



1206 Staples Street NE

Case #21226



BZA Case Relief Details

SUBJECT: Proposed third story and rear addition to an existing single-family row dwelling, and conversion to a Two-Family Flat. Modifications to protected rooftop elements in the RF-1 Zone and a new roof deck.

#	Type	Relief	Pursuant To	Reason
01	Special Exception	The penthouse uses requirements of Subtitle C § 1501.1(b)	Subtitle C § 1501.1(c) and Subtitle X § 901.2	Proposed rooftop structure exceeds the maximum allowable height in the RF-1 Zone.
02	Special Exception	The penthouse setbacks requirements of Subtitle C § 1504.1(b)	Subtitle C § 1506.1 and Subtitle X § 901.2	Proposed rooftop structure setback does not provide the required setback from the existing front building wall.
03	Special Exception	The roof top or upper floor element requirements of Subtitle E § 204.1	Subtitle E § 204.4 and Subtitle X § 901.2	Proposed third floor addition, and Front porch roof deck does not comply with the roof top architectural elements requirements in the RF-1 Zone.
04	Special Exception	The rear yard requirements of Subtitle E § 207.1	Subtitle E § 5201 and Subtitle X § 901.2	Proposed rear setback is less than the 20'-0" required setback for the RF-1 Zone.
05	Special Exception	The rear addition requirements of Subtitle E § 207.5	Subtitle E § 5201 and Subtitle X § 901.2	Proposed rear addition is greater than the 10'-0" maximum beyond adjacent structures in the RF-1 Zone
06	Special Exception	The lot occupancy requirements of Subtitle E § 210.1	Subtitle E § 5201 and Subtitle X § 901.2	Proposed project is greater than 60% maximum lot occupancy allowed for the RF-1 Zone.



#	Type	Relief	Pursuant To	Reason
01	Special Exception	The penthouse uses requirements of Subtitle C § 1501.1(b)	Subtitle C § 1501.1(c) and Subtitle X § 901.2	Proposed rooftop structure exceeds the maximum allowable height in the RF-1 Zone.



1200 Staples Street NE

1206 Staples Street NE

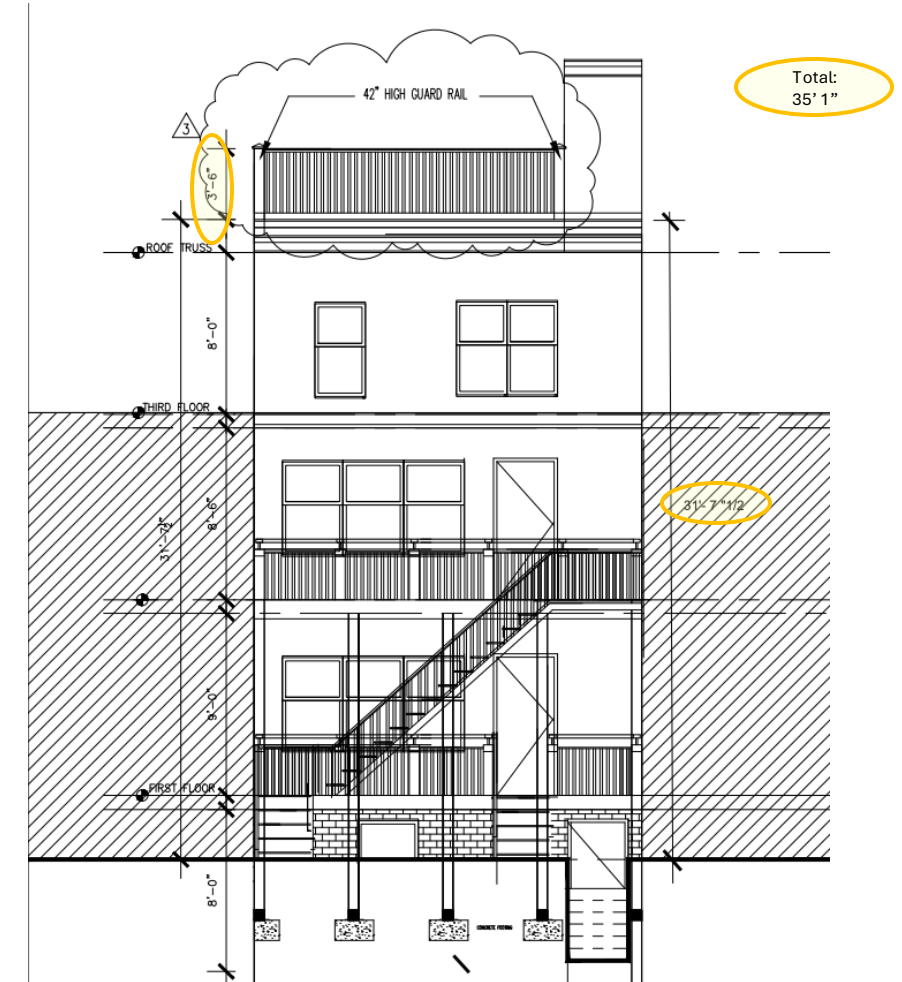


Exhibit 1206 S.2 DECK-PLAN-REV3



#	Type	Relief	Pursuant To	Reason
02	Special Exception	The penthouse setbacks requirements of Subtitle C § 1504.1(b)	Subtitle C § 1506.1 and Subtitle X § 901.2	Proposed rooftop structure setback does not provide the required setback from the existing front building wall.



