

1201 Staples Street NE

Summary of Zoning Relief | 29 March 2018

Owner / Applicant 1201 Staples, LLC
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Burke, VA 22015
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Summary of Relief

As per U § 301.2, an existing non-residential building can be converted to a multi-family dwelling as a matter of right. The number of dwelling units is determined by dividing the lot area (2,832 sf) by 900 sf / unit. Therefore 3 units are permitted.

Pursuant to 11 DCMR Subtitle X, Chapter 9 the applicant is seeking a special exception from: the rooftop or upper floor addition requirements per Subtitle E § 206.1(a) / U § 301.2(e); to alter the existing roofline and construct a third floor addition in an RF-1 zone at 1201 Staples St, NE (Square 4067, Lot 002).

The Board of Zoning Adjustment is authorized to grant relief from development standards of Subtitle E as a special exception as noted in Subtitle U, Chapter 3, Section 320.3.

Specifically, the Applicant is seeking relief from the following regulations of Subtitle E, Chapter 2:

- E 206.1(a) / U 301.2(e) A roof top architectural element original to the building such as cornices, porch roofs, a turret, tower, or dormers, shall not be removed or significantly altered, including shifting its location, changing its shape or increasing its height, elevation, or size. For interior lots, not including through lots, the roof top architectural elements shall not include identified roof top architectural elements facing the structure’s rear lot line. For all other lots, the roof top architectural elements shall include identified rooftop architectural elements on all sides of the structure.

Background

The property is located at 1201 Staples Street NE, Lot 0002 of Square 4067 in the Trinidad neighborhood which is also within the ANC 5D boundary. It is currently zoned RF-1. The lot width is 34.3’ and the depth is 82.5’. The lot area is 2,832 square feet. A building restriction line of 10’ is located along Staples St. An additional building restriction line of 15’ is located along Morse St.

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Given the front and side building restriction lines, a third-floor addition is required to create a more viable unit size. The applicant is seeking relief from requirement to maintain the existing roofline.

The applicant is not seeking relief from any other sections of the zoning regulations at this time.

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Conclusion / Burden of Proof

Per Subtitle U, Section 320.3, the applicant 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) No special exception relief shall be available from the requirements of Subtitle U § 301.2(a);
Response: Not applicable, no relief to U 301.2(a) is being sought.

- b) Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular;
 1. The light and air available to neighboring properties shall not be unduly affected;
Response: The adjacent property to the east has a full privacy fence along that edge and garage door. The proposed addition would have minimal impact to light and air. Additionally, the adjacent property faces Southeast and will continue to benefit from the light on that exposure. The proposed addition also provides additional privacy to the neighboring rear yard from Morse Street.

 2. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and
Response: The privacy of use and enjoyment to neighboring properties is essentially unchanged with the proposed addition.

 3. The conversion and any associated additions, 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 or alley;
Response: 1123 and 1200 Staples are of similar mass and composition. Therefore the proposed addition is generally in harmony, both in scale and architectural character and is of a similar scale to projects at adjacent corner properties.

- c) In demonstrating compliance with Subtitle U § 320.3(b) the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways; and;
Response: Refer to submitted architectural plans, elevations, and site plan.

- d) The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties, or to maintain the general character of a block
Response: Noted.

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Per Subtitle X, Section 901.2 the Board of Zoning Adjustment is authorized to grant special exceptions, provided that the special exceptions:

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

Response: The proposed construction of an addition to a single family, attached row dwelling previously used as a church, is consistent with the purpose and intent of residential flat zones.

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

Response: The requested relief from listed requirements will not adversely affect the use of the neighboring properties.

- c) Subject in specific cases to the special conditions specified in this title.

Response: This is not applicable to this application.

Per Subtitle E, Section 5203.3, A special exception to the requirements of Subtitle E § 206 shall be subject to the conditions of Subtitle E § 5203.1(b), (c), and (d).

- a) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;

Response: There are no adjacent chimneys or external vents.

- b) Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator;

Response: There are no adjacent solar energy systems.

- c) A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size;

Response: Such alterations are permissible by Special Exception per E-206.2.