

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Brandice Elliott, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: September 21, 2018

SUBJECT: BZA Case 19824 (1347 G Street, S.E.) to permit a third story addition to an existing nonconforming row dwelling.

I. OFFICE OF PLANNING RECOMMENDATION

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

- Lot Occupancy, Subtitle E § 304.1, pursuant to Subtitle X § 1000 (60% maximum permitted; 77% existing; 77% proposed for third story addition); and
- Additions to Nonconforming Structures, Subtitle C § 202.2, pursuant to Subtitle X § 1000.

II. LOCATION AND SITE DESCRIPTION

Address	1347 G Street, S.E.
Applicant	Sullivan & Barros, LLP for 1347 G St SE, LLC
Legal Description	Square 1044, Lot 19
Ward, ANC	Ward 6, ANC 6B
Zone	RF-1 is intended to provide for areas predominantly developed with attached row houses on small lots within which no more than two dwelling units are permitted. Flats are permitted by-right.
Historic District	None
Lot Characteristics	The subject property is a trapezoid shape having 1,014 square feet of area. The lot has 20 feet of width along G Street, and 22.55 feet of width at the rear of the lot, abutting a 10-foot wide public alley.
Existing Development	The property is currently developed with a nonconforming row dwelling constructed in 1918.
Adjacent Properties	To the north, across G Street, are existing row dwellings. To the south, across the public alley, are existing row dwellings consisting of mixed uses. To the east and west and existing row dwellings.
Surrounding Neighborhood Character	The surrounding neighborhood character is predominantly moderate density residential, consisting largely of row dwellings. To the south, along Pennsylvania Avenue, are a variety of neighborhood serving commercial uses.

Proposed Development	The applicant proposes to convert an existing nonconforming row dwelling into a flat, which is a matter-of-right use, and construct a third story that would exceed maximum lot occupancy requirements. The overall height of the row dwelling would be 34.58 feet, which is less than the 35 feet permitted by-right. A complaint roof deck would be provided above the third story, incorporating parapet walls that do not have setback requirements. While the design of the access hatch to the roof deck is still under consideration, the applicant has verified that it would be compliant and would not require relief.
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III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – RF-1	Regulation	Existing	Proposed	Relief
Lot Width § 201	18 ft.	20 ft.	No change	None required
Lot Area § 201	1,800 sq.ft. min.	1,014 sq.ft.	No change	Existing nonconforming
Pervious Surface § 204	0%	Not provided	No change	None required
Lot Occupancy § 304	60% max.	77%	77 % for third floor	Requested
Height § 303	35 ft. max.	24.33 ft.	34.33 ft.	None required
Front Setback § 305	Range not provided	Not provided	No change	None required
Rear Yard § 306	20 ft. min.	6.66 to 17 ft.	No change	Existing nonconforming
Side Yard § 307	None required	None provided	No change	None required
Additions to Nonconforming Structures C § 202	Addition shall not increase or extend any existing, nonconforming aspect of the structure, or create a new nonconformity.			Requested
Parking C § 701.5	1 per 2 dwelling units	None provided	No change	Existing nonconforming

IV. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from Subtitle E § 304, Lot Occupancy, and Subtitle C § 202, Additions to Nonconforming Structures

i. Exceptional Situation Resulting in a Practical Difficulty

Although the proposed third story addition would have a lot occupancy of 77% where 60% is permitted, it would have the same lot occupancy as the existing lower levels of the dwelling. The existing dwelling was constructed in 1918, prior to the adoption of the 1958 Zoning Regulations, and is located on a lot of 1,014 square feet, which is 56% of the area required by the current Zoning Regulations.

The applicant has provided a letter from a structural engineer (Exhibit 36B) providing that a reduction of the third story to a compliant lot occupancy of 60% would require an additional support beam under the third-floor wall to carry the roof load, and extension of the columns down to the foundation. As a result, a reduction in the third-floor area would impact the internal configuration of the third story, including the loss of two bedrooms, and would impact the open floor design of lower levels. A reduction would also substantially increase the cost of construction and could cause additional disturbance to adjoining neighbors.

As provided by the applicant, the size of the lot and structural implications of reducing the area of the third story result in an exceptional situation resulting in a practical difficulty.

ii. No Substantial Detriment to the Public Good

The proposed third story with 77% lot occupancy should not cause substantial detriment to the public good. The addition would have the same footprint as the existing dwelling, and should not significantly impact light and air to adjacent properties. The architectural features of the third story have been modified to respond to comments from the community, and are consistent with features found on other dwellings on the same block. In addition, several letters of support have been provided to the record from neighbors along the same street, including from the neighbor located to the west of the subject property (Exhibits 33, 34, and 35).

iii. No Substantial Harm to the Zoning Regulations

The proposed third story lot occupancy should not cause substantial harm to the Zoning Regulations. The dwelling was constructed prior to the adoption of the 1958 Zoning Regulations on a substandard lot. The third story meets the intent of the Zoning Regulations in that it does not exceed height requirements and would not exceed the existing lot occupancy on the property.

V. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this writing, comments of other District Agencies had not been received.

VI. COMMUNITY COMMENTS TO DATE

At its regularly scheduled meeting on September 11, 2018, ANC 6B voted to recommend approval of the requested relief. In addition, three letters of support have been provided to the record (Exhibits 33, 34, and 35).

Attachment: Location Map

Location Map

