

**DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**  
**Application for 3121 Warder St. NW**  
**(Square 3049, Lots 0047)**

**I. INTRODUCTION.**

This Statement is submitted on behalf of 3121 Warder St LLC, the owner of the property located at 3121 Warder St, NW (Square 3049, Lots 0047). The Subject Property is zoned RF-1 and is currently a Single-Family house. The Applicant is proposing to construct a rear and third floor addition and convert it into a three (3) unit condominium apartment house. Accordingly, the applicant requests special exception approval for the conversion pursuant to subtitle U § 320.2.

**II. DESCRIPTION OF THE PROPERTY AND THE ADDITION.**

The Property is located at 3123 Warder Street N.W. and is in the RF-1 zone district. Abutting the property to the east and north and south are row dwellings. Abutting the property to the west is Warder Street. Abutting the Property to the east is a public alley. The Applicant is proposing to construct a rear addition and a third-story addition to the existing structure. The Applicant is maintaining the existing front façade and covered porch.

**III. THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS OF X § 901.2 AND U § 320.2.**

**A. Overview.** Pursuant to Subtitle X § 901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect

adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under Subtitle U § 320.2 of the Zoning Regulations. In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment, 753 A.2d 984, 986 (D.C. 2000).

**B. Requirements of Subtitle X § 901.2.**

The granting of a special exception in this case “will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps” and “will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps ...” (11 DCMR Subtitle X § 901.2).

The proposed work will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the row homes to the north and south of the Property. Nor will the Addition adversely affect the properties to the east or west of the Building, as they are separated from the Building by a public alley and Warder Street, respectively.

**C. Requirements of Subtitle U §320.2.**

The conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house, or the renovation or expansion of an existing apartment house deemed a conforming use pursuant to Subtitle U § 301.4 that increases the number of units, shall be permitted in any of the RF-1 zones if approved by the Board of Zoning Adjustment as a

special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:

**Section 320.2(a)**

The building to be converted or expanded is in existence on the property at the time the Department of Consumer and Regulatory Affairs accepts as complete the building permit application for the conversion or expansion;

The building currently on the property will stay in place as it is at the time the Department of Consumer and Regulatory Affairs accepts as complete the building permit application for the conversion and expansion.

**Section 320.2(b)**

The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Subtitle C, Chapter 10, Inclusionary Zoning, including the set aside requirement set forth at Subtitle C § 1003.10; and

The proposed scope includes converting the existing single-family house into a three unit condominium apartment house.

**Section 320.2(c)**

There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per each existing and new dwelling unit.

The proposed scope includes converting the existing single-family house into a three unit condominium apartment house. The required lot area for three dwelling units is 2,700 sf. The subject lot area is 3,084 sf.

The Applicant is not requesting any waivers.

**IV. CONCLUSION.**

For the reasons stated above, this application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested relief.