

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: March 4, 2014
SUBJECT: BZA Case 18724, 819 D Street, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following area variances:

- § 401.1, conversion to a use that would require additional lot area, Lot 811 (18 feet required, 17.66 feet existing; and 1800 square feet required, 1448.12 square feet existing);
- § 401.3, minimum lot dimensions, (900 square feet per unit required, 383.15 square feet per unit proposed); and
- § 406.1, closed courts (15 feet/350 square feet required, Unit 2: 8 feet/110 square feet; Unit 3: 4 feet/170 square feet; and Unit 8: 8 feet/64 square feet).

II. LOCATION AND SITE DESCRIPTION

Address	819 D Street, N.E.
Legal Description	Square 916, Lots 74, 811, 818
Ward	6, 6A
Lot Characteristics	The property consists of three different lots. Lot 74, the largest, is located at the southwest corner of 9 th Street and D Street and has an area of 9,698 square feet. The frontage along 9 th Street is 75 feet in width, and the frontage along D Street is 124.08 feet in width. Lot 811 is located along 9 th Street and has a frontage of 17.66 feet, a depth of 82 feet, and an area of 1,496 square feet. The north property line is shared with lot 74. Lot 818 is located west of lot 811, and is 264 square feet in area. The L-shaped lot does not have frontage along a public right of way, but abuts a public alley. The combined lot area for all properties is 11,458 square feet.
Zoning	R-4 – row dwellings and flats
Existing Development	The property is currently developed with an 80’-10” high (measured to the top of the tower) place of worship. The sanctuary is flanked on either side by a two story row dwelling. The row dwelling on D Street is attached to the sanctuary via a connection at the cellar level. The row dwelling on 9 th Street is attached to the sanctuary at the first and second floor levels.



Historic District	Capitol Hill Historic District
Adjacent Properties	To the north, across D Street, are two story row dwellings. To the south and east, are additional two story row dwellings. To the west, across 9 th Street, is the Edmond's School, which was recently converted into condominiums.
Surrounding Neighborhood Character	The surrounding neighborhood character is primarily residential, comprised of row dwellings, flats and multi-family developments. Smaller-scale residential services are located nearby, including a coffee shop and convenience store. The property is approximately four blocks east of Stanton Park.

III. APPLICATION IN BRIEF

The applicant proposes to convert an existing place of worship and two row dwellings into condominiums and flats, for a total of 30 units. The sanctuary was constructed in 1916 and is a contributing structure to the Capitol Hill Historic District. The row dwellings are located on either side of the sanctuary, with one oriented on D Street and the other on 9th Street. The row dwelling located south of the sanctuary on 9th Street has been connected to the structure on the first and second levels, but is on a separate lot from the sanctuary. The sanctuary and the row dwelling located west of it are located on the same property, and are connected via the cellar.

The church would be converted into 26 residential units of varying unit types. Six units would be provided on the cellar level, seven units on the first floor, seven units on the second floor, and six units on the third floor. The units would range from studios to an option with three bedrooms and a den. The average size of proposed units would be approximately 1,000 square feet per unit. The interior connections between the row dwellings and the sanctuary would be discontinued, and each row dwelling would be converted into a flat, for a total of four units. In total, the proposed development would provide 30 units and 30,022 square feet of gross floor area. The applicant has requested relief for the square footage of units in the sanctuary, which will be 383.15 square feet per unit rather than the required 900 square feet.

The applicant has proposed a third story addition on the row dwellings, but would not be adding area to the sanctuary. These additions, as well as modifications to the church, are currently being reviewed by the Historic Preservation Office. The applicant also proposes to expand closed courts within the development to increase light and air into three lower-level units, and has requested relief for these courts, as they will not comply with width or area requirements.

The row dwelling located on 9th Street is on a separate lot that does not comply with minimum lot dimensions for a row dwelling in the R-4 District. The lot dimensions and width are nonconforming, measuring 17.66 feet in width where 18 feet is required, and having 1,448.12 square feet in area where 1,800 square feet is required. Section 401.1 requires that a lot meet these requirements if a structure will be converted to a use that would require more lot area or lot width; therefore, the applicant has requested relief from this requirement.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

