

SUPPLEMENTAL REPORT

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: October 29, 2018
SUBJECT: BZA Case 19820 1128 Buchanan Street NW to permit conversion of an existing non-residential building to a three-unit apartment house in the RF-1 zone.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **recommends approval** of the following special exception relief pursuant to X § 901.1:

- Subtitle U § 320.2, Conversion of an Existing Non-Residential Building to an Apartment House.

Subject to the following conditions:

- Removal of the proposed roof deck and spiral roof deck access stairs, which would mitigate the impact of the proposal by lessening visual and privacy impacts; and
- Reduction in the width of the rear decks or provision of screening on the east and west sides, which would mitigate the impacts to privacy of use and enjoyment at 1126 and 1130 Buchanan Street NW.

II. BACKGROUND

At the October 10, 2018 public hearing, the Board of Zoning Adjustment (BZA) requested additional information from OP regarding the following items.

Decks

The ten-foot rule would not apply to the decks. Subtitle E § 205.4 states, “a rear wall of an attached or semidetached building shall not be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property.”

The size of any proposed deck would be limited by the relevant rear yard and lot occupancy requirements of the zone. The subject property is zoned RF-1 with a 20-foot rear yard requirement and 60% lot occupancy maximum, which are being met in this case.

Definitions

The BZA asked whether the Zoning Regulations included a definition of “family.” The term “family” is not defined in the Zoning Regulations, but the following related terms are defined in Subtitle B, Chapter 1.

Dwelling Unit: One (1) or more habitable rooms comprising complete independent living facilities for one (1) or more persons, and including within those rooms permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit is intended for a single household.

Household: Shall be defined as one (1) of the following:

- (a) One (1) family related by blood, marriage, adoption, or foster agreement;
- (b) Not more than six (6) persons who are not so related, living together as a single house-keeping unit;
- (c) A religious community having not more than fifteen (15) members; or
- (d) A residential facility providing housing for up to six (6) persons with disabilities and two (2) caregivers. For purposes of this subsection, a "disability" means, with respect to a person, a physical or mental impairment which substantially limits one (1) or more of such person's major life activities, or a record of having, or being regarded as having, such an impairment, but such item does not include current, illegal use of a controlled substance.

Shadow Study

The BZA also requested that the Applicant provide a shadow study. The study indicates morning shading in the spring and fall and afternoon shading in the summer for 1130 Buchanan Street NW and afternoon shading in the spring and fall and afternoon shading in the summer for 1126 Buchanan Street NW. The shading should not result in an undue impact to the adjoining properties on Buchanan Street NW.