

BOARD OF ZONING ADJUSTMENT
SPECIAL EXCEPTION APPLICATION

APPLICANT'S STATEMENT

ROK Development LLC
524 Jefferson Street, N.W.; Square 3209 Lot 102

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT:

ROK DEVELOPMENT LLC (the "Applicant") is the owner of the property located at 524 Jefferson Street, N.W.; Square 3209 Lot 102 (the "Property"), which is zoned RF-1.

The improvements on the Property currently consist of a two-story plus cellar, single-family row dwelling. The Applicant proposes to convert the Property to three (3) residential flats and construct an addition to the existing building. The Applicant requests the Board of Zoning Adjustment to grant special exception for the proposed project presented pursuant to Subtitle U § 320.2.

II. BACKGROUND AND DESCRIPTION OF THE PROPERTY:

A. Surrounding Area - The Property is located at 524 Jefferson St NW and zoned RF-1. This area is a thin strip of RF-1 Zoning along Jefferson street that separates the higher density MU-4 zone on Kennedy St NW to the north from the lower density R-3 zone from Ingraham St NW to the south.

Abutting the Property to the east are single-family row dwellings of similar size and character as the Property. Abutting the Property to the west is a four level multi-unit apartment building, built probably in the 1950's. Abutting the Property to the north is Jefferson Street. North of the street are row houses, an apartment block and one detached single-family home. Abutting the Property to the south is a public alley.

B. Project Description - The Applicant plans to alter, renovate and expand the existing building by constructing a third floor on top of building and extend the existing building to the rear by eighteen (18) feet. The converted building will contain two two-bedroom units facing Jefferson in the front half of the building and the rear half will contain one four-bedroom unit facing the rear garden and the two parking spaces proposed. There will be a cellar level corridor serving all units for access to the Jefferson Street frontage and to the alley in the rear.

The new third floor will take the overall building height from approximately twenty-seven and half (27.5) feet to thirty-three point one (33.1) feet which is below the maximum allowed thirty-five (35) feet. The rear extension proposed will not extend beyond the apartment building to the west of the Property and will extend eighteen (18) feet beyond the back wall of the Property to the east. The rear elevation is designed to create visual appeal along the alley.

The building design provides one three-bedroom family house as well as two smaller flats with one bedroom plus den and two bedrooms respectively within the row house. This project is an opportunity to creatively increase the housing stock by providing a mix of unit sizes that will appeal to different

potential buyers along a range of affordability. The project serves a transition point between multi-unit condo buildings to the west and single family rowhouses to the east without significantly changing the scale, pattern or character of the neighborhood streetscape in front along Jefferson Street and in the rear along the alley.

According to long term property owners on the 500 block of Jefferson St. NW, the Property was previously used 3 separate apartments at some time in the past before its reconversion back to a single-family dwelling.

III. THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS OF SUBTITLE U § 320.2. A.

A. Requirements of Subtitle X § 901.2. The granting of a special exception in this case “will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps” and “will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps ...” (11 DCMR Subtitle X § 901.2).

The alteration, renovation and expansion of the building is in harmony with the purpose and intent of the Zoning Regulations and Zoning Maps and will not adversely affect the row dwellings to the east of the Property or the apartment building to the west of the Property. The rear elevation design will improve the views along the alley without compromising the light, air, and privacy of the neighbors.

B. Requirements of Subtitle U §320.2. The proposal in this Application satisfies the requirements of 11 DCMR Subtitle U § 320.2(a) through 320.2(l) as follows:

Section 320.2(a) “The maximum height of the residential building and any additions thereto shall not exceed thirty-five feet (35 ft.), except that the Board of Zoning Adjustment may grant a special exception from this limit to a maximum height of forty feet (40 ft.) provided the additional five feet (5 ft.) is consistent with Subtitle U §§ 320.2(f) through 320.2(i);

The project contemplates an increase in height of the roof level from 27.5 ft to 33.1 ft which is below the allowed thirty-five feet (35ft) limit. Applicant has submitted plan and photographs along with this application.

Section 320.2(b) The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Subtitle C, Chapter 10, Inclusionary Zoning, including the set aside requirement set forth at Subtitle C § 1003.6;

The proposed project increased the number of dwelling units on the Property from one (1) unit to three (3) units. Inclusionary Zoning and the set aside requirements of Subtitle C § 1003.6 do not apply.

Section 320.2(c) There must be an existing residential building on the property at the time of filing an application for a building permit;

There is an existing residential building on the Property at this time which shall remain there at the time an application for a building permit is filed.

Section 320.2(d) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per dwelling unit;

The proposed structure includes three (3) units, requiring a minimum of 2,700 square feet of land. The Property is 20 ft wide by 140 ft deep and has 2,800 square feet of land which satisfies the minimum of 2700 sq. ft. required area.

Section 320.2(e) An addition shall not extend further than ten feet (10 ft.) past the furthest rear wall of any principal residential building on the adjacent property;

The proposed rear addition extends more than ten feet (10 ft.) past the adjacent property to the east. The Applicant is requesting a waiver from the 10-foot rule to allow for a total of eighteen feet (18 ft.) rear extension. The proposed addition shall not extend as far back as the existing apartment building to the west. (Please see photographs, plans and images presented separately with this application).

