

BZA Application No. 21307

**Henry Tam and Lan Tran
725 Hobart Place, NW**

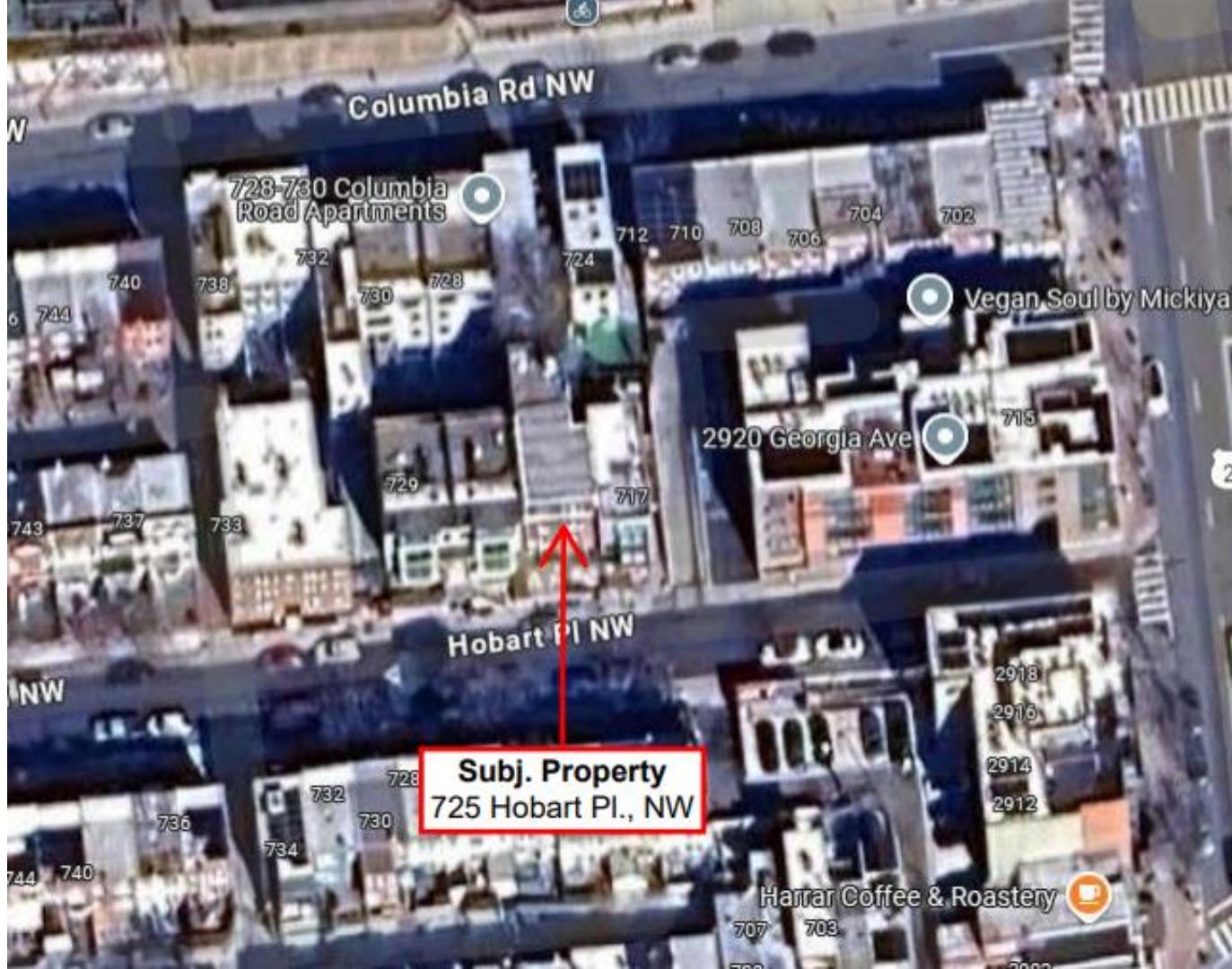
Board of Zoning Adjustment
District of Columbia
CASE NO.21307
EXHIBIT NO.27

