

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 19127 of 2800 Sherman, LLC, as amended,¹ pursuant to 11 DCMR §§ 3103.2 and 3104.1,² for variances from the lot area requirements under § 401.3, the lot occupancy requirements under § 403.2, the rear yard requirements under § 404.1, and the limitation on compact parking space requirements under § 2115.2, and special exception relief from the lot width requirements under § 2604.3, the accessory parking space location requirements under § 2116.5, and the penthouse requirements of § 411.5 to construct ten flats in the R-4 District at premises 2800 Sherman Avenue, N.W. (Square 2857, Lot 818).

HEARING DATES: December 8, 2015, and February 2 and 9, 2016
DECISION DATE: February 23, 2016

DECISION AND ORDER

The owner of the subject property, 2800 Sherman, LLC (the “Applicant”), submitted a self-certified application on August 25, 2015, seeking variances from 11 DCMR §§ 401.3 (lot area and lot width), 403.2 (lot occupancy), 404.1 (rear yard), and 2115.2 (compact parking spaces), and special exception relief from 11 DCMR §§ 400.23 (height), 2604.3 (lot width for an Inclusionary Zoning development), and 2116.5 (accessory parking space location), to construct 11 flats on 11 new record lots in the R-4 District at 2800 Sherman Avenue, N.W. (Square 2857, Lot 818) (the “Site”). Based on subsequent revisions to the site layout and simultaneous changes to the Zoning Regulations, the Applicant reduced the proposal to ten flats on 10 new record lots and withdrew its request for the variance from the lot width

¹ The Applicant’s proposal to construct ten flats on the Site was reduced from its original proposal to construct 11 flats by revised plans submitted under Exhibit 39A. The Applicant’s revised zoning calculations under Exhibit 39B reflect the withdrawal of the request for variance relief from the lot width requirements of § 401.3 and the reduction in the extent of relief needed under 11 DCMR §§ 401.3, 2604.3, 403.2, and 404.1. The caption has been revised accordingly.

² This and all other references in this Order to provisions contained in Title 11 DCMR, except those references made in the final all-capitalized paragraphs, are to provisions that were in effect on the date this Application was heard and decided by the Board of Zoning Adjustment (“the 1958 Regulations”), but which were repealed as of September 6, 2016 and replaced by new text (“the 2016 Regulations”). The repeal of the 1958 Regulations has no effect on the validity of the Board’s decision or the validity of this order. Pursuant to Subtitle A § 104 of the 2016 Regulations, the construction authorized by this Order is vested as to the area requirements contained in 1958 Regulations as of September 5, 2016.

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Board of Zoning Adjustment

District of Columbia
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CASE NO. 19127

District of Columbia

EXHIBIT NO. 48

CASE NO. 19374

EXHIBIT NO. 27L

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an exceptional or extraordinary situation or condition related to the Site that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

The Board also concludes that the Applicant has met the burden of proof for special exception relief, pursuant to 11 DCMR §§ 3104.1, 2604.3, 2116.5, and 411.5, and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED SITE PLAN SUBMITTED AS EXHIBIT 42, SHEET 8, AND THE ARCHITECTURAL DRAWINGS AT EXHIBIT 39A, SHEETS 8 THROUGH 18, AND SUBJECT TO THE FOLLOWING CONDITIONS:**

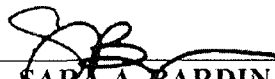
1. The Applicant shall have minor flexibility to modify the site plan in accordance with Exhibit 45, Sheet 1, if the Sherman Avenue Neighbors agree to the installation of emergency access gates as shown on that Exhibit.
2. The Applicant shall have minor flexibility to modify the site plan in accordance with Exhibit 45, Sheet 2, to include the improvements shown on the adjacent Lot 813, if the Applicant is able to acquire Lot 813, and if the Sherman Avenue Neighbors agree, and are able to get the other affected neighbors along Sherman Avenue to agree, to establish the mutual access way across the rear of their properties as shown on that Exhibit.

VOTE: 4-0-1 (Marnique Y. Heath, Frederick L. Hill, Jeffrey L. Hinkle (by absentee ballot), and Anthony J. Hood (by absentee ballot), to APPROVE; one Board seat vacant.)

