

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Jonathan Kirschenbaum, AICP  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** May 6, 2022

**SUBJECT:** BZA Case 20720 (1312 18<sup>th</sup> Street, NW) to permit the conversion of an existing five-story office building into an inn.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- Rear Yard, Subtitle G § 605.3, pursuant to Subtitle G § 1200.1 (12 feet minimum required; 3 feet 1 inch existing; 2 feet 10 inches proposed); and
- Side Yard, Subtitle G § 606.2, pursuant to Subtitle G § 1200.1 (No side yard required, 8 feet 6 inches minimum required if provided; 6 feet existing (northern side yard); 3 feet 10 inches proposed (northern side yard)).

**II. LOCATION AND SITE DESCRIPTION**

Address	1312 18 <sup>th</sup> Street, NW
Applicant	1312 18th Street Associates LLC
Legal Description	Square 137, Lot 43
Ward, ANC	2/2B
Zone	MU-21
Historic District	Dupont Circle
Lot Characteristics	Irregular shaped lot measuring approximately 44 feet by 66 feet. The lot is bound by 18 <sup>th</sup> Street, NW to the east and mixed-use properties to the north, south, and west.
Existing Development	Office building.
Adjacent Properties	Mixed-use properties.
Surrounding Neighborhood Character	Mixed-use.
Proposed Development	The applicant proposes to convert an existing office building into an inn with 15 guest rooms. The existing building is currently improved with only one staircase. Relief is required to construct and provide an additional fire staircase to meet building code requirements to convert the building to an inn.

### III. ZONING REQUIREMENTS and RELIEF REQUESTED

MU-21 Zone	Regulation	Existing	Proposed	Relief
Lot Width	Not prescribed	40 ft.	No change	None required
Lot Area	Not prescribed	2,277 sq. ft.	No change	None required
Height G § 603.1	90 ft. max.	51 ft.	No change	None required
Floor Area Ratio G § 602.1	6.5 max.	3.5	3.8	None required
Lot Occupancy G § 604.1	Not prescribed	77%	80%	None required
Rear Yard G §§ 605.3 & 605.7	12 ft. min. (above 25-foot horizontal plane)	3 ft. 1 in.	2 ft. 10 in.	<b>Special exception</b>
Side Yard G § 606.2	Not required; 8 ft. 6 in. min. (2 in. per 1 ft. building height) if provided	6 ft.	3 ft. 10 in.	<b>Special exception</b>
Parking C § 704.2	None required	0	No change	None required

### IV. OFFICE OF PLANNING ANALYSIS

#### Special Exception Relief from Subtitle G § 606.2, Side Yard and Subtitle G § 605.3, Rear Yard.

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

Side Yard: The intent of the side yard requirement in the MU zones is to ensure that there is adequate provision of light and air. The applicant proposes to construct a fire staircase along the northern side yard, which does not require access to light and air, and should not unduly restrict light or air circulation.

Rear Yard: The intent of the rear yard requirement is to ensure sufficient space, light, air, and privacy between buildings. In the MU-21 zone, a rear yard does not need to be provided for the first 25 feet of building height pursuant to Subtitle G § 605.7. The proposed fire staircase would not contain any windows and would face the rear of an existing commercial use located at 1327 Connecticut Avenue, NW. The applicant submitted photos to the record (Exhibit 8) demonstrating that the required rear yard above 25 feet on the subject property would abut approximately the top floor of 1327 Connecticut Avenue, NW. This top floor contains a terrace used for storage with windows that appear boarded-up and not operable.

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

The proposed staircase addition would be modest in size, would not occupy the entire rear or side yards, and would be well under the maximum height limit for the zone. As discussed above, the proposed addition and rear yard above 25 feet would not appear to adversely affect the use of the neighboring property at 1327 for the reasons stated above. The property owner to the north that would abut the proposed side yard filed a letter of support to the record at Exhibit 39.

- iii. *Would meet such special conditions as may be specified in this title?*

Side Yard: There are no special conditions or criteria for lot occupancy.

Rear Yard: Subtitle G § 1201.1 provides additional special criteria for rear yard relief:

- a. *No apartment window shall be located within forty feet (40 ft.) directly in front of another;*

There are no apartment windows proposed for this project and the proposed addition does not have any windows.

- b. *No office window shall be located within thirty feet (30 ft.) directly in front of another office window, nor eighteen (18 ft.) in front of a blank wall;*

There are no office windows proposed for this project.

- c. *In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards;*

The addition does not propose any windows and would not contain habitable rooms.

- d. *Provision shall be included for service functions, including parking and loading access and adequate loading areas; and*

Parking is not required pursuant to Subtitle C § 704.2 and loading is not required pursuant to Subtitle C §§ 901.1 and 901.7.

- e. *Upon receiving an application to waive rear yard requirements in the subject zone, the Board of Zoning Adjustment shall submit the application to the Office of Planning for coordination, review, report, and impact assessment, along with reviews in writing from all relevant District of Columbia departments and agencies, including the Department of Transportation, the District of Columbia Housing Authority and, if a historic district or historic landmark is involved, the Historic Preservation Office.*

This property is located within the Dupont Circle Historic District.

## V. OTHER DISTRICT AGENCIES

No comments from other District agencies were submitted at the file this report was filed to the record.

## VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 2B voted to not oppose the application (Exhibit 42).

## VII. COMMUNITY COMMENTS TO DATE

A letter of support from the adjacent property owner at 1314 18<sup>th</sup> Street, NW was submitted to the record (Exhibit 39).

Location Map