Section 320.2(f) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent compliant with any District of Columbia municipal code on an adjacent property. A chimney or other external vent must be existing and operative at the date of the building permit application for the addition;

The addition, including roof structures, will not block or impede the functioning of any chimney or other external vent on the adjacent properties as shown on the plans submitted with this application.

Section 320.2(g) Any addition, including roof structure or penthouse, shall not significantly interfere with the operation of an existing solar energy system of at least 2kW on an adjacent property unless agreed to by the owner of the adjacent solar system;

The addition will not interfere with the operation of an existing or permitted solar energy system on any adjacent property. The Applicant is not aware of any active solar energy system of at least 2kW on an adjacent property.

Section 320.2(h) A roof top architectural element original to the house 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;

The Applicant requests a waiver from Section 320.2(h) and proposes to alter and change the shape and size of the roof top dormers to accommodate the top floor addition and to add a usable balcony to the top of the front porch. The Applicant's design team studied the streetscape closely and researched analogues of front facades to come up with alterations that are in keeping with the architectural style and pattern to allow visual continuity along the streetscape. The streetscape already has a significant architectural language change on the adjacent apartment building to the west which juts out beyond the front porch of the Property. The adjacent apartment building has a vertical brick frontage with a roof parapet height at 30.5 ft.

The Applicant proposes to use real dormer windows to replace the ornamental fake dormers to serve the 3rd floor addition. The slope of the mansard roof shall be changed slightly to allow for functional usable space in the bedrooms on the 3rd floor addition (as shown on the plans and images submitted with this application). The porch roof shall remain intact as originally designed but shall be reinforced to carry a usable balcony. An areaway with steps will be introduced to access the cellar bedrooms and allow light and air onto the cellar level.

Section 320.2(i) 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;

The light and air available to neighboring properties shall not be unduly affected. The Applicant is proposing an additional eight feet (8ft), beyond the ten feet (10ft) allowed by right, in rear addition. Along the west property line, the adjacent apartment building is set back from the property line by 9 ft. The Property and adjacent lot to the east are very long at one hundred and forty feet (140ft) and sloping to the south with current rear yard setback of 90.5 ft from the back wall of the existing buildings to the alley. With the proposed eighteen feet (18ft) rear addition there remains 72.6ft of unimpeded rear property open space with light and air available. (See site section and shadow study images as part of the drawings).

***(2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
and***

The privacy and use and enjoyment of neighboring properties shall not be unduly compromised, as the addition shall not have any east or west facing windows. The addition shall not have any roof deck platforms from where clear line of sight visibility into neighbor's yards would be possible.

(3) The conversion and any associated additions, as viewed from the street, alley and any other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street or alley;

The addition in the Applicant's opinion does not visually intrude upon the character, scale, and pattern of houses along the subject street and alley. The Applicant's design team studied the streetscape closely to come up with alterations that are in keeping with the architectural style and pattern to allow visual

rhythm continuity along the streetscape. The streetscape already has a significant architectural language change on the adjacent apartment building to the west which juts out beyond the front porch of the Property. Please see images attached to this application.

Section 320.2(j) In demonstrating compliance with Subtitle U § 320.2 (i) the applicant shall use graphical representations such as plans, photographs, or elevations and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways;

The Applicant has submitted detailed plans, diagrams and pictures showing the relationship of the proposed addition to the neighborhood properties and public ways.

Section 320.2(k) The Board of Zoning Administration may require special treatment in the way of design, screening, exterior or interior lighting, building materials or other features for the protection of the adjacent or nearby properties or to maintain the general character of a block;

No special treatment is necessary because the addition will maintain ample open space and will be appropriate in size and scope for the site and shall be consistent with the design character of the neighborhood.

Section 320.2(l) The Board of Zoning Administration may modify or waive not more than three (3) of the requirements specified in Subtitle U § 320.2(e) through § 320.2(h) provided that any modification or waiver granted pursuant to this subsection shall not conflict with Subtitle U § 320.2(i).

The applicant is requesting waivers from;

- (1) Subtitle U § 320.2(e) Which prohibits additions from extending more than ten feet (10ft) past the farthest rear wall of any adjacent building. The proposed rear addition extends more than ten feet (10 ft.) past the adjacent property to the east. The Applicant is requesting a waiver from the 10-foot rule to allow a total of eighteen feet (18 ft.) rear extension to the Property.
- (2) Subtitle U § 320.2(h) which states “A roof top architectural element original to the house 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” Applicant proposes to alter the and change the shape and size of the front roof mansard and roof top dormers to accommodate the top floor addition and to make a useable balcony on top of the front porch. The Applicant’s design team studied the streetscape closely to come up with alterations that are in keeping with the architectural style and pattern to allow visual continuity along the streetscape.

IV. CONCLUSION

Applicant submits that this application meets the requirements for special exception approval by the Board of Zoning Adjustment for the reasons stated above. The Applicant respectfully requests that the Board of Zoning Adjustment grant the requested special exception reliefs.

Sincerely,



Babajide Alade
ROK Development LLC
30th April 2018