additional, large unused space into one residential unit** for a total of five (5) units.

PREVIOUS APPLICANT'S SUPPORT

The Office of Planning reasoned that even though the conversion would not conform to the 900-square foot requirement, "there is no other reasonable use for the space and retaining it as a vacant space presents a practical difficulty to the owner."

SIMILARITIES TO BZA CASE NO. 20275

Similarly, our Property in the present case has no reasonable use for approximately 825 sq. ft. of unused and ill-configured space of the approximate 1100 sq. ft. basement space and retaining the unused vacant space that has no purpose presents practical difficulties. Additionally, our case is even stronger in that no portion of the space can be used for any reasonable purpose, whereas at least a portion of the existing space in Case No. 19196 could still be used for some storage.



Questions

Thank you
and we welcome
the approval of the
D.C. Board of Zoning Adjudication