

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director for Development Review

DATE: October 12, 2018

SUBJECT: BZA #19821 – 1322 Randolph Street, NW – Special Exception to permit the conversion of a row dwelling to a three-unit apartment building

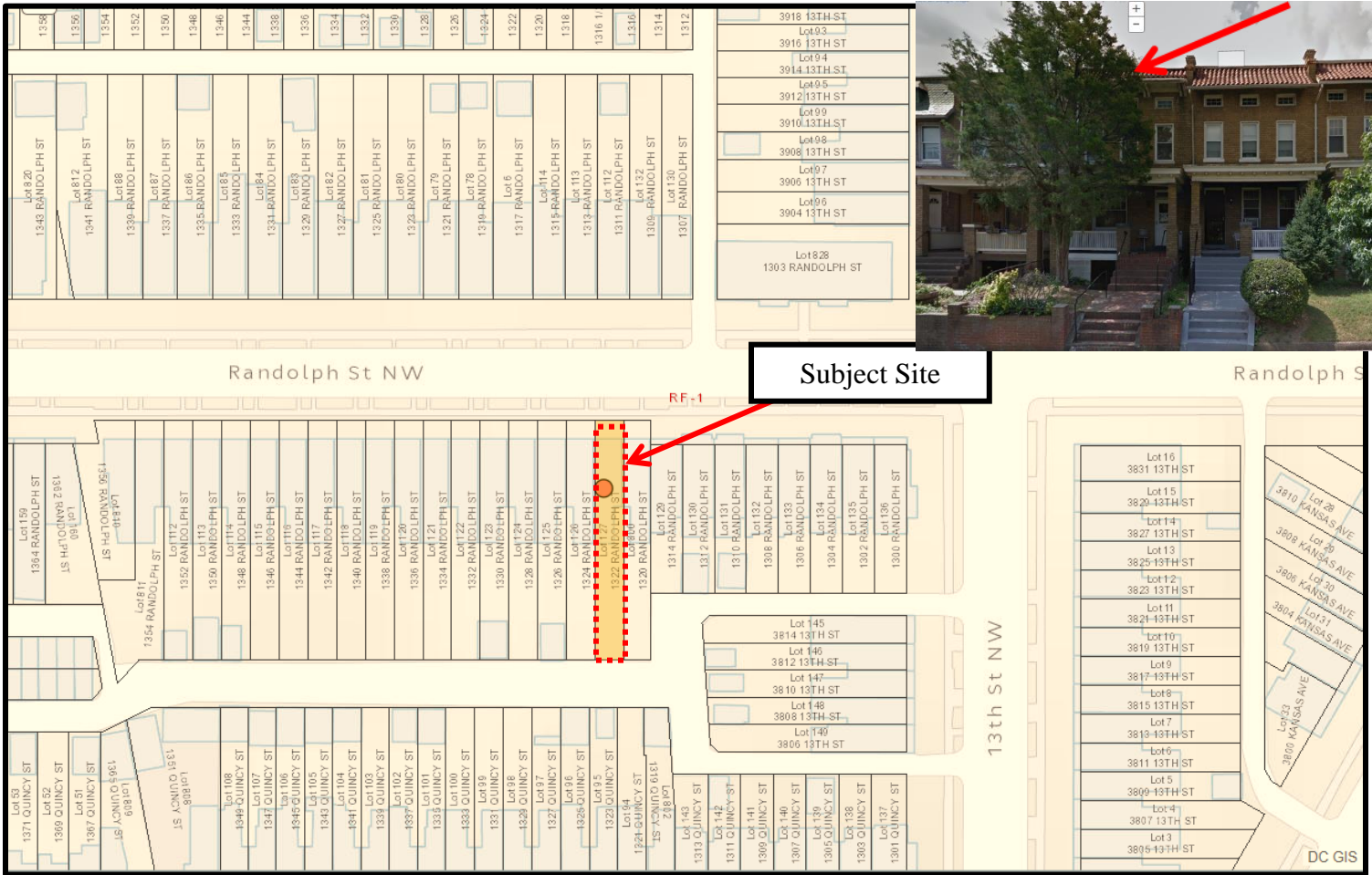
I. RECOMMENDATION

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

- U § 320.2, pursuant to Subtitle X, Chapter 9 (Existing single-family dwelling; Conversion to an apartment permitted by special exception; Three units proposed).