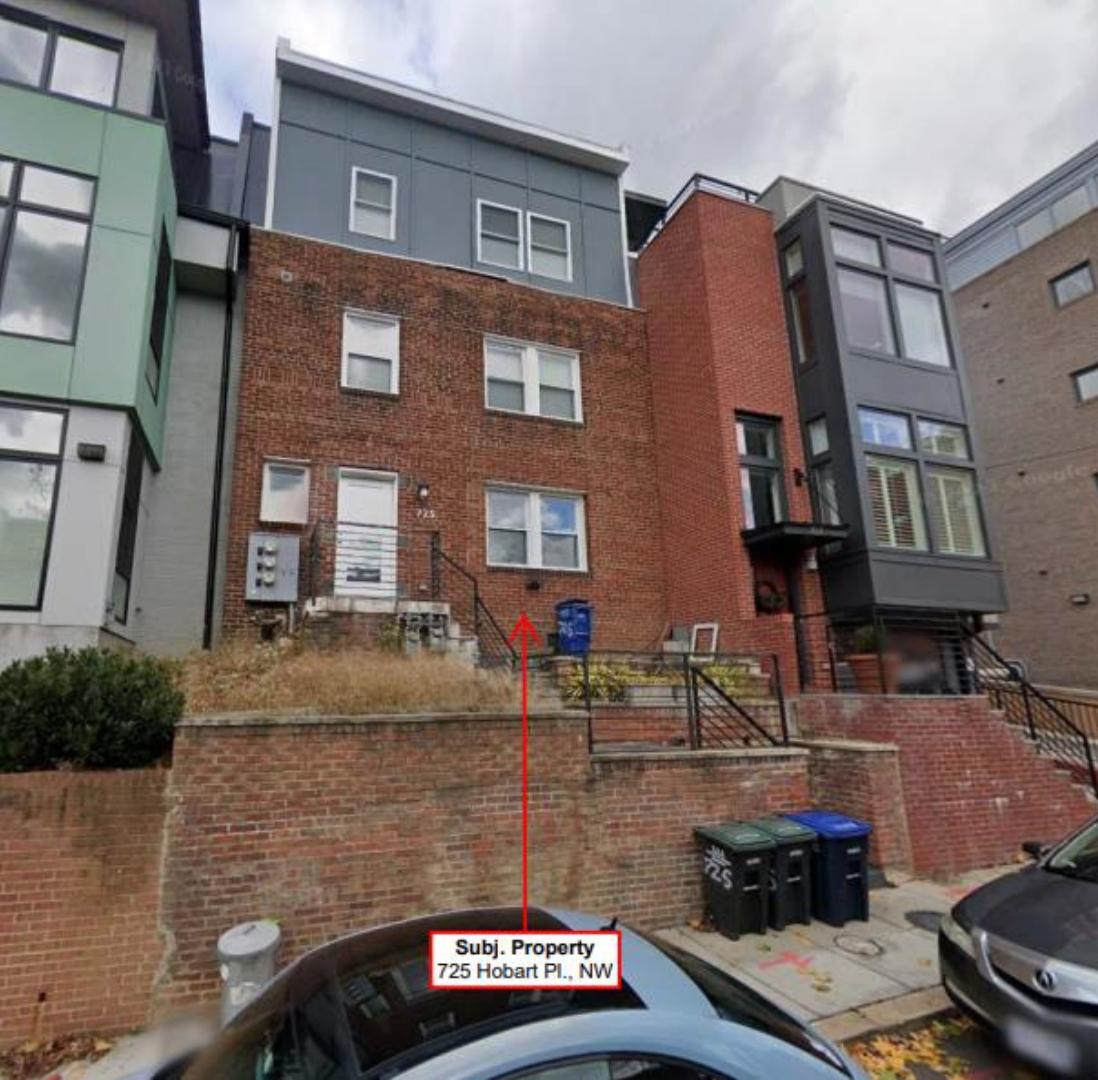
Overview & Requested Relief

- The Property is improved with a 3-story, 3-unit row building. The Applicant purchased the property in 2018; at which time it was configured and advertised as a 3-unit building.
- The Applicant discovered there is no C of O for the existing third unit and is now seeking relief to make the third unit legal.
- The Applicant is not proposing any changes to the building.
- The Property has 1,688 sq. ft. of land area; therefore, it does not meet the 900 square foot rule of U-320.2(c).
- Accordingly, the Applicant is requesting (1) special exception relief for the conversion pursuant to Subtitle U § 320.2; and (2) variance relief from Subtitle U § 320.2(c) for the 900-foot rule. The Applicant is also requesting parking relief for one space pursuant to C-703.2.