1200 Staples Street NE



1117 Staples Street NE

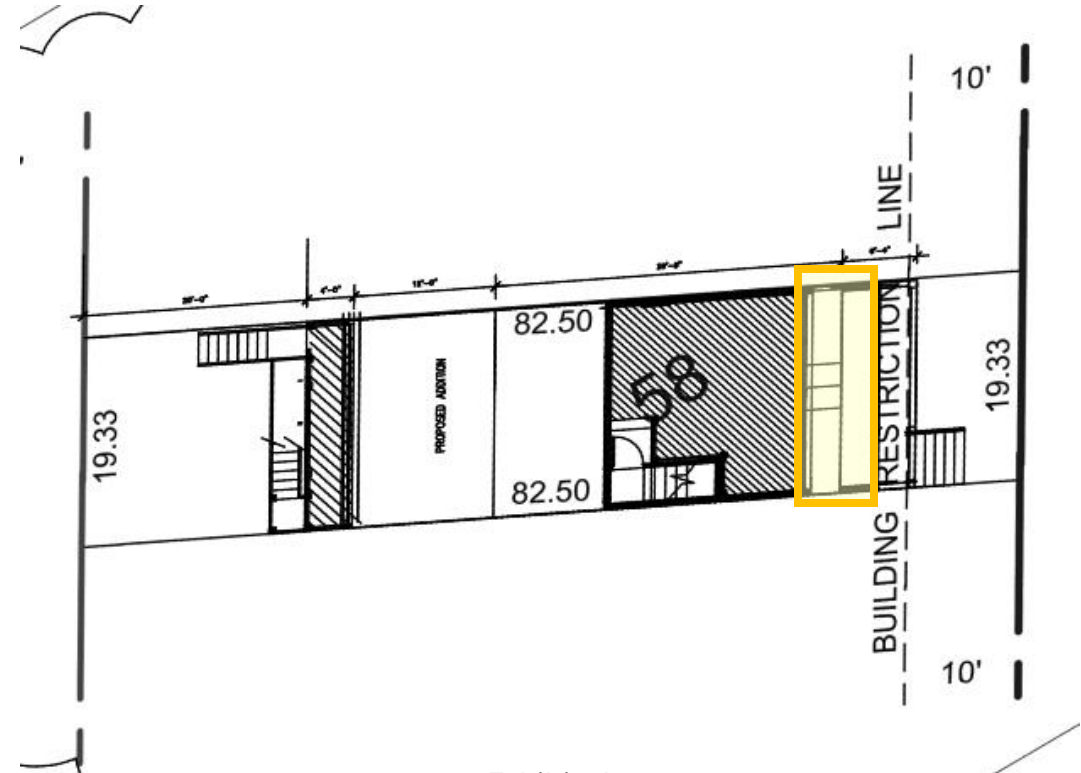


Exhibit6A

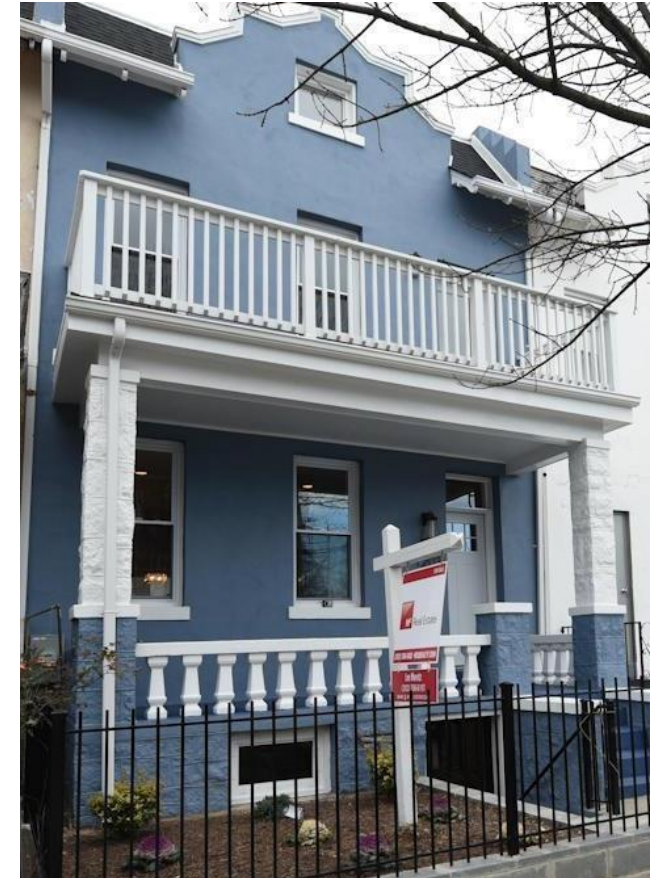
#	Type	Relief	Pursuant To	Reason
03	Special Exception	The roof top or upper floor element requirements of Subtitle E § 204.1	Subtitle E § 204.4 and Subtitle X § 901.2	Proposed third floor addition, and Front porch roof deck does not comply with the roof top architectural elements requirements in the RF-1 Zone.



