

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant’s Statement of 1224 BRENTWOOD RD NE LLC
1224 Brentwood Road, NE (Square 3938, Lot 20).

I. INTRODUCTION.

This Statement is submitted on behalf of 1224 BRENTWOOD RD NE LLC (the “**Applicant**”), the owner of the property located at 1224 Brentwood Rd., NE (Square 3938, Lot 20) (the “**Property**”). The Property is located in the RA-1 zone and is improved with a single-family dwelling. The proposed project (the “**Project**”) consists of razing the current structure and constructing a four-unit apartment building (the “**Building**”). As a new multifamily residential development, the Project requires special exception approval pursuant to Section U-421.1 of the D.C. Zoning Regulations. The Applicant is also requesting relief from the parking screening requirements of subtitle C-714.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception approval requested pursuant to Subtitle X-901, U-421, and C-714.3.

III. BACKGROUND.

A. Description of the Property and Surrounding Area.

The Property is an interior lot with a land area of 3,803 square feet. The Property is on the west side of Brentwood Road, NE, between its intersections with Saratoga Avenue, NE, and Douglas Street, NE. Abutting the Property to the east is Brentwood Road, NE. Abutting the Property to the west is a public alley. Abutting the Property to the north is 1226 Brentwood Rd., NE, a single-family dwelling. Abutting the Property to the south is 1222 Brentwood Rd., NE, a single-family dwelling. The Property is well-served by public transportation. The Rhode Island Avenue/Brentwood Metrorail Station (Red Line) is located approximately a half-mile from the Property, and several Metrobus routes stop at the intersection of Rhode Island Ave. and 12th Street NW, about 460 feet to the northwest.

The Property is across Brentwood Road from the Brookland Manor Apartments, a large apartment complex with approximately 550 units. There are also multiple multi-family developments existing or planned along Rhode Island Avenue, NE, which is about 325 feet from

the Property. As demonstrated by the photographs submitted with this Application, the area is made up of a mix of apartment buildings and single-family residences.

B. Description of the Proposed Project.

The Applicant proposes to raze the existing structure and construct a new multi-family residential Building on the Property. The proposed Building will measure 33 feet 6 inches in height with three (3) stories. The Applicant is proposing four (4) new residential dwelling units, all of which will be family-sized units with three (3) bedrooms. The Building will have a lot occupancy of 30.5%, a FAR of 0.9, and a rear yard measuring 39.6 feet. The Applicant is providing four (4) parking spaces where none are required.

IV. THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS OF SUBTITLE X § 901.2, U § 421 AND C § 714.3

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, and the request for relief from the parking screening requirements of C-714.

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).

A. 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 ...” (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 multifamily residential building. The area is made up of a mix of both small and large multifamily developments, single-family dwellings, and religious uses in the Brentwood/Rhode Island Metro area.

The Project is providing one full parking space for each of the four (4) units. The location near a Metrorail station, several Metrobus lines is conducive to multi-family use, and preferable to adding units elsewhere in the District where transit access is not as convenient.

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, 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 four-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 near Rhode Island Avenue, NE, which is a principal arterial in the District. The Rhode Island/Brentwood Metrorail station is four-tenths (0.4) of a mile, or an eleven-minute walk, from the Property. The Applicant is providing four (4) parking spaces where the Zoning Regulations require none. As the Applicant is only proposing four (4) new units, is providing four (4) parking spaces, and the Property is located close to the metro, the new residents should be adequately served by the surrounding public streets and public transportation options.

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.

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. The Applicant will also submit a landscaping and grading plan.

C. Specific Requirements of C § 714

Subtitle C-714.1 governs the screening requirements for surface parking areas. It states that “screening shall be required for any external surface parking spaces except: (a) On a property located in a PDR zone that does not abut property that is not within a PDR zone; or (b) On a property devoted to residential uses with a maximum of three (3) dwelling units.” Subtitle C-714.2 provides that “screening of external surface parking shall be provided in accordance with the following provisions: (a) Screening shall be provided around the entire perimeter of the surface parking area; (b) Gaps in the screening are allowed only to provide driveways and pedestrian exits or entrances that open directly onto a street, sidewalk or alley. No individual gap may exceed twenty feet (20 ft.) in width; and (c) The screening shall be either: (1) A wall or solid fence at least forty-two (42) inches high; or (2) Evergreen hedges or evergreen growing trees that are thickly planted and maintained, and that are at least forty-two (42) inches in height when planted, and maintained in perpetuity.”

Subtitle C-714.3 provides that, “The Board of Zoning Adjustment may grant, as a special exception, a modification or waiver of these screening requirements. In addition to the general requirements of Subtitle X, the Board of Zoning Adjustment may consider:

Section 714.3(a): Impacts on the pedestrian environment within adjacent streets, sidewalks, and other public areas;

The parking area is located at the rear of the Property and does not intersect with any pedestrian environments, as it is adjacent to the public alley. Accordingly, removing the screening will not impact the pedestrian environment within adjacent streets, sidewalks and other public areas.

Section 714.3(b): Existing vegetation, buildings or protective screening walls located on adjacent property;

There are existing fences between the Property and the adjacent properties to the north and south which serve as barriers between the proposed parking area on the Property and the adjacent

properties. Requiring a short fence along the alley lot line would not serve any purpose as the adjacent properties are already adequately screened from the proposed parking. There is no existing vegetation beyond turf grass on the adjacent properties in the area of requested relief. Accordingly, the existing fences located on adjacent properties achieve the purpose of the screening requirements.

Section 714.3(c): Existing topographic conditions;

There are no unusual topographic conditions in the area of the proposed parking. The land is generally flat, with the rear yards of the Property and the adjacent properties generally even or slightly elevated from the public alley. The proposed parking area will be at the same height as the alley surface. Accordingly, the topography will not make the parking any more visible from the public alley.

Section 714.3(d): Traffic conditions; and

The parking area is located at the rear of the Property along the public alley. The requested relief would not have any impact on traffic conditions in the alley and may improve the residents' ability to park their cars more efficiently.

Section 714.3(e): In granting a modification or waiver, the Board of Zoning Adjustment may require any special treatment of the premises that it deems necessary to prevent adverse impacts on neighboring properties or the general public.

The Applicant will comply with special treatment if the Board deems it necessary.

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,

Martin P Sullivan

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