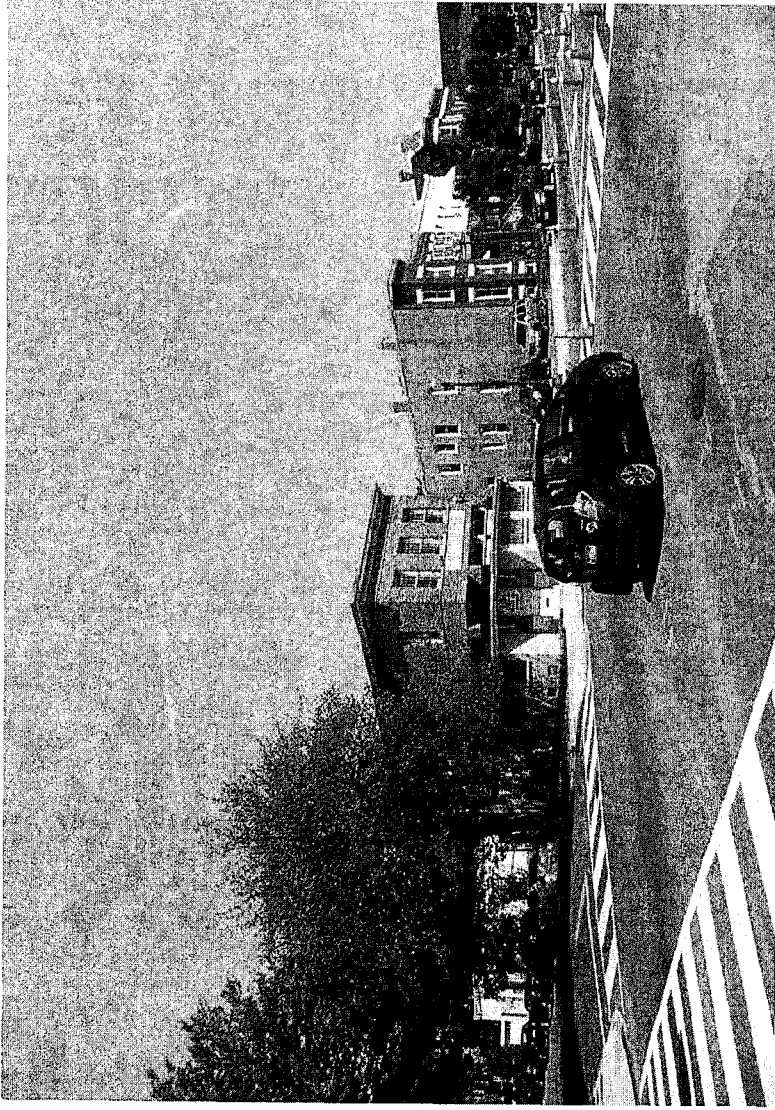
BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