Agency Support

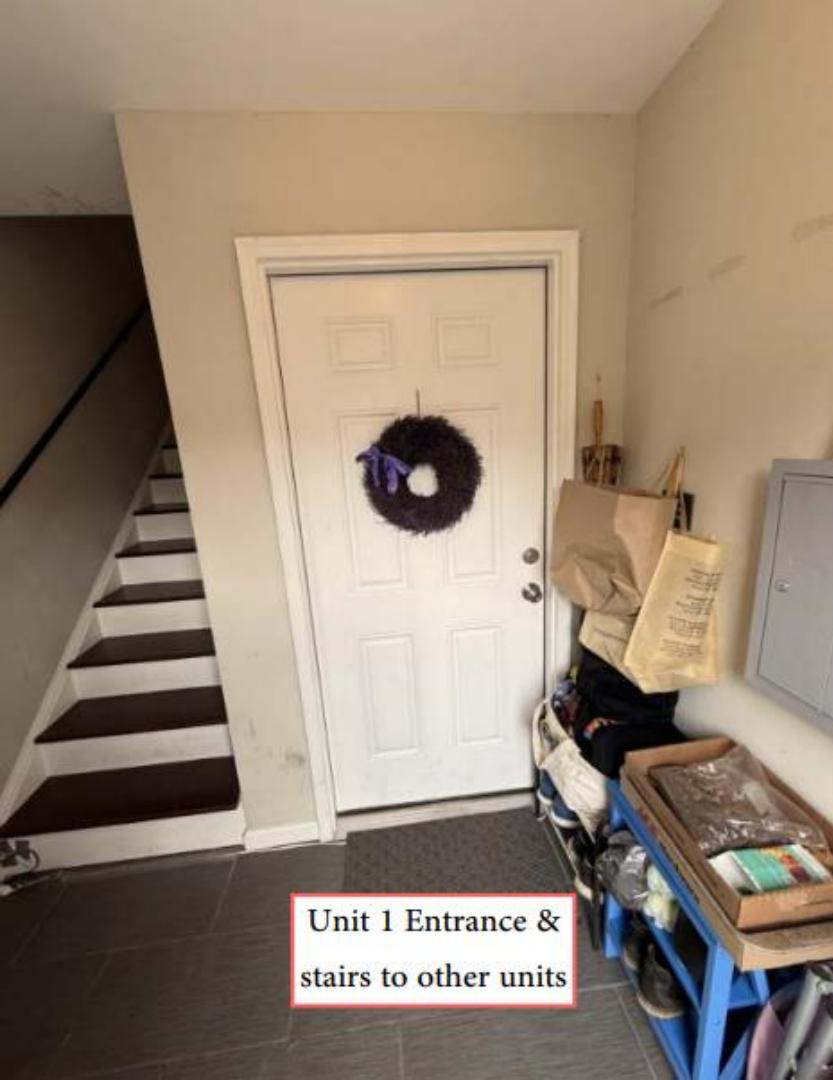
- The Office of Planning recommends approval.
- ANC 1E voted unanimously in support.
- DDOT has no objection.



