

BZA CASE 21451

133 Galveston Place, S.W.
Square 6239, Lot 89
R-2 Zone | Ward 8



Board of Zoning Adjustment
District of Columbia
CASE NO. 21451
EXHIBIT NO. 26

Overview & Relief Sought

The Application

On behalf of O'Rayon McKnight, owner of 133 Galveston Place, S.W. (Square 6239, Lot 89), this application seeks use variances to convert an existing semi-detached, two-story plus basement structure back to its original use as a **four-unit apartment house** in the R-2 Zone.

Variances Requested:

(i) Matter-of-right uses

Subtitle U § 201.1

(pursuant to Subtitle X § 1002)

(ii) Nonconforming use requirements

Subtitle C § 204.4

(pursuant to Subtitle X § 1002)

Property Description & Neighborhood Context



Property Details

Location: 133 Galveston Place, S.W.

Neighborhood: Bellevue / Congress Heights

Ward: 8 (Southwest quadrant)

Land Area: 4,536 sq ft

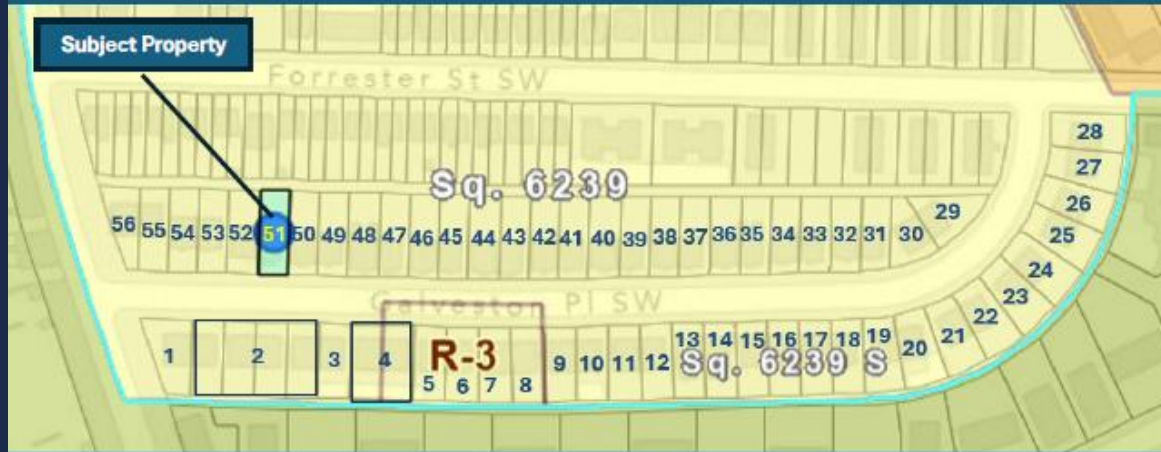
Zone: R-2

Structure: Constructed in 1942 pursuant to Building Permit 257331. Semi-detached, two-story plus basement.

