

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Brandice Elliott, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: April 20, 2018

SUBJECT: BZA Case 19718 (1800 5th Street, N.W.) to allow a nonconforming apartment house in the RF-1 zone to increase from four units to six units.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

- Subtitle E § 201.4, density of an apartment house in the RF-1 zone (900 sq. ft. per unit required; 356 sq. ft. per unit existing; 237 sq. ft. per unit proposed);

II. LOCATION AND SITE DESCRIPTION

Address	1800 5 th Street, N.W.
Applicant	Tommie Thomas for Revie Dow, LLC
Legal Description	Square 475, Lot 46
Ward, ANC	Ward 6, ANC 6E
Zone	RF-1 – Residential Flat Zones are intended to provide for areas predominantly developed with attached row houses on small lots within which no more than two dwellings are permitted. A building existing before May 12, 1958 in the RF-1 zone may be used for more than two dwelling units.
Historic District	None
Lot Characteristics	The rectangular corner lot is 1,425 square feet in area, with 25 feet of frontage along S Street, and 57 feet of frontage along 5 th Street. The lot does not have alley access.
Existing Development	The property is currently developed with a structure that was constructed in 1913 and used as a rooming house until it was remodeled into a four-unit apartment house in 1941. The structure has been vacant since 2015, when construction to modernize the structure began.
Adjacent Properties	To the north and west are row dwellings. To the south, across S Street, are additional row dwellings. To the east, across 5 th Street, are additional row dwellings.

Surrounding Neighborhood Character	The surrounding neighborhood character is moderate density residential, consisting primarily of row dwellings and apartment houses.
Proposed Development	The applicant proposes to expand a nonconforming four-unit apartment house into six units by converting the basement into two units.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – RF-1	Regulation	Existing	Proposed	Relief
Lot Width (ft.) E § 201	40 ft.	25 ft.	No change	Existing nonconforming
Lot Area (sq. ft.) E § 201	4,000 sq.ft.	1,425 sq. ft.	No change	Existing nonconforming
Density E § 201	900 sq. ft. per unit	356 sq. ft. per unit	237 sq. ft. per unit	Required
Pervious Surface E § 204	0%	Not provided	No change	None Required
Height (ft.) E § 303	35 ft.	Not provided	No change	None Required
Lot Occupancy E § 304	60%	Not provided	No change	Existing nonconforming
Rear Yard (ft.) E § 306	20 ft.	Not provided	No change	None Required
Side Yard (ft.) E § 307	Not required	Not provided	No change	None required
Parking C § 701	3 spaces	Not provided	No change	None requested

IV. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from Subtitle E § 201.4, Density of an Apartment House in the RF-1 Zone

i. Exceptional Situation Resulting in a Practical Difficulty

The existing structure was converted into a four-unit apartment house in 1941, and remained in that condition until it was vacated in 2015 to allow for intensive modernization of the building. Construction has been completed on the ground and second floors within the existing footprint and layout, including the incorporation of modern appliances, electric and plumbing upgrades, and structural floor improvements. The applicant has indicated to OP that the units are 800-900 square feet in area.

In modernizing the building, the mechanical systems that used to be located in the basement have been moved to the individual units, leaving the basement vacant. The applicant is unable to combine the basement with the first floor because code compliant circulation would disrupt the first-floor layout, creating an inefficient footprint. A modification this significant would also require the plumbing and electrical systems be redone, resulting in significant increases in cost. The applicant has further indicated that the generous size of the units does not necessitate that the basement be used as a storage area, as sufficient storage has been included in each unit. A vacant basement presents potential maintenance difficulties in that space, even while the remainder of the building is occupied.

ii. No Substantial Detriment to the Public Good

The proposed additional units should not pose substantial detriment to the public good. Exterior modifications to the building are not proposed, as the units would be fully contained in the existing basement area. Neighbors abutting the building should be minimally impacted, since additional excavation would not be necessary. In addition, the apartment house is located in a transit-rich neighborhood where additional residential density is appropriate. In working with the ANC, the applicant has agreed to screen the trash with a code-complaint enclosure, which is an improvement from its current condition.

iii. No Substantial Harm to the Zoning Regulations

The addition of two units in an existing four-unit, purpose-built apartment house should not cause substantial harm to the Zoning Regulations. The requested relief would allow the applicant to make use of otherwise unusable space to create two additional dwellings in a transit-accessible neighborhood. There are no exterior modifications proposed for the building, so the height and massing of the structure would continue to be appropriate for the neighborhood in which it is located. Because this is an existing apartment house, the proposed increase in units does not require compliance with Inclusionary Zoning (IZ) regulations; however, the applicant has agreed to consider the voluntary provision of an affordable unit through this program, but has not yet provided a commitment to do so.

V. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) has filed a report indicating no objection to the requested variance (Exhibit 34).

VI. COMMUNITY COMMENTS

At its regularly scheduled meeting on March 6, 2018, ANC 6E voted to support the requested variance to increase the apartment house from four to six units (Exhibit 33).

Attachment: Location Map