1209 Staples Street NE



1209, 1207, 1205 Staples Street NE



1203 Staples Street NE

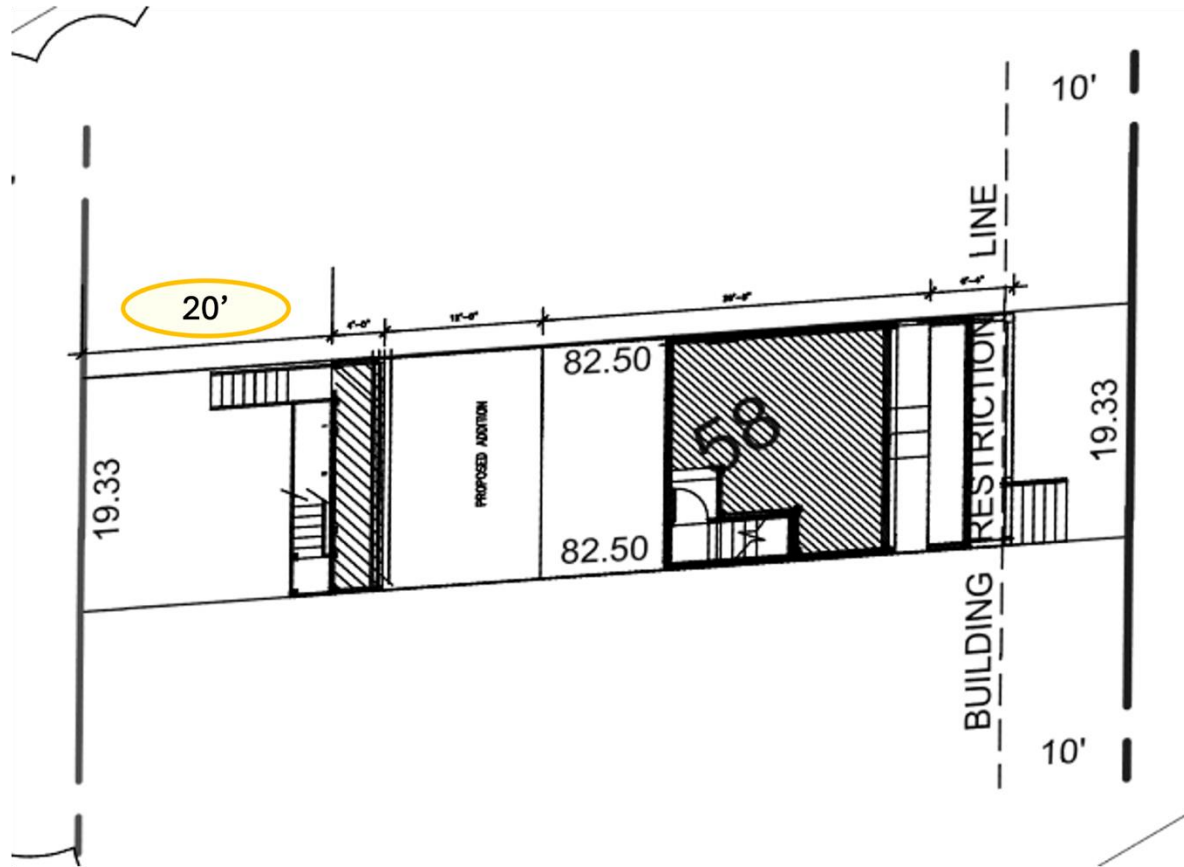


#	Type	Relief	Pursuant To	Reason
03	Special Exception	The roof top or upper floor element requirements of Subtitle E § 204.1	Subtitle E § 204.4 and Subtitle X § 901.2	Proposed third floor addition, and Front porch roof deck does not comply with the roof top architectural elements requirements in the RF-1 Zone.