<i>R-4 Zone</i>	<i>Regulation</i>	<i>Existing</i>	<i>Proposed</i>	<i>Relief</i>
Height § 400	40 ft. max.	80'-10"	80'-10"	Existing nonconforming
Lot Area (sq. ft.) § 401	900 SF/dwelling unit	--	383.15 SF/dwelling unit	Required
Lot Width § 401 (<i>lot 74</i>)	18 ft. min.	124.08 ft.	124.08 ft.	None required
Lot Width § 401 (<i>lot 811</i>)	18 ft. min.	17.66 ft.	17.66 ft.	Required
Lot Area § 401 (<i>lot 74</i>)	1,800 SF min.	9,698 SF	9,698 SF	None required
Lot Area § 401 (<i>lot 811</i>)	1,800 SF min.	1,448.12 SF	1,448.12 SF	Required
Floor Area Ratio § 402	None prescribed	--	--	None required
Rear Yard § 404 (<i>lot 74</i>)	20 ft. min.	0 ft.	0 ft.	Existing nonconforming
Rear Yard § 404 (<i>lot 811</i>)	20 ft. min.	20 ft.	20 ft.	None required
Closed Court § 406	15 ft./350 SF min.	--	Unit 2: 8 ft./110 SF Unit 3: 8 ft./170 SF Unit 8: 8 ft./64 SF	Required

V. OFFICE OF PLANNING ANALYSIS

a. **Variance Relief from § 401.1, minimum lot dimensions to convert to a use that would require more lot area or lot width – 9th Street Row Dwelling**

ii. **Exceptional Situation Resulting in a Practical Difficulty**

The property exhibits uniqueness that results in a practical difficulty. The row dwelling located on 9th Street is located immediately south of the church and is connected to the sanctuary on the first and second floors. While it is currently used as administrative offices supporting the church, the row dwelling will be converted into a flat, with a 795 square foot one-bedroom unit in the lower level, and a 1,710 square foot two-bedroom unit in the upper levels. The row dwelling is located on a separate lot that does not meet the minimum lot size and area requirements for a property in the R-4 District. Section 401.1 requires that lot area requirements are met when a building is converted to a use that would require more lot area or lot width.

The lot that is occupied by the 9th Street row dwelling has a frontage of 17.66 feet, where 18 feet is required, and a lot area of 1,448.12 square feet, where 1,800 square feet is required. The width of the lot and lot area cannot be increased because the neighboring properties are developed with structures that are built to the lot lines. Further, combining lots 811 and 818, consisting of the row dwelling and the small vacant lot located directly west of it, would fall short of meeting the area requirement. In the absence of a variance, the row dwelling could not be converted into a flat.

b. Variance Relief from § 401.3, minimum lot area for conversion of a structure to an apartment house

i. Exceptional Situation Resulting in a Practical Difficulty

The property exhibits specific uniqueness due to a confluence of factors. The existing sanctuary is a contributing structure in the Capitol Hill Historic District, requiring preservation of specific features, including the windows. The applicant has indicated that preserving key interior and exterior features of the building during the conversion presents significant design challenges. The building was constructed in two phases at two different times, and was constructed with two different load-bearing structural systems.

The church is very large relative to the land area, with a gross floor area of 30,022 square feet located on 9,962 square feet of land. The sanctuary is located on the largest property in the square, with the average lot size being approximately 1,700 square feet, making the property on average five times larger than other lots.

These factors create an exceptional situation that imposes a practical difficulty. In order to comply with § 401 and the requirement of 900 square feet per unit, only 11 units would be permitted. The applicant has indicated that reconfiguring the space in the sanctuary and D Street row dwelling to 11 units would substantially increase the size of the units to well over 3,000 square feet, creating units that are too large to be marketable in a building of this type at this location. The applicant has provided a brief market analysis for review (Exhibit H).

There are several physical limitations that directly impact the number of units that can be provided in the structure, including the interior bearing walls and the location and configuration of the existing leaded glass windows. In addition, the size of the structure is three times that of the land on which it is located, resulting in large, cavernous spaces on the interior. Reducing the number of units to 11 would have the effect of creating excessively large units with dark and inefficient floor plans.

c. Variance Relief from § 406.1, closed courts

i. Exceptional Situation Resulting in a Practical Difficulty

The property exhibits uniqueness that results in a practical difficulty. The church has several existing nonconforming closed courts that are permitted to remain, as indicated by the Zoning Administrator. However, the applicant has proposed to expand two closed courts and add one new closed court that will not meet the requirements of § 406.1, including the minimum width of 15 feet and minimum area of 350 square feet. The purpose of these modifications is to increase light and air to unit numbers 2, 3 and 8, by providing outdoor terraces.

