

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: July 7, 2017

SUBJECT: BZA Case 19088A (3701 14th Street, N.W.) for a Modification of Consequence to allow the addition of a penthouse to an apartment building

703 CONSENT CALENDAR – TECHNICAL CORRECTIONS, MINOR MODIFICATION, AND MODIFICATION OF CONSEQUENCE, TO ORDERS AND PLANS

703.1 This section applies to all applications and appeals filed with the Board under this subtitle.

703.2 The procedure shall allow the Board, in the interest of efficiency, to make, without public hearing, technical corrections, minor modifications, or modifications of consequence to previously approved final orders including any plans approved in such orders.

703.3 For purposes of this section, “minor modifications” shall mean modifications that do not change the material facts upon which the Board based its original approval of the application.

BZA Order 19088, dated February 29, 2016, approved area variance relief to:

1. Increase lot occupancy from 60 to 62 percent;
2. Decrease rear yard from 15 to 0 feet; and
3. Reduce parking from three spaces to none

to allow for the construction of a four-story mixed use building with six apartments, 1,474 square feet of ground floor retail space and roof structures providing stair access to a common roof deck for residents of the building. The applicant now proposes to alter that plan to provide a penthouse dedicated to increasing the size of the two fourth floor apartment units and a mechanical penthouse above, permitted as a matter-of-right pursuant to C Subtitle 1502.1.

Subtitle C 1500 of ZR16 permits penthouses as a matter-of-right, subject to the provisions of that chapter. The proposed penthouse is in conformance with those provisions, does not affect the relief previously granted by the BZA and no new relief is required. Therefore, the material facts upon which the Board based its original approval have not changed. However, the proposal would be subject to Inclusionary Zoning and OP suggests the applicant submit an affordable housing estimate to the file.