



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: August 30, 2011
SUBJECT: BZA Case No. 18244, 1109 M Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following variance relief:

- § 772.1, Percentage of Lot Occupancy (80 percent permitted, 90 percent proposed);
- § 774.1, Rear Yards (15 feet required; 12 feet proposed); and
- § 776.3, Closed Court Area and Width (350 square feet and 15-foot width required, 242 square feet and 11-foot width proposed).

II. Background

BZA Application No. 17402, granted by the Board August 7, 2006, reduced the size and width of a closed court and reduced the residential recreation requirement to allow for a rear building addition to convert the structure to a nine-unit apartment building. The proposed improvements were never constructed and the order expired on August 7, 2008. The building was last used as a museum.

III. AREA AND SITE DESCRIPTION

Address	1109 M Street, N.W.
Legal Description	Square 314, Lot 3
Ward	2
Zoning	C-2-C
Lot Characteristics	Level, narrow rectangular lot with alley access
Adjacent Properties	North: Across public alley, row houses South: Across M Street, a church and an apartment building East: Row houses West: Row house converted to apartments
Neighborhood Character	Residential, including row houses and apartment buildings
Historic District	Contributing structure in Shaw Historic District



IV. APPLICATION IN BRIEF

The applicant proposes to:

- Construct rear a building addition onto the existing structure to convert it to a nine-unit apartment house;
- Create a closed court on the south side of the lot to provide light and air into the center of the structure;
- Reduce the rear yard to twelve feet on floors two through four; and
- Provide two not required nonconforming parking spaces at the rear.

V. ZONING REQUIREMENTS and REQUESTED RELIEF

C-2-C Zone	Regulation	Existing	Proposed	Relief
Height § 770	90 ft. max.	46 ft.	48 ft.	None required
Floor Area Ratio § 771	6.0 max (residential)	--	3.84	None required
Lot Occupancy § 772	80 % max.	37 %	90 %	Required
Rear Yard § 774	15 ft. min.	72.4 ft.	12 ft.	Required
Side Yard § 775	None required	None	None	None required
Closed Court § 776				
-Area	350 sq. ft. min.	N/A	242 sq. ft.	Required
-Width	15 ft.	N/A	11 ft.	Required

VI. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 772, Lot Occupancy

i. Uniqueness Resulting in a Practical Difficulty

The subject property is long and narrow, and the applicant proposes to construct a rear addition and convert it to a nine-unit apartment building. In order to provide access to all of the units, a modern stairwell must be installed, along with a new corridor to provide access to each unit. Access to the building would be restricted to the existing entrance to what was once a row house. Location of the core uses at the rear of the structure would result in unusually long, dead-end corridors that would not be permitted by the Building Code. The combination of the upgraded stairwell and the need to construct a corridor to provide interior access to each unit, combined with the inability to relocate the building entrance, would result in a significant portion of the building dedicated to core uses at the front. This would be an inefficient use of floor area, resulting in the need to dedicate much of the floor area of the building to core uses and not individual units.

Expansion of the building back into the lot and an increase in lot occupancy would allow the applicant to dedicate a greater portion of the floor area on each level to living space, as opposed to core uses, especially as the applicant would be unable to increase the height of the building due to historic preservation concerns. The expanded floor plate would allow for more efficient utilization of floor area on each level.

ii. No Substantial Detriment to the Public Good

Expansion of the building back into the lot and increasing the lot occupancy to 90 percent would not result in a substantial detriment to public good. It would allow for the development

of a small apartment building that would complement and be compatible with the variety of residential uses existing within the surrounding area. Those uses include other small apartment buildings, large apartment buildings and row houses.

iii. No Substantial Harm to the Zoning Regulations

The increase in the lot occupancy would allow the applicant to adaptively reuse the subject property as an apartment house, a use permitted as a matter-of-right within the C-2-C zone.

b. Variance Relief from § 774, Rear Yard

i. Uniqueness Resulting in a Practical Difficulty

The request to reduce the rear yard to twelve feet is related to the request to increase the lot occupancy. Both are requested to accommodate the amount of living space proposed relative to the core uses. Without the requested reduction in rear yard, the applicant would be unable to efficiently utilize the floor area of the building due to the narrowness of the lot.

ii. No Substantial Detriment to the Public Good

No substantial detriment to the public good would occur. A rear yard would still be provided, which would be utilized to provide for off-street parking directly accessible from the public alley, and that would allow for light and air into the units facing the rear of the property.

iii. No Substantial Harm to the Zoning Regulations

No substantial harm to the Zoning Regulations would occur. A twelve-foot rear yard would be provided, setting the building back from the public alley and providing a degree of openness along the public alley.

c. Variance Relief from § 776, Closed Court

i. Uniqueness Resulting in a Practical Difficulty

The subject property is narrow, only 23.25 feet in width. The proposed closed court, necessary to provide light and air into individual units and the interior of the building, is required to be a minimum of 15 feet in width and 350 square feet in area. Due to the size of the lot it would be difficult to provide the closed court as required. If the entire width were provided as required, the remaining portion of the building would be 8.25 feet in width, inadequate to provide living space and a connection between the front and rear segments of the building. Reduction in the width of the closed court is also consistent with the requested reduction in the area of the court, from 350 to 242 square feet. The applicant would be unable to provide the closed court as required and create a usable floor plate around it.

ii. No Substantial Detriment to the Public Good

No substantial detriment to the public good would result. The reduced width and area of the courtyard would be of sufficient size to allow light and air into the units at the center of the building.

iii. No Substantial Harm to the Zoning Regulations

No substantial harm to the Zoning Regulations would occur. Due to the small size of the lot and the resulting small apartment building that is proposed to be developed on it, the reduced width and area for a closed court would be adequate to provide light and air into the units that open onto it.

VII. Historic Preservation

HPRB voted to approve the conceptual design at its meeting of June 30, 2011.

VIII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

IX. COMMUNITY COMMENTS

ANC 2F, at its regularly scheduled meeting of June 1, 2011, voted in support of the application.

Attachment 1, Zoning and Vicinity Map