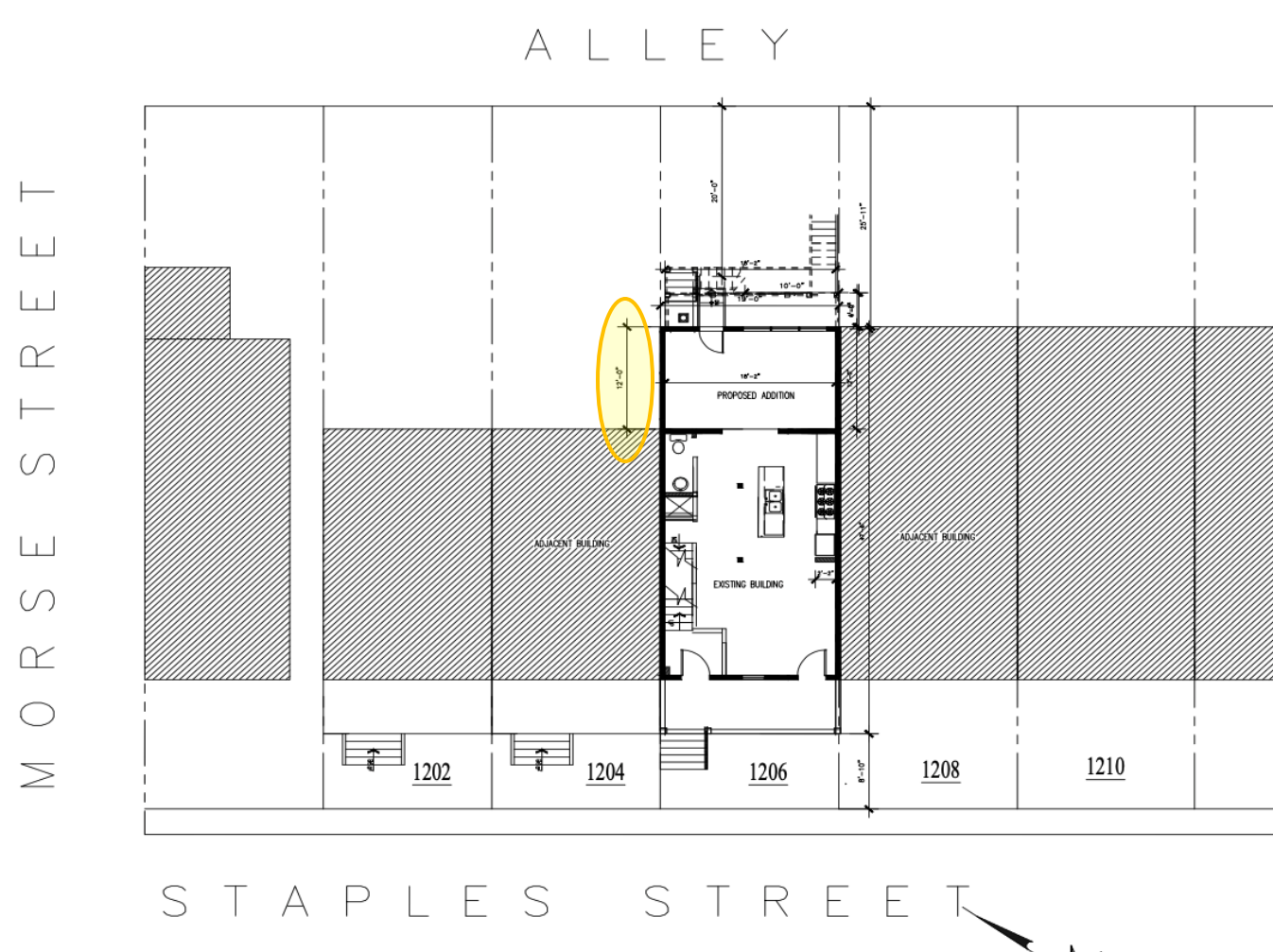
#	Type	Relief	Pursuant To	Reason
04	Special Exception	The rear yard requirements of Subtitle E § 207.1	Subtitle E § 5201 and Subtitle X § 901.2	Proposed rear setback is less than the 20'-0" required setback for the RF-1 Zone.



Rationale: We comply with the zoning rule. We utilized the DC Survey Plat and measure a 20-foot setback. The surveying system used by Zoning cannot match the values.



