

Staff Report

TO: District of Columbia Board of Zoning Adjustment

FROM: Crystal Myers, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: October 18, 2019

SUBJECT: BZA #20121 – 639 Atlantic ST SE-- variance relief for a medical office use

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **Denial** of the following:

- Variance Relief for medical office use

LOCATION AND SITE DESCRIPTION

Address	639 Atlantic ST SE
Applicant:	Bello, Bello & Associates, LLC on behalf of Angelina Dickerson
Legal Description	Square 6163, Lot 127
Ward / ANC	Ward 8; ANC 8E
Zone	R-2
Historic District or Resource	N/A
Lot Characteristics	75' x 110' lot.
Existing Development	Vacant building- previously used as a Community-Based Residential Facility
Adjacent Properties	Semidetached residences
Surrounding Neighborhood Character	The neighborhood is predominantly semidetached housing.
Proposal	The requested relief is to permit a medical office use in an existing single-family detached building. The Applicant intends to provide on-site and home-based medical and support services to older adults that include case management, community support, individual therapy, and medication management

II. LOCATION MAP



III. ANALYSIS

Variance Relief pursuant to X § 1000 to allow a medical office use.

Exceptional Situation Resulting in an Undue Hardship:

The Applicant is proposing to operate a medical office use in an existing single-family house. The house has been a Community-Based Residence Facility for over 13 years, for which limited interior alterations were done to make it handicap accessible for residents.

The Applicant argues that the property's size and handicap accessible alterations make it difficult to rent out for residential use. They argue that the property is unique because at 8,250 sq.ft. and 75 ft wide it is larger than most properties in this area. It is also the only single-family detached house in this area, which is composed of mostly multifamily and semidetached houses.

OP is unable to support the Applicant's arguments. No evidence has been provided to show that it is no longer feasible for the building to be used for the intended residential purposes for which the structure was originally constructed. There appears to be no significant interior or exterior alterations to the building to prevent it from continuing as a residential building or other use permitted, and therefore anticipated, by the low-density residential zone.

No Substantial Detriment to the Public Good:

Although the loss of a potential residential unit in a residential zone is not in the public good, the proposed medical office use itself should not cause substantial detriment to the public good. The Applicant is planning for 4-10 employees and there is an existing 4-car parking lot on site. The application states that the employees would spend most of the day off-site and in the community to provide services to nearby residents.

No Substantial Harm to the Zoning Regulations:

Although OP is supportive of neighborhood serving medical offices, the proposed use is not permitted in this zone, so the proposal would be contrary to the intent of zoning to locate such uses in commercial or mixed-use zoned areas, particularly since the Applicant has not submitted sufficient evidence to support their argument that the property can no longer be used as a residence.

IV. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT submitted a report noting potential minor impacts but overall no objection to the proposal is provided, (Exhibit 34). As of the writing of this report, no other District agency comments have been submitted to the record.

V. COMMUNITY COMMENTS

As of the writing of this report, no community comments have been submitted to the record.

As of the writing of this report, ANC 8E has not submitted a report to the record.