ATTESTED BY: _____


SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: October 26, 2016



2800 SHERMAN AVE NW, WASHINGTON DC 20001

BZA APPLICATION NO. 19127

ZONING DISTRICT: R-4

NEIGHBORHOOD: COLUMBIA HEIGHTS

SQUARE: 2857

LOT: 0818

PROGRAM: 10 RESIDENTIAL ROW BUILDINGS

20 DWELLING UNITS

January 26, 2015

McGraw Bagnoli Architects PLLC

1726 Connecticut Ave., NW Suite 400
Washington, DC 20009
202.506.7344 mcgrawbagnoli.com

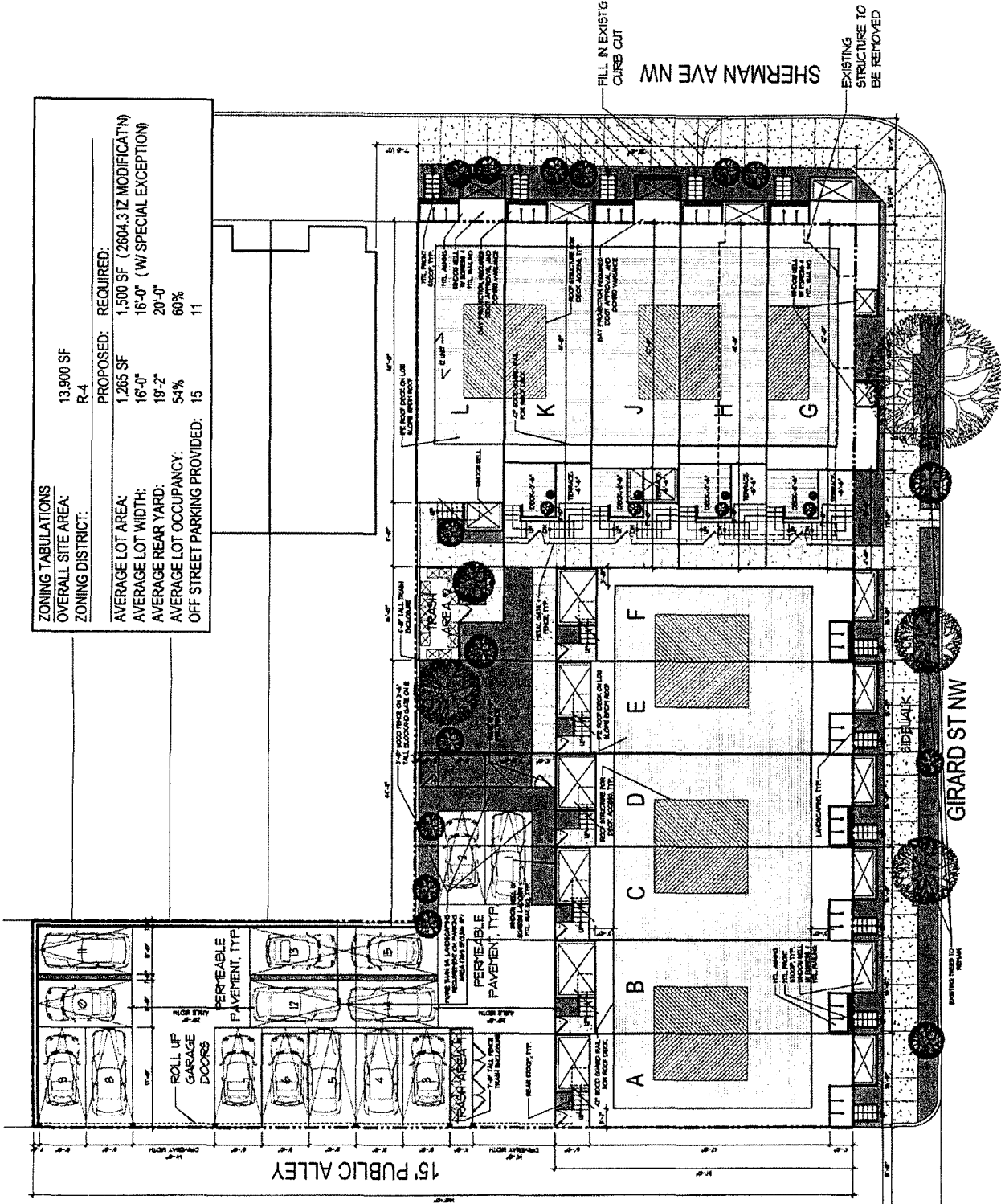
MB
ARCH

ZONING TABULATIONS
OVERALL SITE AREA:
ZONING DISTRICT:

13,900 SF
R-4

PROPOSED:

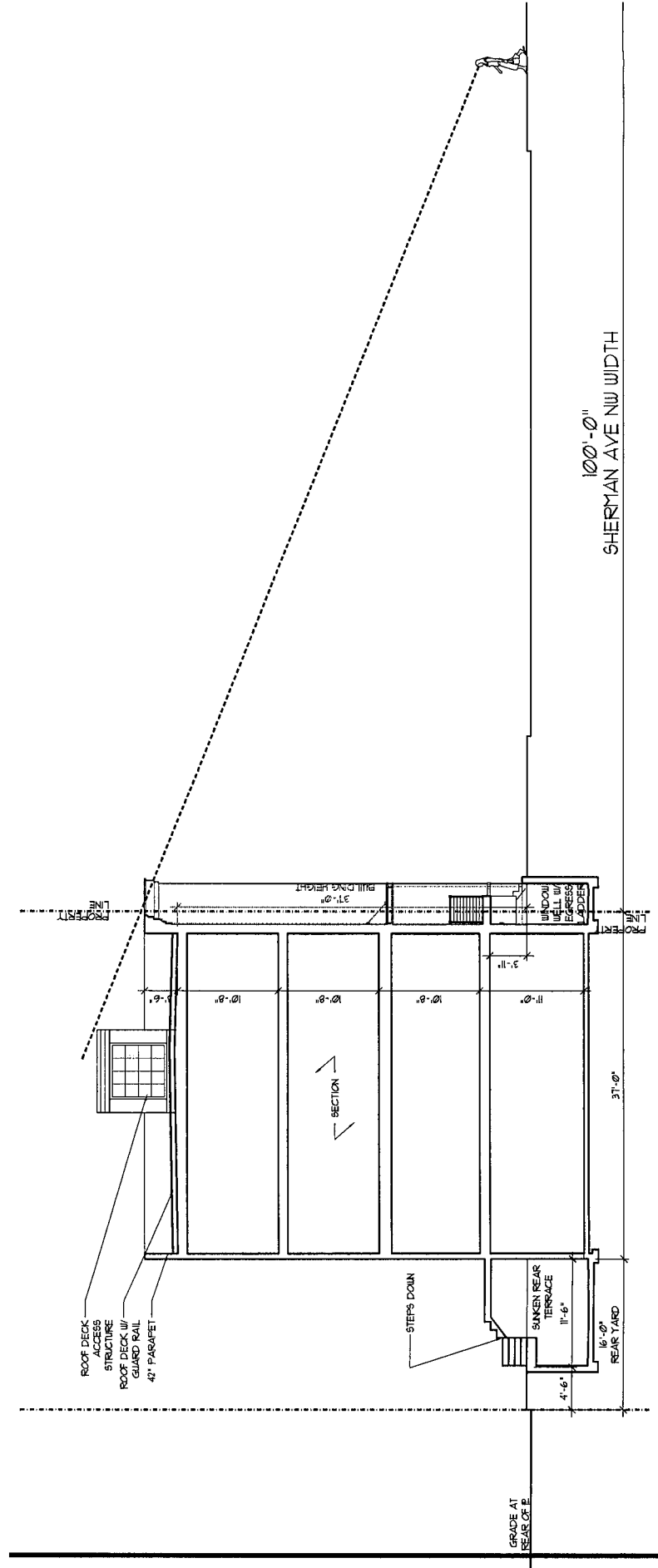
1,500 SF (2604.3 IZ MODIFICATION)
16'-0" (W/ SPECIAL EXCEPTION)
19'-2"
54%
60%
11

