

Burden of Proof Alteration & Repair Application

Subject Property: 1350 Queen Street NE, Washington, DC 20002
Zoning District RF-1
Application #BZATmp1061

To: Office of Zoning
Government of the District of Columbia
441 4th Street, NW, Suite 210 South
Washington, DC

From: Charles M. and Dara B. Mooney
Owners/Applicants
1350 Queen Street NE
Washington, DC 20002

Date: Fri, 3/6/2020

Re: Alteration & Repair Application to increase the number of
dwelling units in an Apartment House located at 1350 Queen
Street NE, Washington, DC 20002 (Square 4076W, Lot 0057/0058)

PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

Charles M. and Dara B. Mooney, owners of 1350 Queen Street NE in Washington DC 20002, hereby apply for Special Exception per the Office of Zoning to increase the number of dwelling units in an Apartment House that is on lot that does not provide the requisite 900 sq. ft. of lot area for each dwelling unit. Pursuant to Zoning Sections E-201.7, E-5201.1(d), E-5201.3(a-c) and X-901.2.

This alteration and repair is an interior renovation to add one additional 5th unit in the cellar/basement level of the existing four unit Apartment House. Load change of existing apartment house.

I. BASIS FOR GRANT OF SPECIAL EXCEPTION RELIEF

(A) Pursuant to Zoning Sections E-201.7 – *An apartment house in an RF-1, RF-2, or RF-3 zone, whether existing before May 12, 1958, or converted pursuant to the 1958 Regulations, or pursuant to Subtitle U §§ 301.2 or 320.2, may not be renovated or expanded so as to increase the number of dwelling units unless there are nine hundred square feet (900 sq. ft.) of lot area for each dwelling unit, both existing and new.*

The existing apartment building currently has 4 units, in the R-1 zone on an 1818 sq. ft. lot (lot 0057). The existing building straddles two lots (0057 and 0058) which are both owned by the Applicants (see DC Office of Tax & Revenue map below). The two lots combined will total 3636 sq. ft. of lot space. It is noted the required lot sq. ft. would be 4500 sq. ft. in order to comply with the required 900 sq. ft. of lot space for the four existing units plus the additional 5th unit requested in this project. Additionally, these two lots (0057 and 0058) will be resized and remapped into one lot to account for the load change resulting from this project increase of 4 units to 5 units. Lastly, the official building plat change process, combining 0057 and 0058 is already underway with the Surveyor of the District of Columbia's office. At this time, the Applicants are requesting a special exception relief from this Section 201.7 lot size requirement because although the new total lot size will be 3636 sq. ft., and not 4500 sq. ft., the additional unit will be below grade and have no negative impact to land/lot usage of the tenants or neighbors.



(B) Pursuant to Zoning Sections E-5201.1(d) – The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9: minimum lot dimensions.

The applicant's apartment building is currently on two lots numbered 0057 and 0058. These two lots will be resized and remapped into one lot to account for the load change resulting from the addition of the 1 unit. The official building plat change process is already underway with the Surveyor of the District of Columbia's office.

(C) Pursuant to Zoning Sections E-5201.3(a-c) - An applicant for special exception under this section shall demonstrate that the proposed addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

a. The light and air available to neighboring properties shall not be unduly affected; Subtitle D-60;

The light and air available to neighboring properties will not be compromised. All alterations will be made to the inside and basement level of the existing apartment.

b. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and

The neighboring properties privacy or enjoyment shall not be unduly compromised. All alterations will be made to the inside and basement level of the existing apartment.

c. The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage.

All alterations will be made to the inside and basement level of the existing apartment building having no impact to the character, scale and pattern of neighboring houses along the subject street frontage or rear alley.

