

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: November 18, 2016

SUBJECT: BZA #19373 – 911 T Street, NW – Special Exception relief to permit the expansion of an existing apartment building

I. RECOMMENDATION

With regard to this proposal to expand an existing apartment building, the Office of Planning (OP) recommends **approval** of the following special exception relief:

- C § 320.2(m) (Special Exception Necessary to Expand an Existing Apartment House).

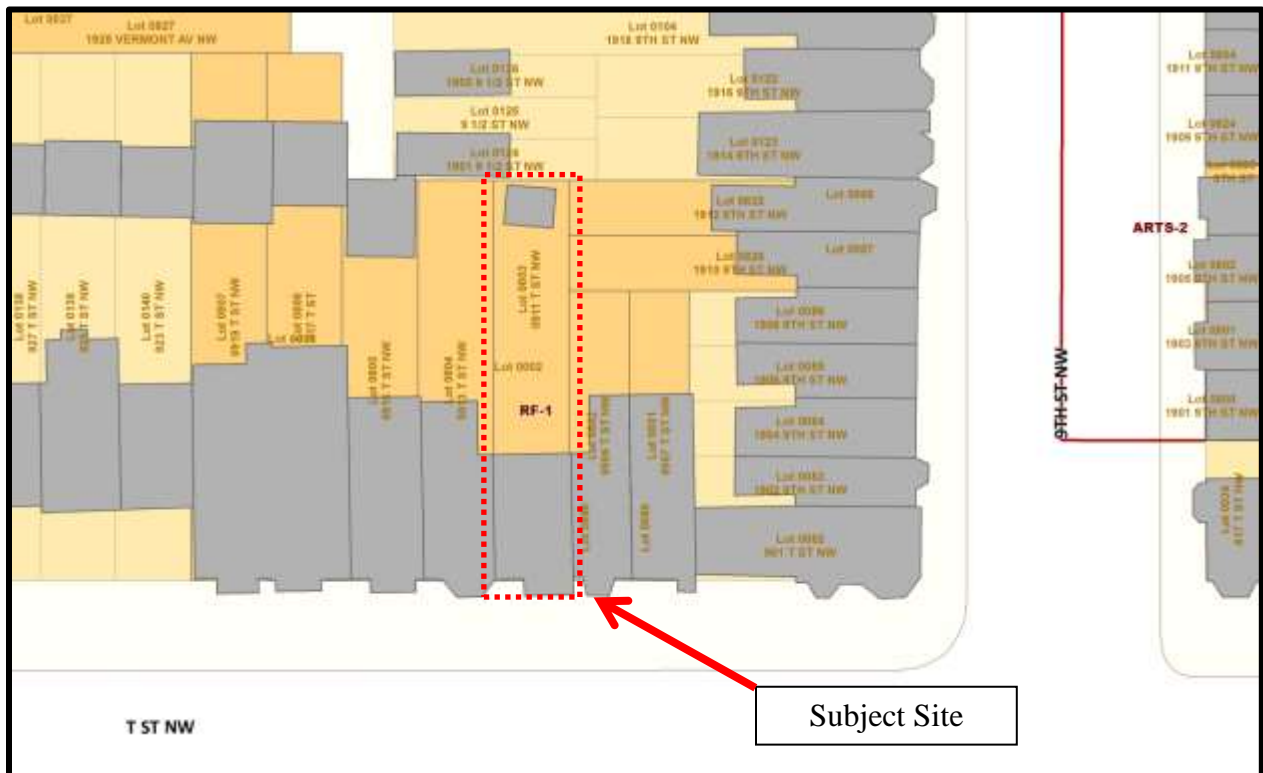
OP’s recommendation of approval of the zoning relief should not be taken as an endorsement of the project’s compatibility with the U Street Historic District, which will be evaluated separately by the Historic Preservation Review Board and/or the Historic Preservation Office.

II. LOCATION AND SITE DESCRIPTION

Address	911 T Street, NW
Legal Description	Square 361, Lot 803
Zoning	RF-1 (Attached Single Family and Flat)
Ward and ANC	1, 1B
Historic District	U Street
Lot Characteristics and Existing Development	Rectangular rowhouse lot – 22’ X 116.25’; Lot area = 2,557.5 sf; No alley access; Existing four-unit apartment building converted from a rowhouse prior to 1958.
Adjacent Properties and Neighborhood Character	Immediate surroundings are mostly rowhouses with a few small apartment buildings; 9 th Street north of T Street has a number of commercial uses; The greater neighborhood has larger apartment buildings, retail and institutional buildings.

III. PROJECT DESCRIPTION IN BRIEF

The subject property is improved with a four unit apartment building, converted from a rowhouse prior to 1958. The applicant proposes to expand the building to the rear, but not to expand the number of units. The 36'6" deep building would be expanded by 18'10". The height of the addition would be 34'3", lower than the existing height at the front of the building of 39'6½".



IV. ZONING REQUIREMENTS AND ANALYSIS

Subtitle U § 320.2(m) states that an existing apartment building may be expanded pursuant to the special exception criteria of Subtitle X Chapter 9, and the provisions of “this section”, U § 320.2. The following is OP’s analysis of 320.2.

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:

- (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 existing height at the front of the building is 39'6½", and the addition would have a height of 34'3".

- (b) **The fourth (4th) 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 would not increase the number of units above the four that are already located in the building.

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

There is an existing residential building on the property.

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

The number of units in the building would not be increased as a result of the proposed construction.

- (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;**

Based on OP's GIS analysis, it appears that the addition would extend at most three or four feet past the rear wall of the adjacent buildings.

- (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;**

The addition would abut courts on each of the adjacent properties and therefore would not interfere with chimneys or vents.

- (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 or shade study, or other reputable study acceptable to the Board of Zoning Adjustment;**

OP has found no evidence of an existing or permitted solar energy system on adjacent properties.

- (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;**

No rooftop architectural elements such as a turret, tower or dormer would be removed or altered. No changes are proposed to the front of the building.

- (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 amount of shadow on adjacent properties would likely increase some amount, but the available light should not be unduly impacted, and not beyond levels to be expected in a dense urban neighborhood.

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

Privacy should not be unduly impacted. Residential units would have windows facing the rear yard, but no windows facing east or west. The overall impact on privacy should not be significantly greater than the existing condition.

- (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 addition would not be visible from a street or alley.

- (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 materials include floorplans, 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;**

The Office of Planning recommends no special treatments or conditions.

- (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**

No waivers have been requested.

- (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.**

The applicant seeks special exception relief pursuant to this subsection in order to expand the building structurally, but not in the number of units.

V. HISTORIC PRESERVATION

The subject property is within the U Street Historic District. OP's recommendation of approval of the zoning relief should not be taken as an endorsement of the project's compatibility with the historic district, which will be evaluated separately by the Historic Preservation Review Board and/or the Historic Preservation Office.

VI. COMMUNITY COMMENTS

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