#	Type	Relief	Pursuant To	Reason
05	Special Exception	The rear addition requirements of Subtitle E § 207.5	Subtitle E § 5201 and Subtitle X § 901.2	Proposed rear addition is greater than the 10'-0" maximum beyond adjacent structures in the RF-1 Zone



Further detailed in Exhibit 5



#	Type	Relief	Pursuant To	Reason
06	Special Exception	The lot occupancy requirements of Subtitle E § 210.1	Subtitle E § 5201 and Subtitle X § 901.2	Proposed project is greater than 60% maximum lot occupancy allowed for the RF-1 Zone.

- **Rationale:** Building design aligns with current Two-family dwellings on the Staples ST NE block.
- There are other houses in the neighborhood that have set a precedent for exceeding the maximum lot size. Our overage is ~5.5.%

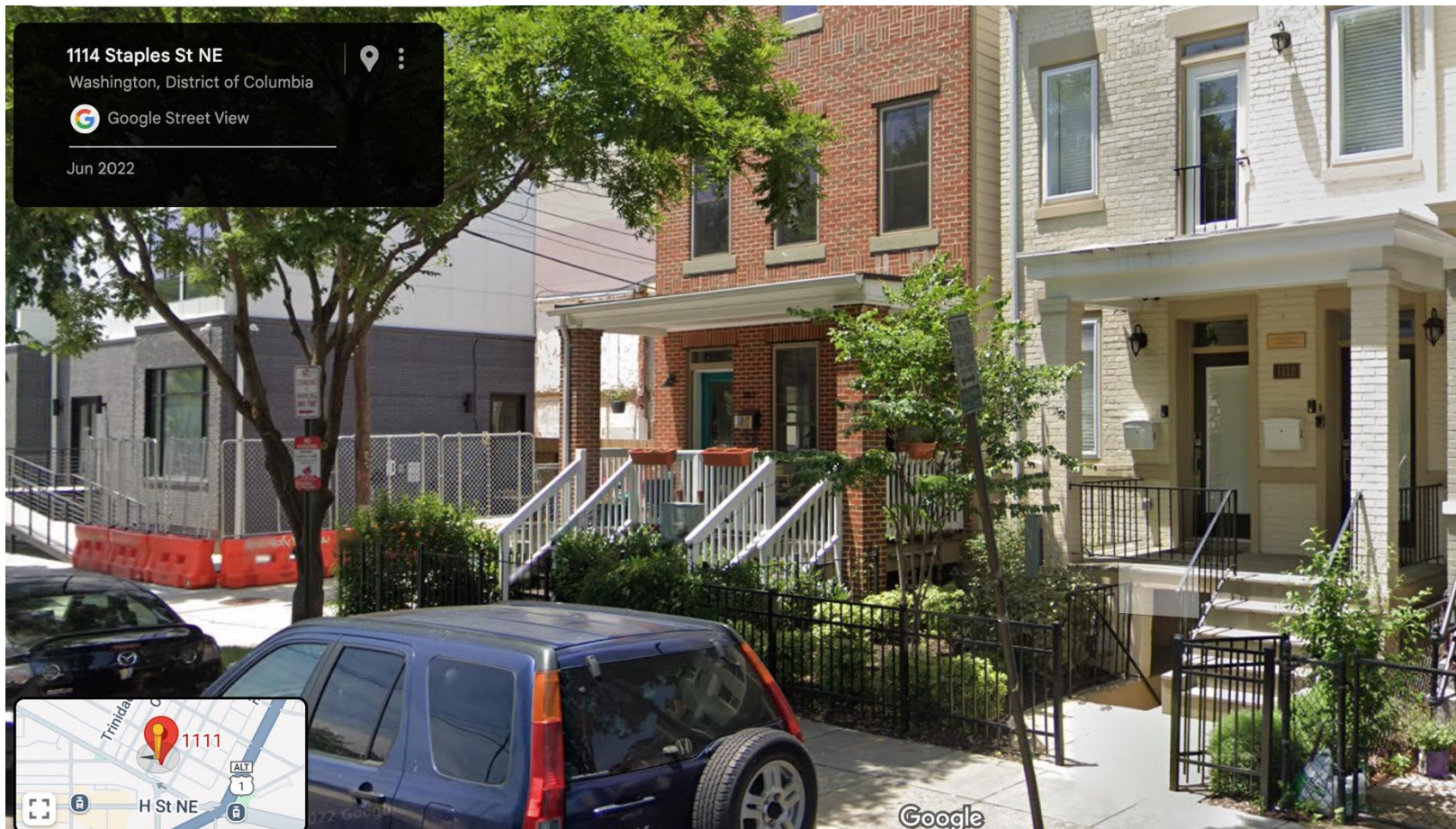


Solar Panel Negotiations

	Option 1	Option 2	Option 3						
As Outlined by Kevin and Angela	Leave the design as-is and reimburse Angela up-front for the amount \$20,850.	Modify the design to mitigate the shading upon the roof. You could ask your architect whether it is possible to add set-backs to the roof-top deck to avoid the 5-ft tall parapet wall on the side closest to Angela’s.	Install a solar system on the back portion of the roof (behind the deck area) and sign over the Solar Renewable Energy Credits (SRECs) to Angela, that would provide her a financial benefit which would offset (maybe even exceed) the negative impact to her electricity bills.						
Alexander-Benons Counteroffer	<p>Our concern with this option is the total up-front aspect. Per the solar study, Angela would incur an annual average loss of \$1042.50 to her electricity bills.</p> <p>TERMS: We propose to split payment into installments:</p> <ul style="list-style-type: none">Up to 5 years (\$5,212.50) upfront and annual payments on Year 5 until the time Angela ceases to reside in the home until we’ve met \$20,850.	