

**MEMORANDUM**

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

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

**DATE:** September 9, 2016

**SUBJECT:** BZA #19324 – 1349 Randolph Street, NW – Special Exception relief to permit the conversion and expansion of an existing dwelling to a 3-unit apartment

**I. RECOMMENDATION**

With regard to this proposal to expand an existing dwelling and convert it into an apartment, the Office of Planning (OP) recommends approval of the following requested relief, subject to the condition below:

- U § 320.2 Conversion of an Existing Residential Building.

The OP recommendation is subject to the following condition:

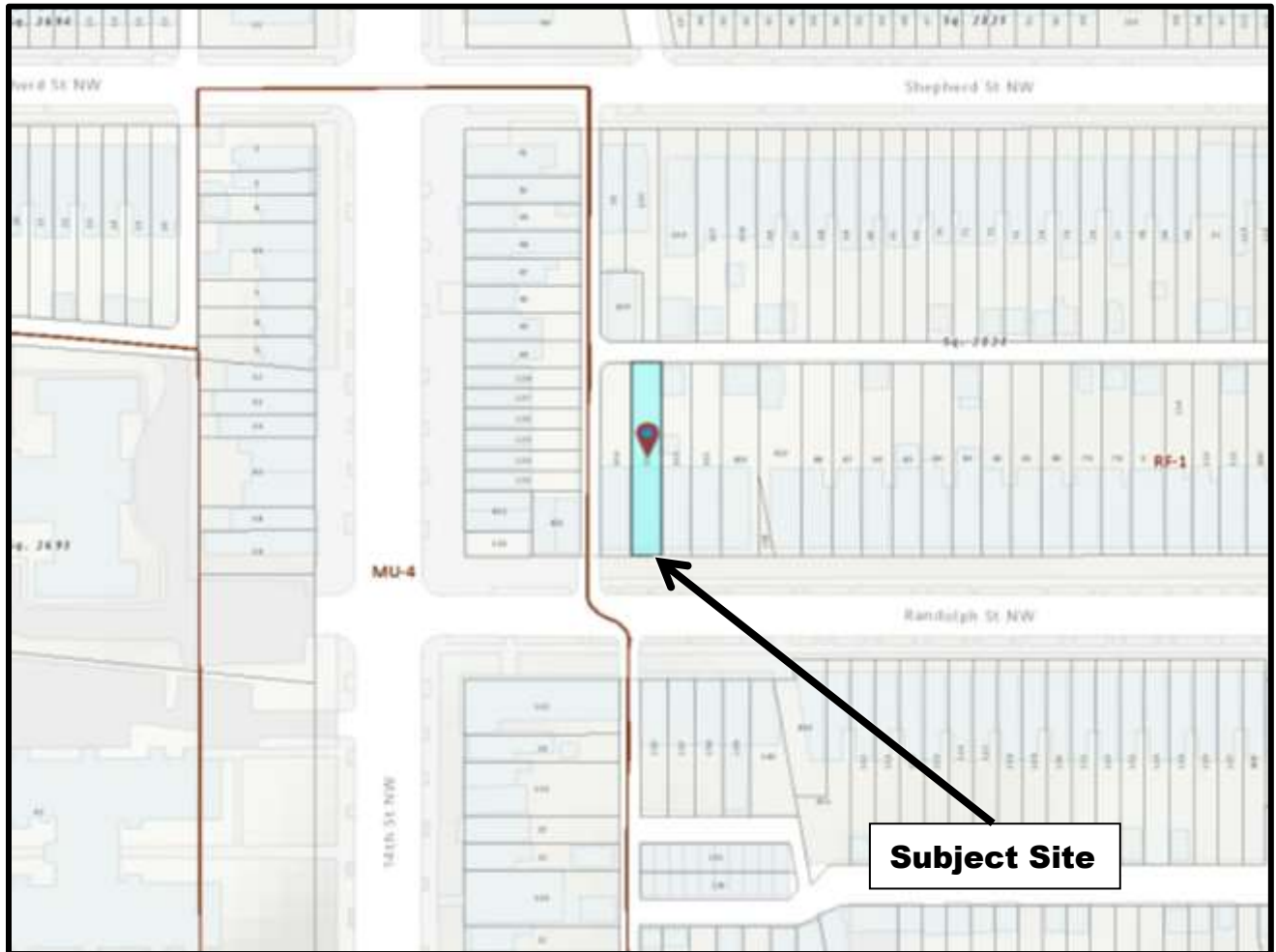
- The applicant shall enter into the record either a plan showing how the adjacent chimney at 1347 Randolph Street will be extended upwards, or a written commitment to extend the chimney.

**II. LOCATION AND SITE DESCRIPTION**

Address	1349 Randolph Street, NW
Legal Description	Square 2824, Lot 103
Zoning	RF-1
Ward and ANC	4, 4C
Historic District	None
Lot Characteristics and Existing Development	Existing 2-story with attic rowhouse on a rectangular lot; Lot is 141.15' X 22'; Alley access at rear; Grade at rear is slightly higher than on Randolph Street.
Adjacent Properties and Neighborhood Character	Randolph Street is developed with rowhouses, as is Shepherd Street to the north; 14 <sup>th</sup> Street has moderately scaled commercial structures; Adjacent rowhouses are nearly identical to the existing structure on the subject property.

### III. PROJECT DESCRIPTION IN BRIEF

The applicant proposes to convert an existing single family dwelling to a three-unit apartment building. The building would be extended back 10 feet and the existing attic space would be replaced with a partial 3<sup>rd</sup> floor. Stairs would be added at the front of the house to access the cellar apartment unit, and decks would be added at the rear of the structure.



### IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The subject site is zoned RF-1. An existing dwelling can be converted to an apartment if there is 900 square feet of lot area per apartment unit, and if approved by the Board as a special exception. The applicant requests that relief, pursuant to U § 320.2. The parameters of the proposal are shown in the table below.

Item	Requirement	Existing	Proposed	Relief
Lot Area U § 320.2(d)	900 square feet per unit = 2,700 sf	3,105 sf	No change	Conforming
Lot Width	No requirement	22'	No change	Conforming
Height E § 303.1	35', 3 Stories	25'5"	34'10"	Conforming
Lot Occupancy E § 304	Greater of 60% or the lot occupancy at the date of conversion	41.2%	51.7%	Conforming
Rear Yard E § 306	20'	78'1"	68'1"	Conforming
Side Yard E § 307	None required	None	None	Conforming
Pervious Surface E § 204	20% of lot area (Residential Use on a lot > 2,000 sf)	Not provided	Not provided	Assumed conforming

## V. ANALYSIS

### Conversion to an Apartment House

In order to convert a dwelling to an apartment, an applicant must demonstrate compliance with the specific special exception criteria of U § 320.2 and the general special exception criteria of X § 901.2.

**U § 320.2 Conversion of an existing residential building existing prior to May 12, 1958, to an apartment house shall be permitted as a special exception in an RF-1, RF-2, or RF-3 zone if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to the following conditions:**

The subject building was existing prior to 1958 and is in the RF-1 zone. The Board, therefore, may approve as a special exception the conversion of the building to an apartment house.

- (a) **The maximum height of the residential building and any additions thereto shall not exceed thirty-five feet (35 ft.), except that the Board of Zoning Adjustment may grant a special exception from this limit to a maximum height of forty feet (40 ft.) provided the additional five feet (5 ft.) is consistent with Subtitle U §§ 320.2(f) through 320.2(i);**

The height of the proposed addition would be 34'10".

- (b) The fourth (4<sup>th</sup>) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Subtitle C, Chapter 10, Inclusionary Zoning, including the set aside requirement set forth at Subtitle C § 1003.6;**

The proposal calls for a total of three dwelling units.

- (c) There must be an existing residential building on the property at the time of filing an application for a building permit;**

The existing building is a single family dwelling.

- (d) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per dwelling unit;**

The three proposed dwelling units would require a minimum of 2,700 square feet of lot area. The lot has 3,105 square feet of area.

- (e) An addition shall not extend further than ten feet (10 ft.) past the furthest rear wall of any principal residential building on an adjacent property;**

The addition to the structure would extend 10 feet beyond the rear wall of the neighboring rowhouses.

- (f) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;**

OP has received from the applicant a plan that shows the location of adjacent chimneys relative the proposed addition. That plan should be submitted to the record, as well as a plan showing how the chimney at 1347 Randolph Street will be extended upwards. OP's recommendation of approval is conditioned on the submittal of the plan showing a chimney extension, or a commitment in writing to extend the chimney.

- (g) Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Board of Zoning Adjustment;**

The applicant is not aware of any existing or permitted solar power systems on adjacent properties. OP could find no records of permits issued for solar energy systems on the next-door houses.

- (h) A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size;**

The proposed design would maintain the existing mansard-type roof line on the house.

- (i) Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:**

- (1) The light and air available to neighboring properties shall not be unduly affected;**

The light and air should not be unduly impacted. A new partial third floor, within the permitted height limit, would be added at the middle of the building, but would be set back significantly from the front and rear, limiting any potential impacts. The 10-foot rear addition should not significantly increase the shadow on neighboring yards.

- (2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and**

The privacy of neighboring properties should not be compromised. The proposal would add roof decks, but those decks would not reduce privacy more than the porches on the rear of the existing building.

- (3) The conversion and any associated additions, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street or alley;**

The proposed structure would be in conformance with the character and scale of the surrounding neighborhood. The additions would be modest in scale and the new third floor would have a significant set back from the front and rear façades of the building. The design would preserve the existing porch and the mansard roof at the front of the building.

- (j) In demonstrating compliance with Subtitle U § 320.2(i) the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways;**

The application included site plans, section drawings, elevations and photographs.

- (k) **The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties, or to maintain the general character of a block;**

OP recommends no special treatments or conditions regarding the design of the addition itself, but does recommend a condition that applicant should commit to increasing the height of the adjacent chimney at 1347 Randolph Street.

- (l) **The Board of Zoning Adjustment may modify or waive not more than three (3) of the requirements specified in Subtitle U §§ 320.2(e) through § 320.2(h) provided, that any modification or waiver granted pursuant to this section shall not be in conflict with Subtitle U § 320.2(i); and**

The applicant has not requested any deviations from the standards of this section.

- (m) **An apartment house in an RF-1, RF-2 or RF-3 zone, converted from a residential building prior to June 26, 2015, or converted pursuant to Subtitle A §§ 301.9, 301.10, or 301.11 shall be considered a conforming use and structure, but shall not be permitted to expand either structurally or through increasing the number of units, unless approved by the Board of Zoning Adjustment pursuant to Subtitle X, Chapter 9, and this section.**

Not applicable.

**X § 901.2** The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

- (a) **Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;**

The special exception to establish an apartment use would be in harmony with the general purpose of the Zoning Regulations. The Regulations permit additional residential units in the RF-1 zone where there is sufficient lot area to maintain the overall character of the rowhouse neighborhood. The Regulations also seek to maintain the visual appearance of the building itself, and the proposed design would accomplish that objective.

- (b) **Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and**

The proposed special exception should not adversely affect the use of neighboring properties in accordance with the Regulations. Adjacent properties would still be viable for permitted uses in the RF-1 zone.

## **VI. COMMUNITY COMMENTS**

As of this writing OP has received no comments from the community.