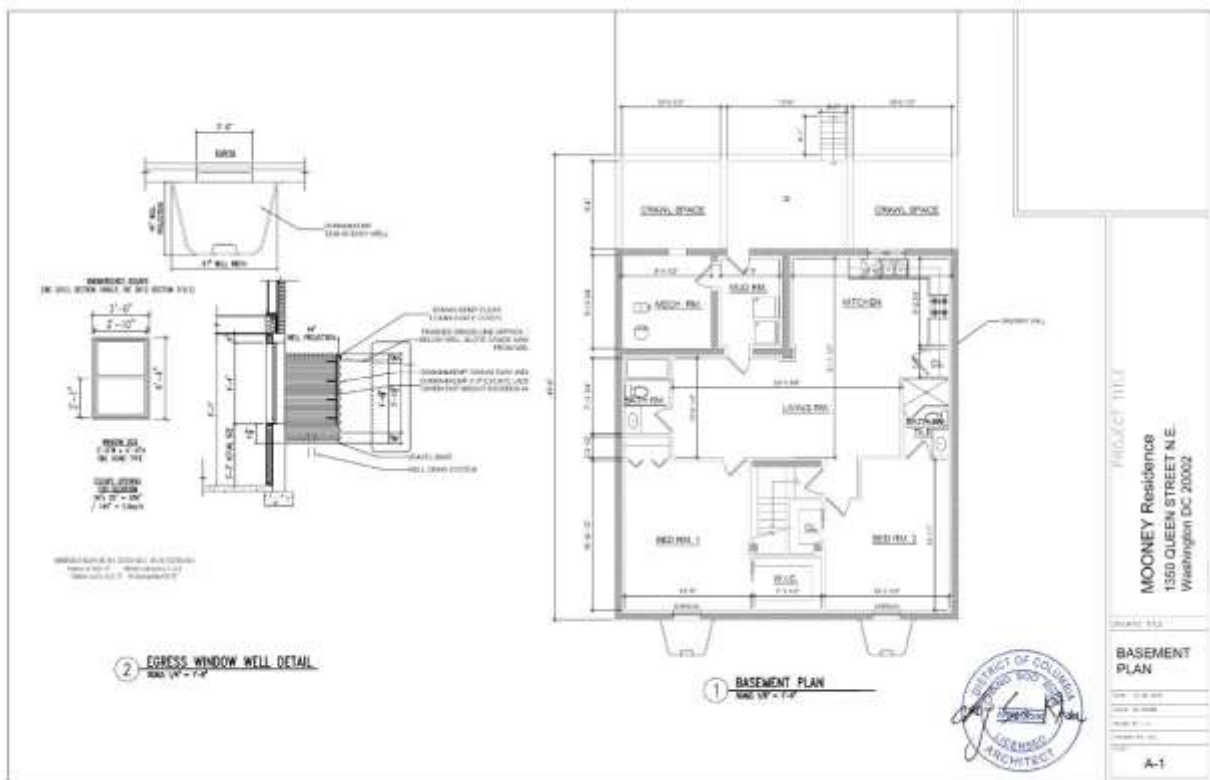
(D) Pursuant to Zoning Sections X-901.2 – The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

- a. Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

With the addition of one unit to the basement level of the existing apartment building, the general purpose and intent of the apartment building will not change.

- b. Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and

With the addition of one unit to the basement level of the existing apartment building, there will be no affect to the neighboring properties from the front, adjoining sides or rear of the existing apartment building which will remain in compliance with Zoning regulations and maps. (see architect drawing/footprint below indicating no disturbance to the surrounding buildings or neighborhords)



- c. *Will meet such special conditions as may be specified in this title.*

The applicants agree to meet any additional special conditions as set forth by the D.C. Board of Zoning Adjustment. At this time the applicant's have addressed all of the applicable Special Exceptions and respectfully request approval of this application.

II. NEIGHBORING APPROVAL

Considering the non-impact to any surrounding buildings, it is believed that there will be no objections, no harm to neighboring properties or negative consequences to neighboring property owners as a result of this alteration to the subject building. All neighbors within a 200 ft radius have been notified and no concerns have been expressed.

III. COMMUNITY OUTREACH

The Applicants will be contacting the Chairman of ANC 5D as well as the 5D07 Single Member District Commissioner for the property shortly after this Application is filed. After presenting at the ANC 5D meeting, the Applicant will seek a vote in support of this project from the ANC.

IV. CONCLUSION

The Applicants look forward to speaking with the D.C. Office of Zoning and community members at an upcoming Office of Zoning public hearing to further discuss the details of the subject property alteration, provide any additional requested explanation for this alteration request, answer questions and address any further considerations. Thank you in advance.