

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
JL Joel Lawson, Associate Director for Development Review

DATE: November 24, 2020

SUBJECT: BZA #20290 – 421 T Street, NW – Request for relief to expand and convert an existing single family dwelling into a seven-unit apartment building

I. RECOMMENDATION

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

- U § 320.2 Special exception to convert a single family dwelling to an apartment house.

II. LOCATION AND SITE DESCRIPTION

Address	421 T Street, NW
Applicant	Vitis Investments, LLC
Legal Description	Square 3090, Lots 804, 805 and 807
Ward / ANC	1B
Zone	RF-1 (Single family attached housing; conversion permitted by spec. ex.)
Historic District or Resource	LeDroit Park Historic District
Lot Characteristics	Amalgamation of three tax lots that is primarily rectangular, except for the smallest tax lot that is appended to the north side of the property. Alley at east of the rear of the property.
Existing Development	Single family detached dwelling
Adjacent Properties and Neighborhood Character	Properties to the east on T Street are typically 2.5 story rowhouses. Houses fronting on U Street to the north are semi-detached. To the west, fronting on 5 th Street, is a building used for the Howard University Hospital Daycare. The surrounding neighborhood is also primarily a mix of detached, semi-detached and row buildings.
Proposal	Expand the building with a rear addition; Convert the building from a single family dwelling to a 7-unit ¹ apartment building.

¹ The application was originally for an 11-unit building, but has since been revised by the applicant. Please refer to Exhibits 39 and 49.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

The applicant requests special exception relief for a conversion.

RF-1	Requirement	Existing*	Proposed*	Relief
Lot Area E 201	4,000 sf	7,870 sf	No change	Conforming
Lot Width E 201	40'	50'	No change	Conforming
Lot Depth	n/a	169'	No change	Conforming
Height E 303	35', 3 stories	Existing house – 39'8"	Existing house – no change Addition – 32'1"	Conforming
Lot Occupancy E 304	60%	27%	42.6%	Conforming
Front Setback E 305	Within range of existing street	Not provided	No change	Conforming
Rear Yard E 306	20'	76'	48' 2 ³ / ₄ "	Conforming
Side Yard E 207	5'	East – 4'7" West – 2'8"	East – no change for existing and 4'7" for addition; West - No change for existing and 3'9" for addition.	Existing Nonconforming on existing building; Conforming for addition
Conversion to a Multifamily Dwelling U § 320.2	Spec. Ex. required for conversion	Single family dwelling	7-unit multifamily dwelling	Spec. Ex. Requested
Lot Area for Conversion U 320.2	900 sf / unit	7,870 sf total lot area = maximum of 8 units	7 units proposed = 6,300 sf required; 7 units proposed = 1,124 sf / unit	Conforming
Parking C 701.5	1 per 2 dwelling units 7 / 2 = 4 spaces	0 spaces	5 spaces	Conforming

* Data provided by applicant. Please refer to Exhibits 49 and 49A, B and C.

IV. ANALYSIS

The Board may approve the conversion of a residential building to an apartment house subject to the criteria of Subtitle U § 320.2 and Subtitle X § 901.2. This analysis reflects the revised language of § 320.2 adopted by the Zoning Commission in case #19-21.

Subtitle U § 320.2 – Conversion Criteria

U § 320.2 The conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house, or the renovation or expansion of an existing apartment house deemed a conforming use under Subtitle U § 301.4 that increases the number of units, shall be permitted as a special exception in an RF zone if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, and subject to the following conditions:

The existing single family dwelling on the site was constructed prior to 1958.

- (a) The building to be converted or expanded is in existence on the property at the time the Department of Consumer and Regulatory Affairs accepts as complete the building permit application for the conversion or expansion;*

A single family dwelling currently exists on the site.

- (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; and*

The applicant is proposing two IZ units in order to comply with this section. One of the IZ units would be a two bedroom unit, and the other would be a four bedroom unit, as indicated on the updated building plans at Exhibit 49C.

- (c) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per each existing and new dwelling unit.*

There would be approximately 1,124 square feet of land area per each of the seven units.

Subtitle X § 901.2 – General Special Exception Criteria

- i. Is the proposal in harmony with the general purpose and intent of the Zoning*

Regulations and Zoning Maps?

In the RF-1 zone, the conversion of a residential building to an apartment building is a permissible use, subject to BZA review against the criteria of U § 320.2, as noted above. The application meets those criteria. In addition, the project would be in conformance with all development standards, including yards, lot occupancy and height. The project would be consistent with E § 100.1, which recognizes conversions to apartments in the RF zone. It would also help achieve the purpose of the RF zone stated in E § 100.3(a), which states that RF zones are intended to recognize the importance of moderate density housing generally, as well as walkable neighborhoods and affordable housing. The project would also achieve the goal of § 100.3(a) to “Recognize and reinforce the importance of neighborhood character”. The project would preserve the original, historic house, and the addition would need no relief for height, yards or lot occupancy. The HPRB will further evaluate the project’s compatibility with the property’s historic character, consistent with the design guidelines for the neighborhood.

- ii. *Would the proposal appear to tend to affect adversely, the use of neighboring property?*

Based on the sun and shadow study contained in Exhibit 49C, it does not appear that the new shadow created by the proposed addition would result in an undue impact. Some additional shadow would fall on adjacent and nearby properties, but much of the new afternoon shadow would fall on the subject property, the alley, as well as the adjacent existing garage to the east and northeast of the site.

The proposed addition would create new windows and one balcony facing east which would primarily overlook the alley, but could also provide some additional views onto adjacent properties. The level of impact to privacy, however, should not be undue and would not represent an unusual condition in the urban environment.

In Exhibit 18, DDOT stated that the development should not result in unacceptable impacts to the transportation network. OP asked the applicant to provide more details about their plans for trash removal, and as of this writing the applicant is in discussions with a private contractor about that topic.

V. HISTORIC PRESERVATION

As of this writing, the project has been before the HPRB on multiple occasions. Full conceptual approval has not yet been granted, and one additional HPRB hearing is anticipated prior to the BZA hearing.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

Exhibit 18 is a DDOT report stating no objection to the original proposal.

VII. ANC COMMENTS

Exhibit 17 is a report from ANC 1B stating the ANC’s support for the requested relief as presented with the original proposal. Exhibit 47 is a report from ANC 1B stating their support for the revised proposal.

VIII. COMMUNITY COMMENTS

The record contains a number of letters in opposition to the project. At Exhibit 46 is the LeDroit Park Civic Association’s most recent comments in the record, which state their opposition. At Exhibit 34 is a request for party status in opposition, which has been granted by the Board.

Location Map:

