

**DISTRICT OF COLUMBIA**

**BOARD OF ZONING ADJUSTMENT**

**Applicant's Statement of WISCO WALLY LLC**

**3427 Wisconsin Avenue, NW (Square 1913, Lots 8-9)**

**I. INTRODUCTION.**

This Statement is submitted on behalf of WISCO WALLY LLC, the owner of the properties located at 3427 Wisconsin Avenue, NW (Square 1913, Lot 8-9) (the “**Properties**”). The Properties are located in the RA-1 zone district. The Applicant is proposing to reconfigure the existing lots 8 and 9 into two new record lots, rotate and relocate the single-family building on Lot 9, and construct a new, three-story multi-family building on a separate lot (the “**Project**”). Accordingly, the Applicant is requesting special exception approval pursuant to U § 421 in order to construct a new residential development in the RA-1 zone.

**II. JURISDICTION OF THE BOARD.**

The Board has jurisdiction to grant the special exception approval requested pursuant to Subtitle X § 901 and U § 421.

**III. BACKGROUND.**

**A. Description of the Subject Property and Surrounding Area.**

The Properties are zoned RA-1 and located in the Cleveland Park Historic District. Lot 8 is an unimproved corner lot bounded by Norton Place, NW to the south and Wisconsin Avenue, NW to the west. To the east of Lot 8 is a detached single-family dwelling (3613 Norton Place, NW). Directly to the north of Lot 8 is Lot 9. Lot 8 does not have an address, but Lot 9 has an address of 3427 Wisconsin Avenue, NW. Lot 9 is an interior lot fronting only on Wisconsin Avenue. To the north of lot 9 is a single-family dwelling (3433 Wisconsin Ave.).

The lots are located on Wisconsin Avenue, a major thoroughfare for the District. The surrounding area is characterized by residential uses, including single-family dwellings, flats, and apartment buildings.

**B. Description of the Proposed Project.**

The Applicant proposes to reconfigure the existing lots into two new record lots—Lot A (west lot) and Lot B (east Lot). Lot A will have 9,947 square feet of land area and a lot width of 90 feet. It will front on Wisconsin Avenue. The Applicant proposes to construct a new three-story building with 20 residential units on Lot A. The proposal includes at least 5 parking spaces on Lot A. The existing single-family home and accessory building on Lot 9 will be retained and relocated to Lot B. Lot B will have 5,044 square feet of land area, a lot width of approximately 50 feet, and will front on Norton Place. The Applicant is proposing to maintain the existing parking space in the accessory garage on Lot B.

Lot A requires special exception approval for the new multi-family building. Both lots will be conforming with respect to the development standards of the RA-1 zone and Lot B does not require any relief.

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

**A. General Special Exception Requirements of Subtitle X § 901.2.**

Pursuant to Subtitle X § 901.2 of the Zoning Regulations, X-901.2 “the Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions: (a) will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps; (b) will not tend to affect adversely, the use of

neighboring property in accordance with the Zoning Regulations and Zoning Maps; and (c) will meet such special conditions as may be specified in this title”

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. The Application satisfies the General Special Exception Criteria.**

The special exception will be in harmony with the general purpose and intent of the zoning regulations and zoning maps. 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 multifamily residential building. The area is made up of a mix of larger residential developments and single-family dwellings.

The special exception will not tend to adversely affect the use of neighboring properties in accordance with the zoning regulations and zoning maps. The lots have been reconfigured in such a way that provides adequate separation between adjacent properties. The proposed multi-family building is located on the corner lot across from higher density zones and a large condo building. The single-family home has been relocated to front on Norton Place adjacent to the other single-family homes on this block. The Applicant is providing more parking than necessary to mitigate any potential impacts from additional density, and the Project is otherwise conforming with the development standards of the RA-1 Zone.

**C. The Application satisfied the 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, 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**

According to DC Public Schools online Enrollment Boundary System Information, the following public schools are considered “in-boundary” schools for the Building: Eaton Elementary School, Hardy Middle School, and Wilson High School. All DC public students eligible for grades K-12 have a guaranteed right to enroll in their respective in-boundary schools.

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

The Properties are located on Wisconsin Avenue and in the Cleveland Park neighborhood. Wisconsin Avenue is a major thoroughfare in the District and has priority metrobus routes. There are a number of parks in the surrounding area, including a dog park, Newark Community Gardens, Glover Parkways & Children’s Playground, and Melvin C. Hazen Park. Directly across the street from the Properties are a number of restaurants and bars, as well as a Giant Food grocery store and a Starbucks.

**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.**

1. Site Plan, Arrangement of Building and Structures, and Provision of Light and Air

The Applicant has provided—or will provide as requested by the Office of Planning—sufficient information for the Office of Planning to comment and make recommendations 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.

## 2. Parking, Recreation, Landscaping and Grading

As noted above, the Applicant is providing more parking than necessary, and there are a number of amenities in the surrounding area. The Applicant has provided two surveys showing the existing and proposed grading. The 3D models show some proposed landscaping and green areas. The Applicant will provide a more detailed landscape plan if requested.

**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 3D models of the proposed massing. The Applicant has provided a survey showing the existing/proposed grading (no change is proposed for the grade). The 3D models show some proposed landscaping and green areas. The Applicant will provide a more detailed landscape plan if requested. The site plan shows the new driveway which will be shared by the proposed Lots A and B.

## **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,

*Alexandra Wilson*

---

Alexandra Wilson  
Sullivan & Barros, LLP  
Date: November 15, 2021

*Martin P Sullivan*

---

Martin P. Sullivan, Esq.  
Sullivan & Barros, LLP  
Date: November 15, 2021