<p>No counteroffer for this option.</p> <p>An earlier version of the solar study analysis, which incorrectly assumed a lower 9.5-ft pop up, still resulted in a 30% shading. Not enough of a savings to pursue. Also, a change to the plans would need to go through the process.</p>	<p>TERMS:</p> <ul style="list-style-type: none">We offer 40% of the SRECs from a solar panel system on our property, which would reflect the 40% shading impact on Angela’s system until we meet the 20-year total of \$20,850.Once the \$20,850 amount is met, we will cease SREC payments.If she no longer resides at the property, we will cease the SREC payments. <p>Estimates from MDC Solar:</p> <table><tr><td># of SRECs each year</td><td>8.5</td></tr><tr><td>Average price per SREC</td><td>\$350</td></tr><tr><td>Annual SREC Income</td><td>\$2,975 (40% = \$1,190)</td></tr></table>	# of SRECs each year	8.5	Average price per SREC	\$350	Annual SREC Income	\$2,975 (40% = \$1,190)
# of SRECs each year	8.5								
Average price per SREC	\$350								
Annual SREC Income	\$2,975 (40% = \$1,190)								
Response from Angela	<p>“I am not comfortable at [all] doing partial payments. As options 1 and 3 are the two that are available and I’m good with either option.”</p>		<p>“The problem is that [the SRECs] ha[ve] to be in some one’s name. If it’s in your[s] th[e]n if I would have to wait on you to transfer it to me. Not even sure how that will work. That’s something I’m not interested in. That’s something I don’t think your willing to compromise on and put it in my name #3 has now become something that seems unattainable in my opinion.</p> <p>Note: When transferring SRECs, you can select the specific number or batch of certificates you wish to assign. Ideally, we would handle the partial transfer through the SREC registry platform, giving Angela the assurance she wants.</p>						