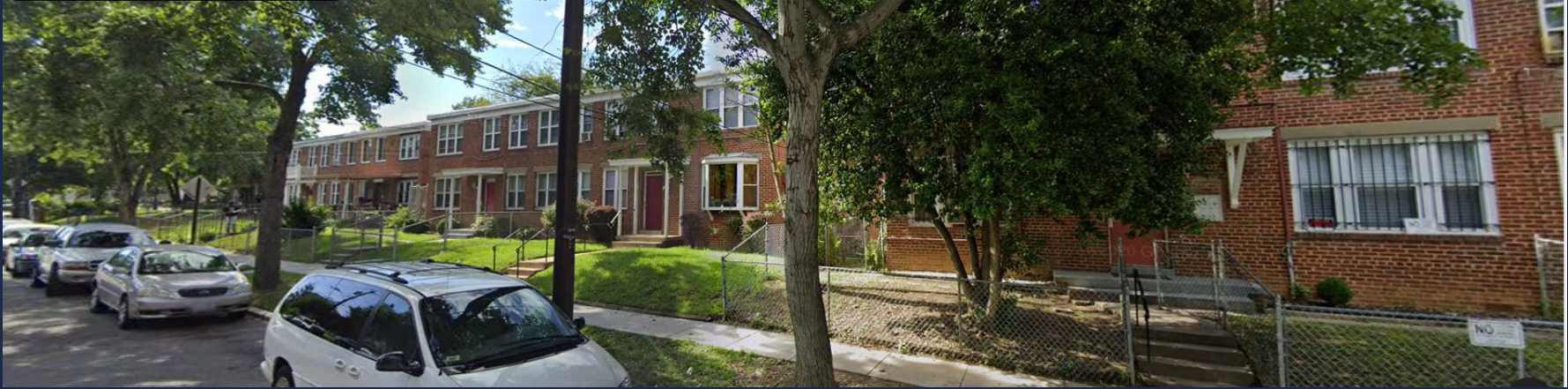
Neighborhood Context

- North side of Galveston Place, S.W.
- Bounded by 16-ft public alley (north), private property (east/west)
- Surrounding area: primarily R-2 zoned
- **Overwhelming use: apartment houses**
- Adjacent zones: R-3 (southeast), R-A-1 (west, across MLK Jr. Ave)

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Building History & Certificates of Occupancy

Building constructed circa 1947 and thus predates 1958 Zoning Regulations — used as 4-unit apartment for 40+ years

Sept 18, 1947	●	CofO 115234 — Apartment House
May 28, 1949	●	CofO 126161 — Apartment
Mar 24, 1966	●	CofO B56001 — Apartment House
Apr 15, 1980	●	CofO B117729 — Apartment Building
Nov 5, 1982	●	CofO B133125 — Apartment House - (4 units)
Jun 3, 1987	●	CofO B149850 — Apartment House — (4 units)

Current Status

- Prior owner converted 4-unit apartment into a two-family flat for a time period.
- However, no building permit, CofO, or other District records found for conversion. Thus, only legal use is reflected on prior CofOs for apartment house.
- Purchased by Applicant in 2024
- Building currently vacant/was vacant when purchased.
- Property currently taxed by OTR

Use Code

: 025 - Residential-Multi-Family (3 to 5 Units)

The Proposed Project

Scope of Renovation

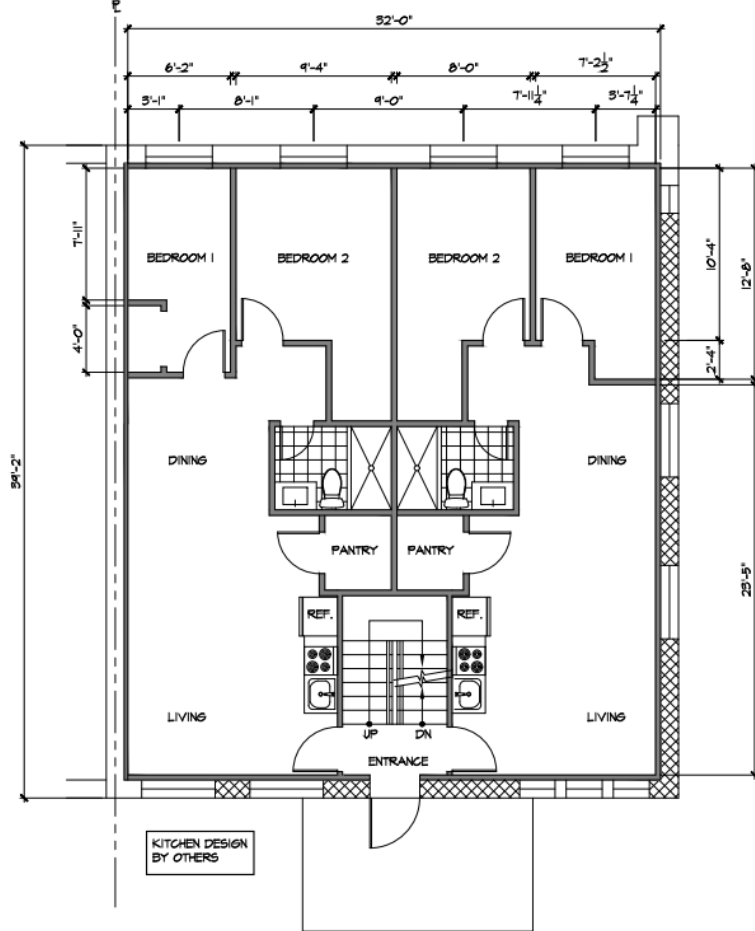
- Renovate building back to original 4-unit apartment house use
- New electrical and plumbing systems
- Replace windows and clean facade
- Roof repair
- Energy-efficient appliances and systems
- Full Code compliance throughout

No Expansion Proposed

No additions or increase to building footprint. No changes to height, bulk, or physical presence along Galveston Place.

