



## **MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Matt Jesick, Case Manager  
*JL* Joel Lawson, Associate Director Development Review

**DATE:** February 17, 2015

**SUBJECT:** BZA #18924 – 705 Kenyon Street, NW

### **I. RECOMMENDATION**

With regard to this proposal to construct an addition, the Office of Planning (OP) **recommends approval** of the following relief:

- § 772 Lot Occupancy (60% maximum, 80% existing, 80% proposed);
- § 774 Rear Yard (15' required, 10' existing, 10' proposed);
- § 2101 Parking (1 required, 0 existing, 0 proposed).

### **II. LOCATION AND SITE DESCRIPTION**

Address	705 Kenyon Street, NW
Legal Description	Square 2892, Lot 804
Ward and ANC	1, 1A
Lot Characteristics and Existing Development	Rectangular lot – 25' x 50'; No alley access; Existing two-story building with cellar.
Zoning	GA / C-2-A
Historic District	None
Adjacent Properties	Commercial property to the east; Small apartment building to the west; PUD 08-26 to the north – 80' mixed use building; One story commercial to the south.
Surrounding Neighborhood Character	Commercial and mixed use development along Georgia Avenue; Larger neighborhood is mostly rowhouses with some smaller apartment buildings.

### **III. APPLICATION IN BRIEF**

The applicant seeks zoning relief in order to establish a third residential unit in a building that already contains two units. No external construction is proposed. The property is zoned for multi-family development.



#### IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The site is zoned GA / C-2-A (Georgia Avenue Overlay / Mixed Use Commercial). The proposed conversion would require relief as noted in the table below. The Zoning Administrator determined that this relief is required to convert the existing flat to an apartment building because the existing building is non-conforming.

Item	Requirement	Existing	Proposed	Relief
Height (§§ 770 & 1328)	55' max.	Not Provided	No change	Assumed Conforming
Lot Area	n/a	1,250 sf	No change	n/a
Lot Width	n/a	25'	No change	n/a
FAR (§ 771)	2.5 max.	2.16	No change	Conforming
<b>Lot Occupancy (§ 772)</b>	<b>60% max. 750 sf</b>	<b>80% 1,000 sf</b>	<b>No change</b>	<b>Requested</b>
<b>Rear Yard (§ 774)</b>	<b>15' min.</b>	<b>10'</b>	<b>No change</b>	<b>Requested</b>
Side Yard (§ 775)	None	None	No change	Conforming
<b>Parking (§ 2101)</b>	<b>1 space</b>	<b>0</b>	<b>No change</b>	<b>Requested</b>

## **V. ANALYSIS**

In order to be granted a variance, the applicant must show that they meet the three part test described in § 3103.

### **1. Exceptional Situation Resulting in a Practical Difficulty**

#### Parking

The subject property has no alley access and is landlocked on the east, west and north by other properties. The existing building occupies the entire property frontage, leaving no room for a curb cut and driveway, even if a curb cut were to be granted by the Public Space Committee, which is unlikely. The lot, therefore, has no opportunity to provide onsite parking.

#### Lot Occupancy and Rear Yard

The existing building already has 80% lot occupancy and a 10' rear yard. Demolishing part of the building to conform to lot occupancy and rear yard requirements would be a practical difficulty for the applicant.

### **2. No Substantial Detriment to the Public Good**

#### Parking

The requested relief could be granted without detriment to the public good. The use would require one parking space, and without the space it could be expected that an additional car would park on the street. But the addition of one car on the street should not have a great impact on the parking situation in the neighborhood. The neighborhood is also served by transit, with the 70, 79, 63, 64, H1, H2, H3, and H4 buses all serving the immediate neighborhood. Also, the Georgia Avenue metro stop is located about seven blocks to the north, and the Columbia Heights metro stop about five blocks to the west. This extensive transit service means residents are less likely to need cars. Not requiring a curb cut would also maintain the pedestrian-friendly environment of this block, would allow a more gracious visual streetscape, and maintain existing on-street parking spaces.

#### Lot Occupancy and Rear Yard

Variations to lot occupancy and rear yard would not have an impact on the public good. The existing building is not being expanded, so no new impacts would be created that would affect the light, air or privacy of adjacent properties.

### **3. No Substantial Harm to the Zoning Regulations**

#### *Parking*

Granting the requested relief would not impair the integrity of the Regulations. While the Regulations generally intend to provide on-site parking for any given use, doing so in this case would necessitate a curb cut on Kenyon Street, which could eliminate at least one parking space from the street and result in no net parking gain for the neighborhood.

#### *Lot Occupancy and Rear Yard*

No harm to the Zoning Regulations would result from granting the requested relief. The regulations intend to prevent undue harm to adjacent residents and properties from the excess bulk of buildings. In this case, the building is not being expanded, and the footprint of the building that has existed for many years will remain. In addition, the Regulations do not intend to fallow existing space in an existing building that could otherwise be put to a conforming use.

## **VI. COMMUNITY COMMENTS**

ANC 1A submitted a form to the record indicating their support for the application.