Appendix – Precedent Examples



1110, 1112 Staples Street NE



Staples Street NE & Neal Street NE



Neal Street NE & Orren Street NE



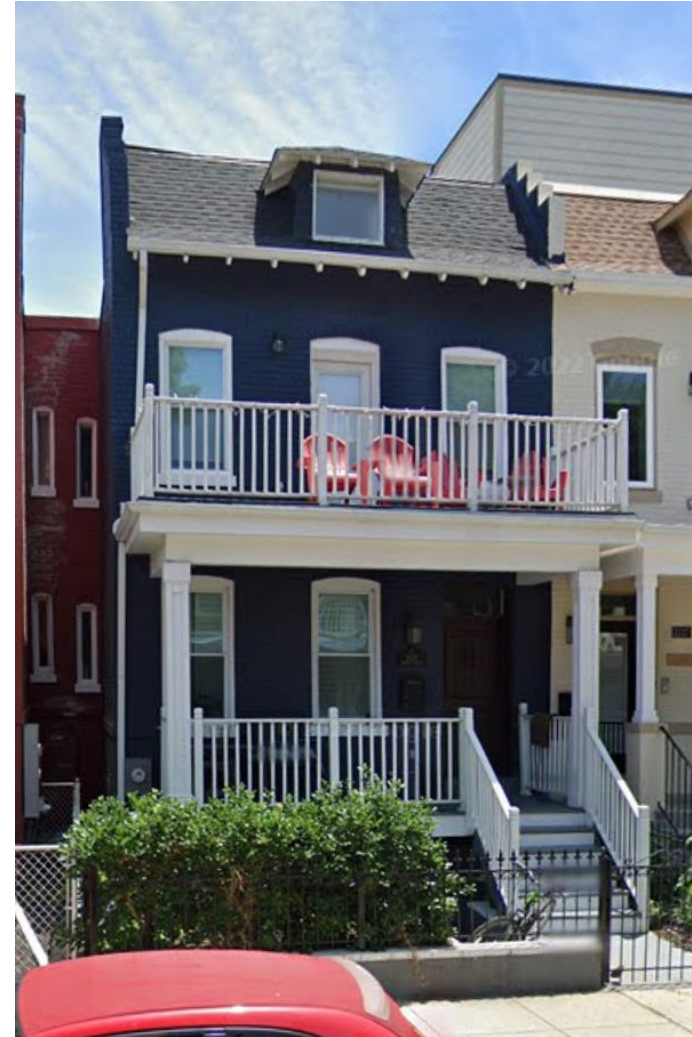
Staples Street NE & Neal Street NE



Orren Street NE & Morse Street NE



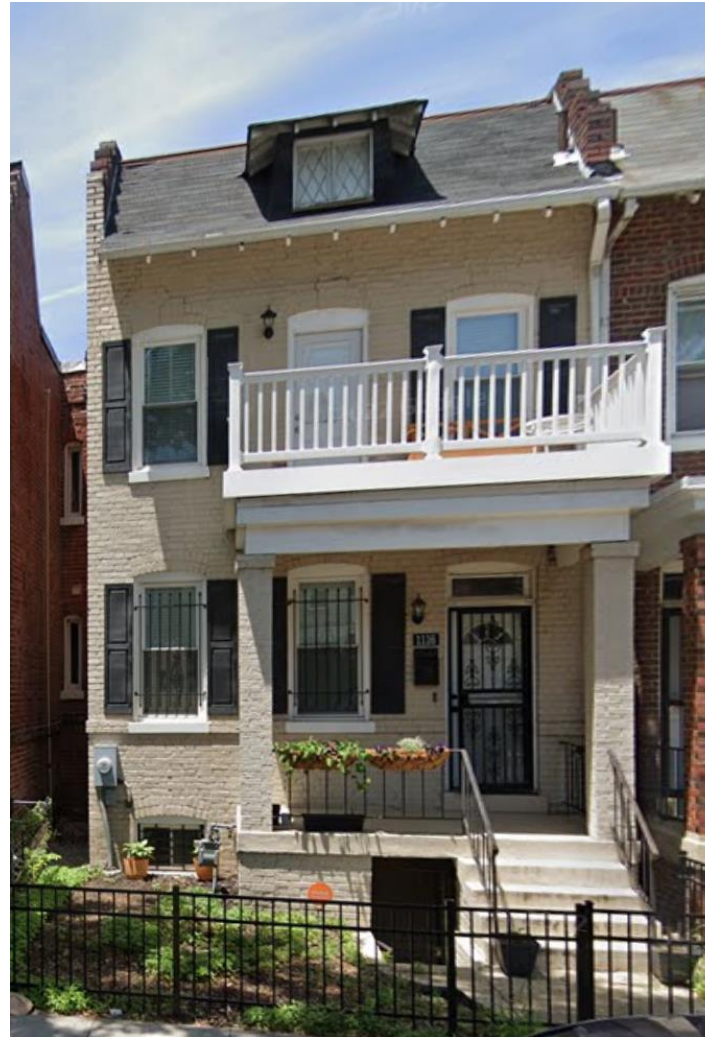
