

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**



**BZA Application No. 20951-A
Round Trip Properties, LLC
3646 13th Street, N.W. (Square 2828, Lot 174)**

HEARING DATES (20951):	September 27 and October 4, 2023
DECISION DATE (20951):	October 4, 2023
ORDER ISSUANCE DATE (20951):	October 11, 2023
HEARING DATE (20951-A):	July 31, 2024
DECISION DATE (20951-A):	July 31, 2024

**SUMMARY ORDER ON REQUEST FOR
MODIFICATION OF SIGNIFICANCE**

Pursuant to notice, at its July 31, 2024 public hearing, the Board of Zoning Adjustment (“**Board**” or “**BZA**”) deliberated on a request for modification of significance to BZA Order No. 20951 to add area variance relief from the street frontage requirements of Subtitle C § 303.4 to construct a third story addition with roof deck, and three-story rear addition with cellar, and convert to a three-unit apartment house, an existing, attached, two-story with cellar principal dwelling unit, including one unit in a new 2-story accessory structure in the RF-1 zone. The Board considered the request for modification of significance under Subtitle Y § 704 of Title 11 of the DCMR (Zoning Regulations of 2016, the “**Zoning Regulations**” to which all references are made unless otherwise specified). For the reasons stated below, the Board **APPROVES** the request for modification.

ORIGINAL APPLICATION. In Application No. 20951, the Board approved the request by Round Trip Properties, LLC (the “**Applicant**”) for the following relief:

- Special Exception from the accessory building area requirements of Subtitle E § 5003.1, pursuant to Subtitle E § 5201 and Subtitle X § 901.2
- Special Exception under the residential building conversion requirements of Subtitle U § 320.2, pursuant to Subtitle X § 901.2
- Special Exception from the accessory building rear yard requirements of Subtitle E § 5004.1, pursuant to Subtitle E § 5201 & Subtitle X § 901.2
- Special Exception from the roof top or upper floor addition requirements of Subtitle E § 204.1, pursuant to Subtitle E § 204.4 and Subtitle X § 901.2

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- Special Exception under the accessory building use requirements of Subtitle U § 301.1(e), pursuant to Subtitle X § 901.2

to allow the construction of a third story addition with roof deck, and three-story rear addition with cellar, and conversion to a 4-unit apartment house, an existing, attached, two-story with cellar principal dwelling unit, including one unit in a new 2-story accessory structure.

The Board issued Order No. 20951 on October 11, 2023. (Exhibit 7 of the record for Case No. 20951-A.)

PROPOSED MODIFICATION. On April 15, 2024, the Applicant submitted a request for modification of significance to Order No. 20951. (Exhibits 1-16.) The proposed modifications included maintaining the approved use while reducing the dwelling unit capacity from four to three units, and permitting minor internal modifications to the cellar and first floor plans of the existing building. (See Exhibit 3.) The Applicant submitted revised plans reflecting these modifications. (Exhibit 4.)

In addition to the modifications to the approved plans, the Applicant requests:

- Area variance from the street frontage requirements of Subtitle C § 303.4, pursuant to Subtitle X § 1002.

The zoning relief requested in this case was self-certified. (Exhibit 2.)

NOTICE OF THE REQUEST FOR MODIFICATION. Pursuant to Subtitle Y § 704.5, the Applicant served the request for modification of significance on the parties to the original application. (Exhibits 1A, 1B.) The Board referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 1A.

ANC REPORT. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on June 12, 2024, at which a quorum was present, the ANC voted to support the modification. (Exhibit 22.) The ANC report raised no issues or concerns.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the modification. (Exhibit 23.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT did not submit a report regarding this modification application.

CONCLUSIONS

Pursuant to Subtitle Y § 704.1, any request for a modification that does not meet the criteria for a minor modification or modification of consequence¹ requires a public hearing and is a modification of significance. The Applicant's request complies with Subtitle Y § 704, which provides the Board's procedures for considering requests for modifications of significance.

As directed by Subtitle X § 1002.2, and Subtitle Y § 704, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for an area variance, and modification of significance.

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

DECISION

It is therefore **ORDERED** that this application for a modification of significance of BZA Order No. 20951 is hereby **APPROVED** consistent with the plans shown in Exhibit 4 of the record, as required under Subtitle Y §§ 604.9 and 604.10, to:

- Construct a third story addition with roof deck, and three-story rear addition with cellar, and convert to a three-unit apartment house, an existing, attached, two-story with cellar principal dwelling unit;
- Make internal modifications to the cellar and first floor;
- Grant an area variance, pursuant to Subtitle X § 1002, from the street frontage requirements of Subtitle C § 303.4

In all other respects, Order No. 20951 remains unchanged.

VOTE: **4-0-1** (Frederick L. Hill, Lorna L. John, Carl H. Blake, and Robert E. Miller to APPROVE; Chrishaun S. Smith not present, not participating)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

ATTESTED BY:


SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: August 7, 2024

¹ See, Subtitle Y §§ 703.3 and 703.4.

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PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.