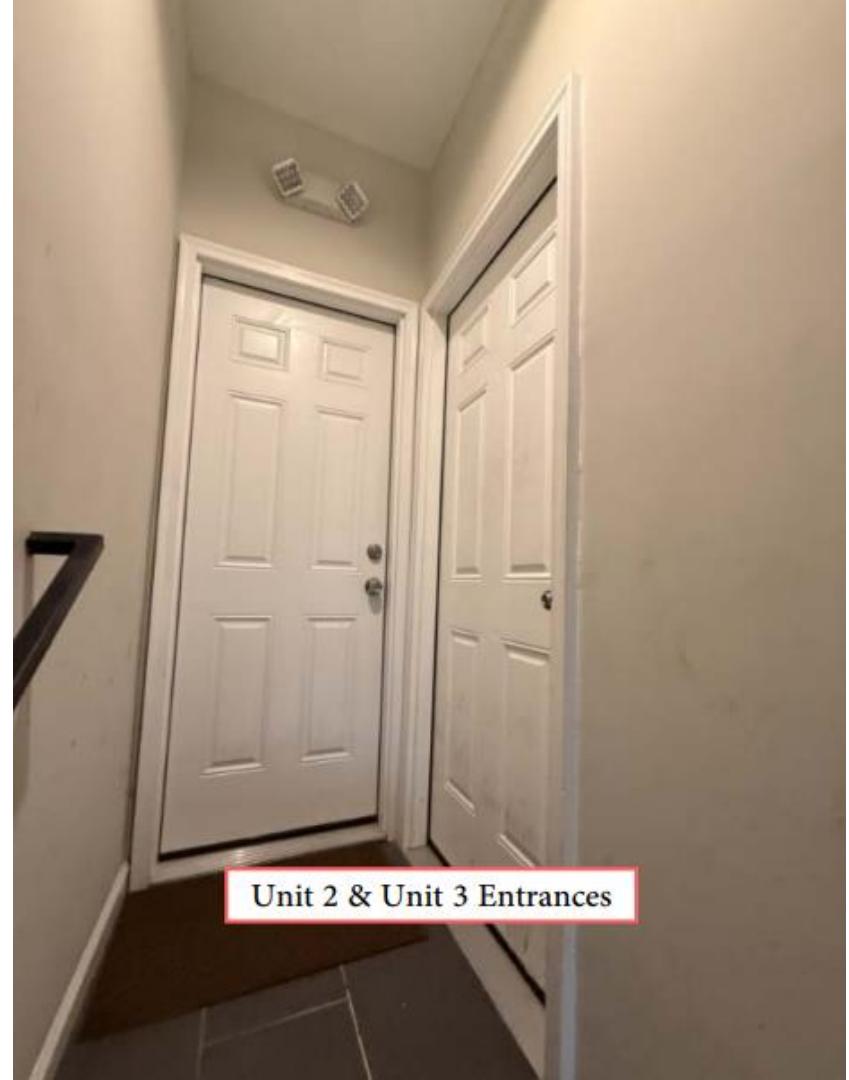


Subj. Property
725 Hobart Pl., NW





Unit 1 Entrance &
stairs to other units



Unit 2 & Unit 3 Entrances



Kitchen #1





Kitchen #3

725 HOBART PL NW #1 WASHINGTON D.C. 20001

ESTIMATED TOTAL
SQUARE FOOTAGE:
728 SF



**725 HOBART PL NW #2
WASHINGTON D.C. 20001**

ESTIMATED TOTAL
SQUARE FOOTAGE:
740 SF



**725 HOBART PL NW #3
WASHINGTON D.C. 20001**

ESTIMATED TOTAL
SQUARE FOOTAGE:
837 SF



General Special Exception Requirements

Granting of 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 in accordance with the Zoning Regulations and Zoning Maps.

The special exception for the conversion and parking relief will be in harmony with the general purpose and intent of the zoning regulations and zoning maps and will not tend to adversely affect the use of neighboring properties in accordance with the zoning regulations and zoning maps. The proposal will maintain the status quo and allow the Applicant to bring the building into compliance.

Requirements of Subtitle U § 320.2	Project
<p>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 [Department of Buildings] accepts as complete the building permit application for the conversion or expansion;</p>	<p>The building to be expanded is in existence on the property and will be in existence on the property at the time the Department of Buildings accepts as complete the building permit application for the conversion or expansion.</p>
<p>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 § 1003.6; and</p>	<p>The proposed structure includes 3 units. Therefore, Inclusionary Zoning and the set-aside requirements of Subtitle C-1003.6 do not apply.</p>
<p>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.</p>	<p>The proposed structure includes 3 units, requiring a minimum of 2,700 square feet of land. The Subject Property has 1,688 square feet of land area, requiring an area variance from this provision.</p>

Requirements of Subtitle C § 703.2

Project

The lot has no alley access or room for a driveway in the front. Accordingly, the request is to continue to have no legal parking spaces where one is required for the increase from two units to three units, pursuant to C § 703.2 as follows:

Section 703.2 “The Board of Zoning Adjustment may grant a full or partial reduction in number of required parking spaces, subject to the general special exception requirements of Subtitle X, and the applicant’s demonstration of at least one (1) of the following:

The Applicant is only required to satisfy one of the considerations under C § 703.2. The information below includes the section that most safely applies to this Property and Application.

(a) Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8	The Property has no alley access and no ability to provide a driveway in the front. The Applicant was unable to locate any available off-street parking within 600 feet.
(b) The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;	The Property is well-served by various forms of public transportation. It is located approximately 200 feet from the bus routes on Georgia Avenue, and a little over a half mile from the Georgia Avenue - Petworth Metro Station.

The Application Meets the Standards for Area Variance Approval

Exceptional Condition

- The Property was configured and advertised as a 3-unit building when purchased in 2018.
- Modifying the existing units would require displacement of tenants (one predating the Applicant's ownership), significant construction costs, and loss of rental income.
- No option to purchase additional land due to fully built adjacent lots.

Practical Difficulty

- Elimination of a long standing unit.
- Termination of tenant leases.
- Costly renovations to reduce to two units.
- Loss of housing in an area where such units are permitted via special exception.

No Harm to the Public Good or Zone Plan

- Maintains the status quo.
- The use itself is permitted in this zone.
- The surrounding area includes multi-unit buildings.