1200 Staples Street NE



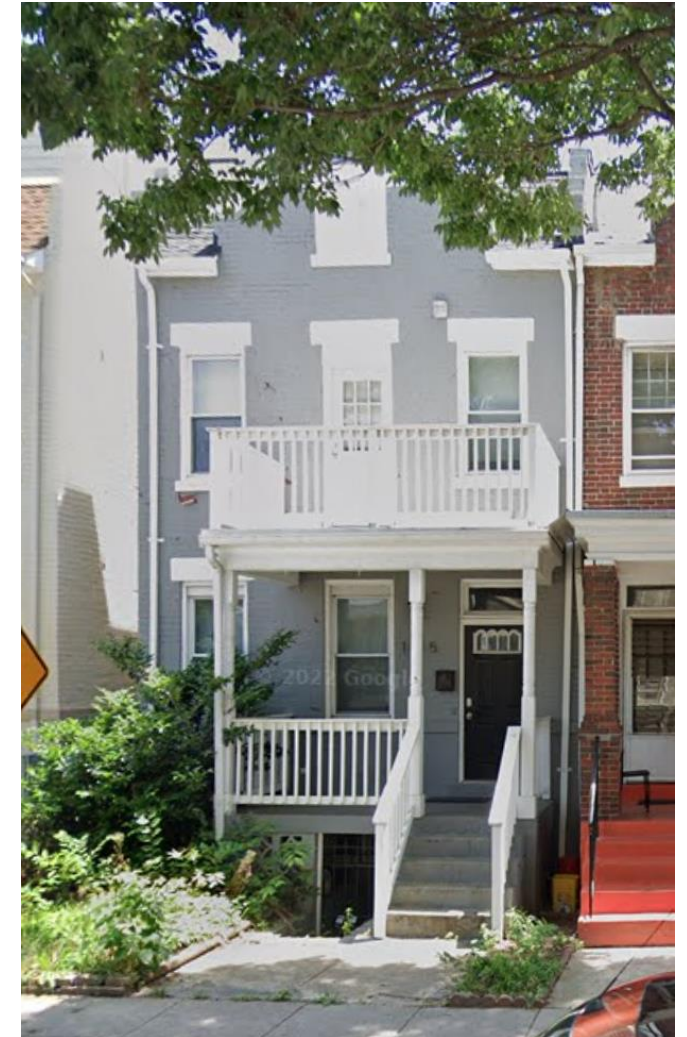
1119 Staples Street NE



1203 Staples Street NE



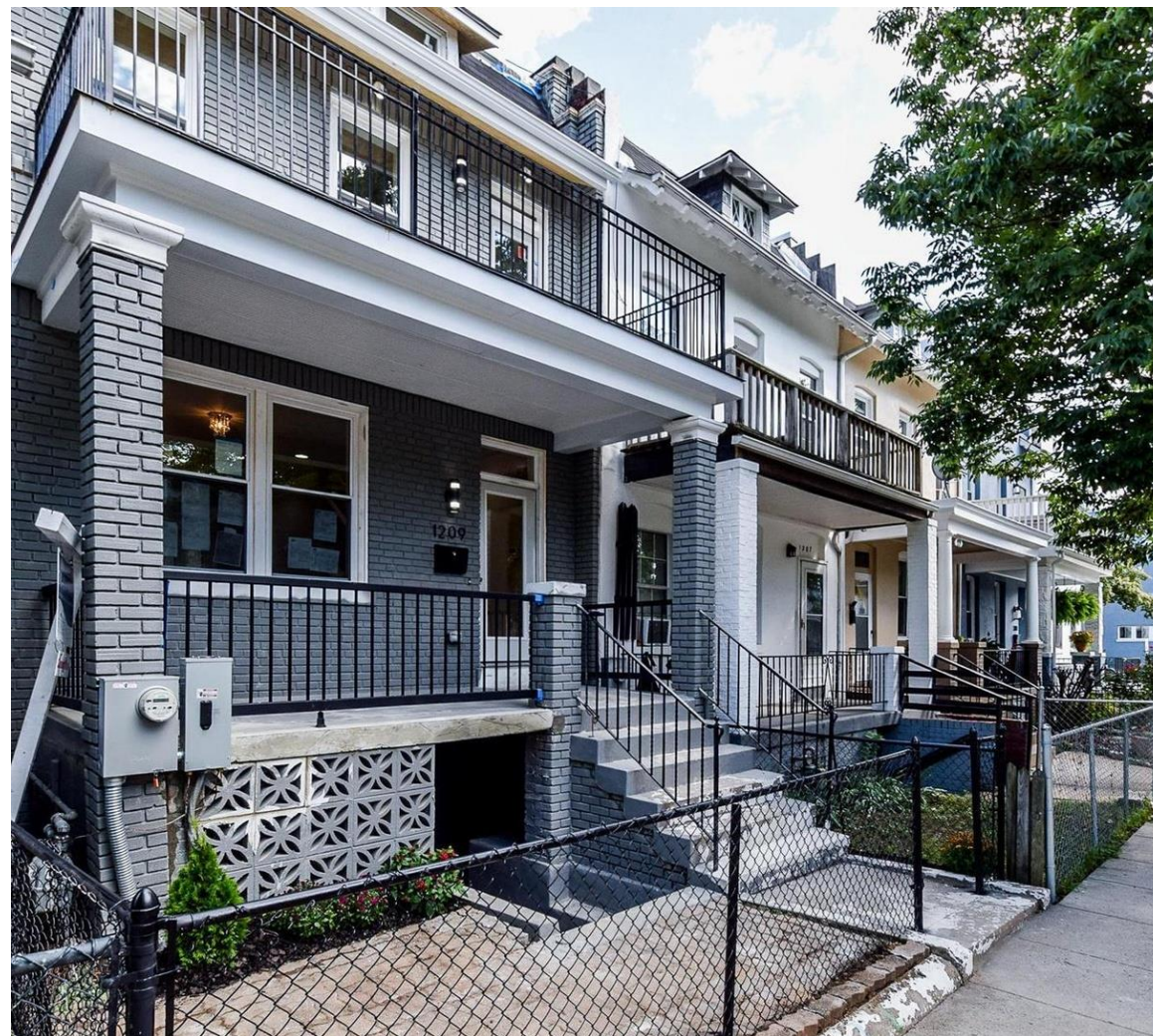
1106 Staples Street NE



1115 Staples Street NE



1209 Staples Street NE



1209, 1207, 1205 Staples Street NE