Increasing the size of these courts to comply with § 406.1 would result in the removal of two parking spaces, and the elimination of a 12-foot wide walkway between the church and D Street row dwelling. The applicant has indicated that outdoor areas and parking spaces are necessary for the viability of the development. Figure 1 below identifies the closed courts that would be affected by this request. To summarize, the closed court corresponding with unit two would be eight feet

wide and 110 square feet in area. The closed court adjacent to unit three would be eight feet wide and 170 square feet in area, and the closed court adjacent to unit 8 would be eight feet wide and 64 square feet in area.

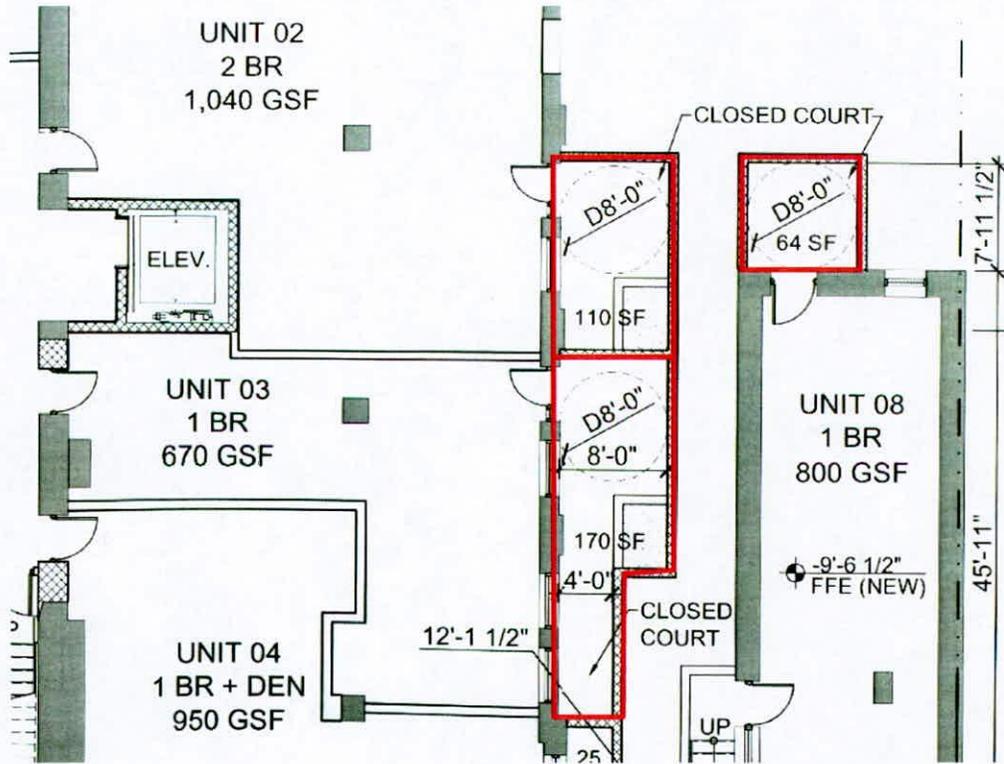


Figure 1

ii. No Substantial Detriment to the Public Good

Relief can be granted without substantial detriment to the public good. The applicant intends to repurpose a church and two flanking row dwellings that are no longer attractive to the type of use for which they were intended, as evidenced by the property being on the market for over eight years without any interest. The area is primarily residential, and the proposed use will complement existing uses by providing a range of appropriately-sized units compatible with the neighborhood. In addition, reuse of the structure maintains the existing residential character of the area, and review by the Historic Preservation Office ensures that the structure will be artfully preserved. The requested relief would permit the row dwellings to be converted back to their original residential uses, and the expanded closed courts would serve only their adjacent units.

iii. No Substantial Harm to the Zoning Regulations

Approval of the requested relief would not result in substantial harm to the Zoning Regulations. The church was constructed in 1916 and predates the 1958 Zoning Regulations. The sanctuary would be converted to a residential use, a prominent use in the neighborhood, and would add to the variety of housing stock. In addition, the row dwellings would be converted back into their original use as residential units.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this filing, the Office of Planning has not received comments from other agencies. However, DDOT will be filing under separate cover.

VII. COMMUNITY COMMENTS

The Office of Planning has not received any inquiries concerning this request. During its regularly scheduled meeting of February 25, ANC 6A voted unanimously to recommend approval of the request.

Attachment: Location Map

Location Map

