

September 7, 2022

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Statement in Support of Special Exception Approval
2401 12th ST NE Washington DC 20018 (Square 3939, Lot 0030)

I INTRODUCTION

This statement is submitted on behalf of CORE INVESTMENTS LLC, owner of the property location at 2401 12TH ST NE (Square 3939, Lot 0030). The Property is in the RA-1 zone district and is located on the intersection of 12th Street and Bryant Streets, NE. The current use of the property is single-family which is proposed to be razed.

The Applicant is requesting special exception approval pursuant to 11-U DCMR § 421 to construct a new multi-unit residential building in the RA-1 Zone. Subtitle U, Section 421 states:

“all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in this section.”

II JURISDICTION OF THE BOARD

The Board has jurisdiction to grant the special exception approval requested pursuant to Subtitle U § 421.

III BACKGROUND

A) Description of the Property and Surrounding Area

The Subject Property is a corner lot, zoned RA-1 with a total land area of 6,322 square feet. The Applicant is proposing to raze the existing building and propose a new construction of 9-unit multi-family structure. The Property is located on the intersection of 12th St and Bryant Streets NE. To the west of the Property is 12th Street, NE and to the south is public space. To the north and east of the Property are adjacent properties. The Subject Property is well-served by public transportation: the Rhode Island (Red line) metro station is located half a mile (0.5) and the 12th St & Rhode Island Avenue bus stop is located less than quarter mile away from the Subject Property.

B) Description of the Proposed Project.

The Applicant proposes razing the existing structure and proposing a new construction of 9-unit multi-family residential Building on the Subject Property. The proposed Building will measure about fifty-eight feet and two inches (58 ft. 2 in.) by thirty-seven feet and four inches (37 ft. 4 in) at maximum lengths and has height of three (3) stories. The Applicant is proposing nine (9) units total: all 2-bedroom 2-bathroom units of about 800 SF each. The building will have a lot occupancy of thirty six percent (36%), an FAR of 0.9 and a rear yard measuring fifty feet and one inches (50 ft. 1 in.). The side yard North-West side will measure eight feet (8 ft.) and the proposed structure is proposed as fully detached.

**IV THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS OF
SUBTITLE 11-X DCMR § 901.2 AND 11-U DCMR § 421.**

A) Overview.

Pursuant to Subtitle X § 901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under Subtitle U § 421 of the Zoning Regulations. In reviewing applications for a special exception under the Zoning Regulations, the Board’s discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., Nat’l Cathedral Neighborhood Ass’n. v. D.C. Board of Zoning Adjustment, 753 A.2d 984, 986 (D.C. 2000)

B) General Special Exception Requirements of Subtitle X § 901.2.

The granting of a special exception in this case “will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps” and “will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps ...” (11 DCMR Subtitle X § 901.2). The RA-1 Zone provides for areas predominately developed with low to moderate density development, including multi-family residential buildings. The Project is in harmony with the general purpose and intent of the Zoning Regulations, as the proposal is for a moderate-density multi-residential building. The area is made up of a mix of residential developments and single-family dwellings. The razing of existing single-family structure and proposing a new construction of nine (9)

units is unlikely to adversely affect the use of the neighboring residential developments. The additional units are also unlikely to adversely affect the use of the neighboring multi-story multi-family dwellings, as the Applicant has provided ample setbacks from directly adjacent properties on all four sides and the new build is conforming with the development standards of the RA-1 Zone on the intersection of 12th St and Bryant Streets NE that is more appropriate for multi-family use than single-family use, as it is a highly visible location on a busy street and is block across from Rhode Island Avenue.

C) B. Specific Requirements of U § 421

The Zoning Regulations require that all new residential developments in the RA-1 Zone, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in this section:

Section 421.2: The Board of Zoning Adjustment shall refer the application to the relevant District of Columbia agencies for comment and recommendation as to the adequacy of the following:

(a) Existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project; and

It is expected that the Office of the State Superintendent of Education will not have an issue with the addition of residents from a 9-unit building.

(b) Public streets, recreation, and other services to accommodate the residents that can be expected to reside in the project.

The Property is located on the intersection of 12th St and Bryant Streets NE. To the west of the

Property is 12th Street, NE and to the south is public space. To the north and east of the Property are adjacent properties. The Subject Property is well-served by public transportation: the Rhode Island (Red line) metro station is located half a mile (0.5) and the 12th St & Rhode Island Avenue bus stop is located less than quarter mile away from the Subject Property.

Section 421.3: The Board of Zoning Adjustment shall refer the application to the Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the surrounding neighborhood, and the relationship of the proposed project to public plans and projects.

The proposed Building will measure about fifty-eight feet and two inches (58 ft. 2 in.) by thirty-seven feet and four inches (37 ft. 4 in) at maximum lengths and has height of three (3) stories. The Applicant is proposing nine (9) units total: all 2-bedroom 2-bathroom units of about 800 SF each. The building will have a lot occupancy of thirty six percent (36%), an FAR of 0.9 and a rear yard measuring fifty feet and one inches (50 ft. 1 in.). The side yard North-West side will measure eight feet (8 ft.) and the proposed structure is proposed as fully detached.

Section 421.4: In addition to other filing requirements, the developer shall submit to the Board of Zoning Adjustment with the application a site plan and set of typical floor plans and elevations, grading plan (existing and final), landscaping plan, and plans for all new rights-of-way and easements.

The Applicant has submitted a site plan and set of typical floor plans and elevations, grading plan, and landscaping plan. The Applicant is not proposing any new rights-of-way of easements.

V Conclusion

For the reasons stated above, this Application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested special exception approval.

Respectfully Submitted,

R. Michael Cross

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