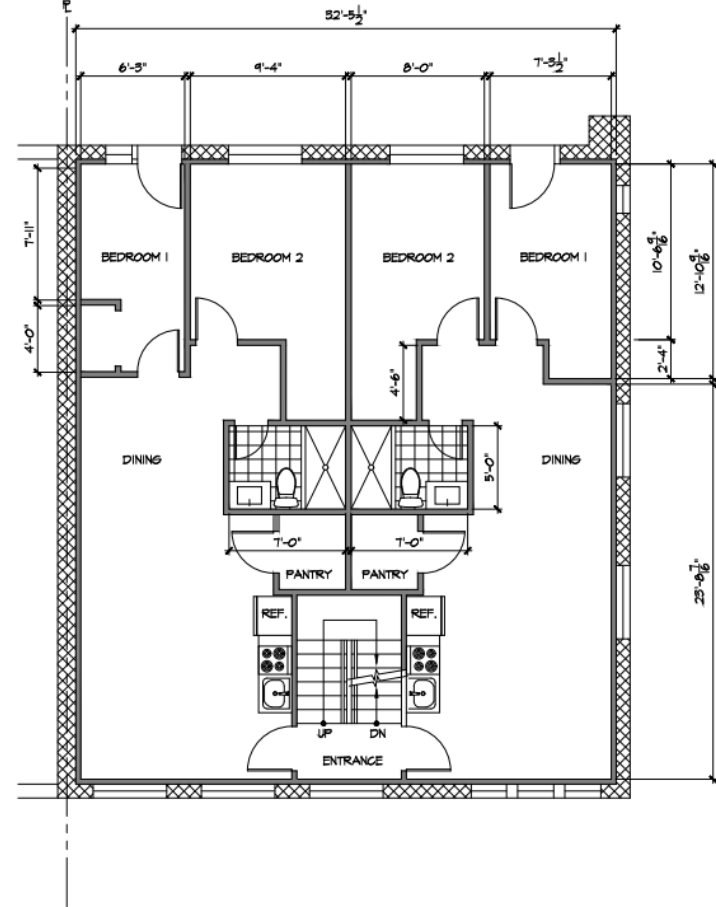
Full Zoning Compliance

Other than the use variances requested, the Project complies with all applicable requirements of the Zoning Regulations for the R-2 Zone. No additional zoning relief is necessary.



1
A102

PROPOSED 1st FLOOR PLAN
SCALE: 1/4"=1'-0"



2
A102

PROPOSED 2nd FLOOR PLAN
SCALE: 1/4"=1'-0"

Use Variance Burden of Proof

1

Exceptional Condition

The property is affected by exceptional size, shape, or topography or other extraordinary or exceptional condition or situation.

2

Undue Hardship

The owner would encounter peculiar and exceptional practical difficulties or undue hardship if the zoning regulations were strictly applied.

3

No Detriment

The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

1 Extraordinary or Exceptional Condition

A “confluence of factors” creates an exceptional condition affecting the Property.

40+ Year Apartment Use

Building predates 1958 Zoning Regs. Only legally-valid use for at least 40 years per District records is as a 4-unit apartment house. Six CofOs from 1947–1987 confirm apartment use.

Vacant & Deteriorating

Building vacant 2+ years, requires substantial rehabilitation. Converting to single-family or single-family with an ADU would require extensive reconstruction and reconfiguration.

Neighborhood Character

Would be the only single-family dwelling in immediate area. Of 56 surveyed properties: 46 apartment houses, 9 flats, 1 CBRF. Requiring single-family use would create an exceptional condition.

Rezoning Mismatch

ZC Order No. 08-12 rezoned area to R-2 to prevent new apartments, not preclude existing ones. The Applicant is not arguing that the rezoning was erroneous. Rather, the rezoning was not intended to discourage/preclude the continued, existing development pattern of multifamily residential buildings.

2 Exceptional and Undue Hardship

01 Cost Disparity

Based on estimates, it would cost approximately \$399,785 to renovate the property into a single-family dwelling; \$339,985 to renovate for use as a single-family dwelling with ADU; and \$186,316 to renovate/remodel back into original, four-unit apartment house use. Thus, converting the property into a single-family dwelling is approximately 114.57% (\$213,468) more expensive and converting into a single-family home with an ADU is approximately 82.48% (\$153,668) more expensive.

02 No Market Demand

Property listed Feb 2025, actively marketed, price reduced multiple times, failed to generate a viable offer. Withdrawn June 2025 after ~129 days on market.

2 Exceptional and Undue Hardship

03 Financial Infeasibility

Developing the Property for a single-family dwelling or a single-family dwelling with an ADU do not generate a financially viable return under current market conditions. However, returning the existing building to its original, four-unit apartment house use is more financially viable compared to the other uses and produces the least adverse financial outcome.

Of the three programs analyzed, Scenario C - conversion to a four-unit residential building - produces the highest net operating income, the lowest total development cost, the smallest equity deficit, and the yield on cost closest to the market benchmark. It represents the minimum development program that could approach, though not achieve under current conditions, a financially viable return on the capital invested in this property.

3 No Substantial Detriment to the Public Good

No Physical Changes

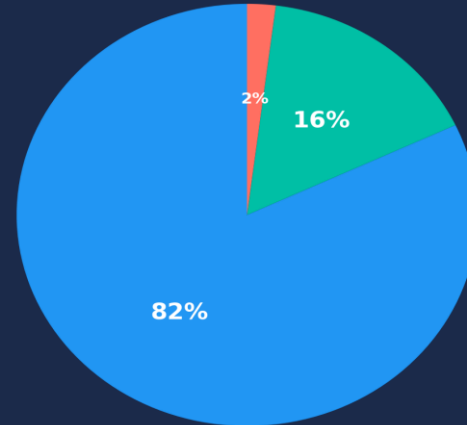
No additions, increases in floor area, or changes to building height, bulk, or physical presence. No adverse impacts to light, air, privacy, or neighborhood character.

Adds Housing Units

Rehabilitation returns a vacant structure to productive residential use. Advances District housing goals and adds naturally occurring affordable housing in Ward 8.

Consistent with Neighborhood

Of 56 surveyed properties that front on Galveston Place: 46 are apartment houses (82%) . This is restoration of original 40+ year use.



■ Apartment Houses ■ Flats ■ CBRF

3 No Substantial Detriment to the Public Good

Consistent with Purpose of the R-2 Zone

Purpose of the R-2 zone is to: (a) provide for areas with semi-detached houses; and (b) protect these areas from invasion by denser types of residential development.

Although the surrounding area is characterized by property zoned R-2 the overwhelming use of those properties are apartment houses. Granting relief will not result in an “invasion by denser types of residential development” but will rather allow the existing building to be used as it was previously used for at least 40 years, as are the majority of the other properties in the neighborhood.

Supported by Precedent

OP supported similar variance in BZA Case 21229 for construction of a new 11-unit apartment in the same square and R-2 zone, recognizing the existing apartment character:

No substantial detriment to the public good

Approval of the requested variance would not result in substantial detriment to the public good. The area has predominantly consisted of apartment complexes since at least the 1940s. Although it was downzoned in 2008, this was to protect nearby single-family homes, not to foster the conversion of multi-family neighborhoods to single family ones. The subject property, however, is surrounded by multifamily buildings and is not close to lower-density properties to result in negative impacts. Providing new market rate and affordable units in a configuration consistent with other buildings on the block, would not pose a substantial detriment to the public good and would, in fact, be a form more consistent with neighborhood character.

Community Support

ANC 8D voted in support of the Application. (Ex. 23)

Petition in Support Signed by 20+ neighborhood residents. (Ex. 24)

Conclusion & Request for Approval

1

Exceptional Condition

Confluence of factors — 40+ year apartment use. Vacant building. Overwhelming apartment neighborhood — no SFH on same street frontage. Rezoning was not intended to preclude use.

2

Undue Hardship

Single-family /single-family with ADU conversion is 82.48%-114.57% more expensive. No market demand. Matter-of-right uses financially infeasible.

3

No Detriment

No physical changes proposed. Restores original use. Consistent with neighborhood use and character. Adds housing. Advances District goals. ANC and community support.