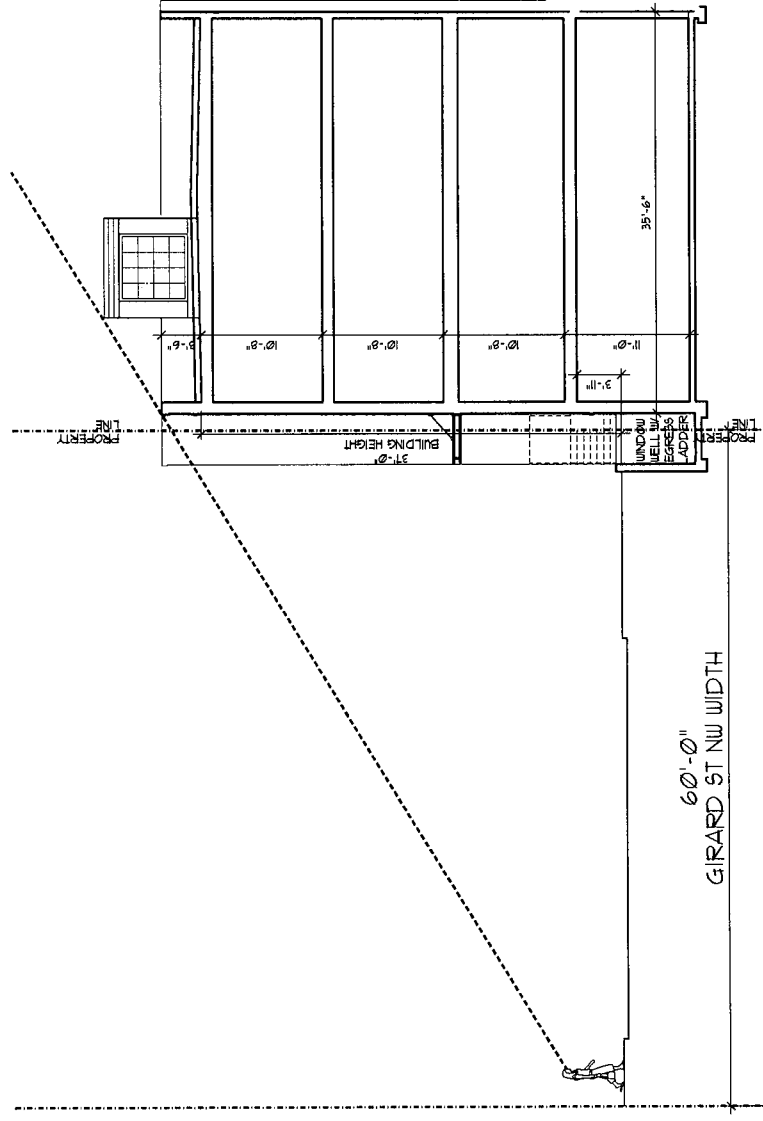


SHERMAN AVE SIGHT LINE STUDY

January 26, 2016

2800 SHERMAN AVE NW, WASHINGTON DC 20001





GIRARD ST SIGHT LINE STUDY
 5'-7" EYE LEVEL LOCATED 60' AWAY FROM PROPERTY LINE
 GIRARD ST NW STREET WIDTH = 60'