II. LOCATION AND SITE DESCRIPTION

| | |
|--|---|
| Applicant | 1322 Randolph Street, NW, LLC |
| Address | 1322 Randolph Street, NW |
| Legal Description | Square 2825, Lot 0127 |
| Zoning | RF-1 (Attached Single Family and Flat; Apts. permitted by spec. ex.) |
| Ward and ANC | 4, 4C |
| Historic District or Resource | None |
| Lot Characteristics and Existing Development | Roughly flat rowhouse lot at the rear with a raised elevation to the front; Existing two-story brick row dwelling with cellar abutting an alley at the rear. |
| Adjacent Properties and Neighborhood Character | The neighborhood has a variety of residential uses, including one-family dwellings, flats and small apartment buildings, including at the corner of Randolph and 13 th Streets. |
| Project Description | Expand an existing single-family dwelling and convert it to a three - unit apartment building. The project would increase the height of the building to three stories and 35 feet, with the third story set back five feet from the existing façade. The addition would also increase the depth of the building by 10 feet. |



III. ZONING REQUIREMENTS AND RELIEF REQUESTED

| RF-1 Zone | Regulation | Existing | Proposed | Relief |
|--------------------------|--|--------------------|----------------------|---------------|
| Lot Width E § 201 | 18 ft. | 18 ft. | No change | None required |
| Lot Area E § 201 | 1,800 sf | 2,700 sf | No change | None required |
| Height E § 303 | 35 ft. – matter-of-right 40 ft. – special exception | 28.67 ft. | 35 ft. | None required |
| Lot Occupancy E § 304 | 60% | 28.4% 766.80 sf | 42.7% 1,152.90 sf | None required |
| Rear Yard E § 305 | 20 ft. | 72.3 ft. | 62.3 ft. | None required |
| Side Yard E § 307.4 | Existing non-conforming side yard may not be reduced | 0' | 0' | None required |

| RF-1 Zone | Regulation | Existing | Proposed | Relief |
|--|--|----------------|-----------------------------------|------------------|
| Conversion to Apt. U § 320.2 | 3 or more units by special ex., w/ 900 sf lot area / unit | 1 units | 3 units (900 sf / unit) | Requested |
| Rear Yard / Depth of Rear Addition U § 320.2(e) | Addition may not extend more than 10' past rear wall of adjacent house | 0 ft. | 10 ft. beyond both abutting homes | None required |

IV. ANALYSIS

Apartment Conversion

Subtitle U § 320.2 allows, as a special exception, the conversion of a structure to an apartment building, subject to the following criteria.

320.2 *Conversion of an existing residential building existing prior to May 12, 1958, to an apartment house shall be permitted as a special exception in an RF-1, RF-2, or RF-3 zone if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to the following conditions:*

- (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 existing height of the building is 28.67 feet. The height would be increased to 35 feet with the proposed third floor addition.

- (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 proposal would result in three units on the property and would not be subject to the Inclusionary Zoning requirements.

- (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 two-story, single-family row dwelling on the property.

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

The lot area would satisfy the minimum lot area per unit requirement.

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

The applicant's proposed rear addition would not extend 10 feet beyond the rear walls of abutting properties to the east and west.

- (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 proposed third story addition would not appear to block or impede the functioning of a chimney or external vent on an adjacent property.

- (g) *Any addition, including a 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 energy system....*

The Applicant is still working with the adjacent neighbor to the west regarding a solar panel agreement. The neighbor requested some clarifications with regard to lot dimensions. The applicant does not anticipate that the requested relief or statement would be impacted. Details would be provided by the applicant prior to or at the hearing.

- (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 proposed design would maintain existing architectural details of the facade as the proposed addition would be set back five feet from the front façade.

- (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 the adjacent properties should not be unduly affected as the addition would not extend above or beyond that anticipated by the regulations. The decks proposed beyond are 6 feet in length beyond the addition and would remain open to the sky.

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

Privacy should not be unduly impacted. There would be no windows on the east or west elevations facing directly onto the adjacent rear yards. The rear balconies would permit some visibility onto the adjacent property, but not to a higher degree than a matter-of-right project on the subject site would allow.

- (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;*

Buildings on the street generally have a standard architectural style with respect to the roof elements. The proposed addition would be set back from the front façade five feet to reduce the visual impact on the extant row; the resulting building would be within the matter-of-right height limit. Similarly, on the alley side, the proposed extension of the building would not visually intrude upon the character of the buildings in the vicinity as the bulk and lot occupancy would remain well within the limits of the zone's maximum permitted lot occupancy and minimum rear yard requirements.

- (j) *In demonstrating compliance with Subtitle U § 320.2(i) 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;*

The applicant included plans and elevations, with photographs of the existing neighborhood character and dimensioned section drawings.

- (k) *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;*

OP recommends no special treatments or conditions.

- (l) *The Board of Zoning Adjustment 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 section shall not be in conflict with Subtitle U § 320.2(i); and*

The applicant has not made a request for any waivers from the requirements of this section.

- (m) *An apartment house in an RF-1, RF-2 or RF-3 zone, converted from a residential building prior to June 26, 2015, or converted pursuant to Subtitle A §§ 301.9, 301.10, or 301.11 shall be considered a conforming use and structure, but shall not be permitted to expand either structurally or through increasing the number of units, unless approved by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, and this section.*

Not applicable.

V. COMMENTS OF OTHER DISTRICT AGENCIES

A DDOT report noting no objection to the proposal is filed at Exhibit 33. As of this writing there are no other comments from agencies in the record.

VI. COMMUNITY COMMENTS TO DATE

The ANC-4C met on October 10, 2018 to consider the application, and the ANC report noting support with conditions is filed at Exhibit 37. There are also two letters in opposition, at Exhibits 35 and 36 as of the date of this report.