District of Columbia
Office of Planning

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Anne Fothergill, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: July 7, 2017

SUBJECT: BZA Case 19528 - request for Special Exception relief under Subtitle C § 703 and X § 901 to expand an existing accessory building for residential use and to provide no parking at 716 16th Street., S.E.

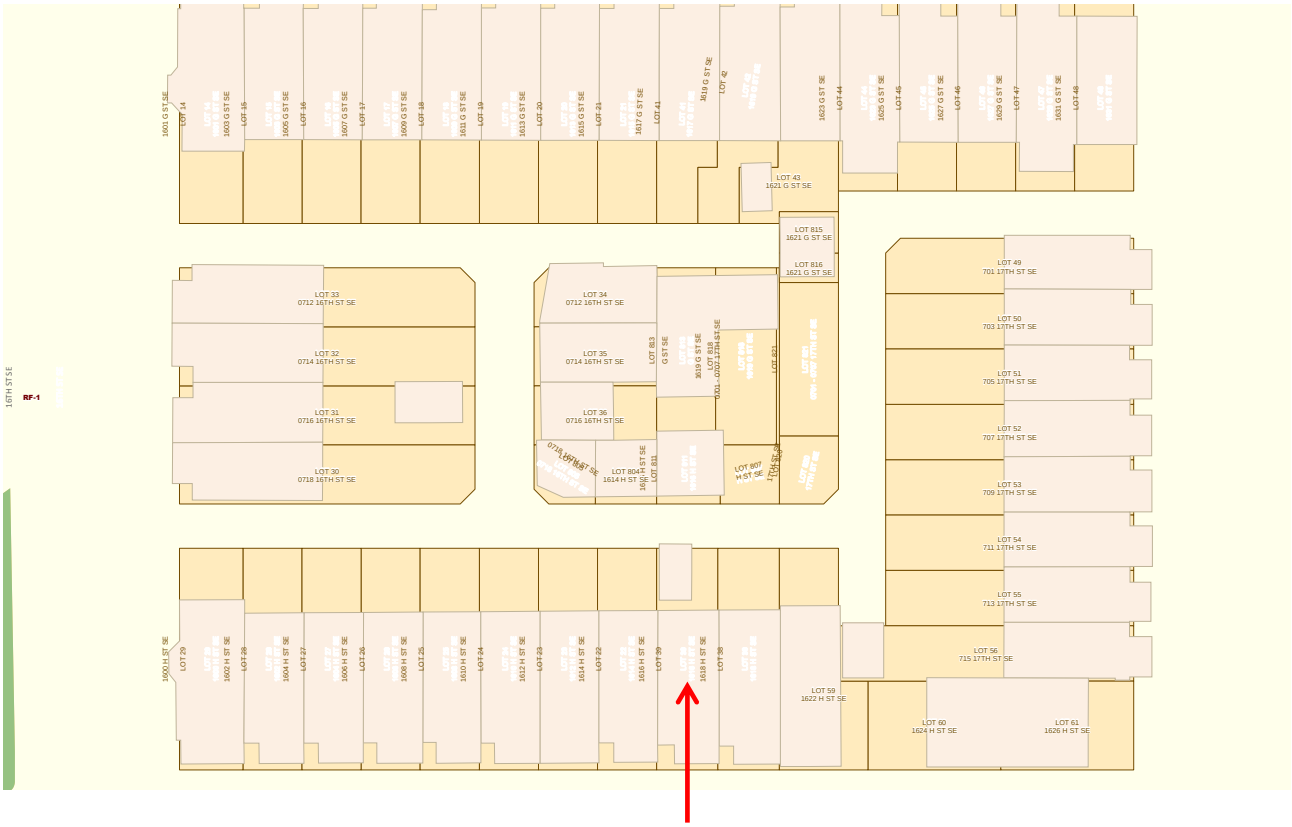
I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following Special Exceptions:

- Subtitle C § 701 to allow relief from the Minimum Vehicle Parking Requirements pursuant to Subtitle C § 703
- Subtitle U § 301.1(g) to expand an existing accessory building for residential purposes pursuant to Subtitle X § 901

II. LOCATION AND SITE DESCRIPTION

Address:	716 16th Street, S.E.
Applicant:	Edwin and Katharine Doyle
Legal Description:	Square 1092 Lot 0031
Ward / ANC:	Ward 6/ ANC 6B
Zone:	RF-1
Historic District:	N/A
Lot Characteristics:	2000 SF rectangular lot with an alley at the rear.
Existing Development:	Row dwelling with a storage shed in the back yard off the alley.
Adjacent Properties:	There are row dwellings adjacent to this property.
Surrounding Neighborhood Character:	The surrounding neighborhood is generally residential in character and the predominant residential building type is row dwelling.
Proposed Development:	The Applicants propose to expand the existing accessory building located behind the house, which is used as a storage shed. The Applicants propose to renovate the structure and add a second story and install a bathroom on the first floor for their use (not a separate residential swelling unit). The Applicants do not currently use the shed for parking (see Section III).



III. ZONING REQUIREMENTS and RELIEF REQUESTED

R-F-1 Zone (Subtitle E)	Regulation	Existing	Proposed [1]	Relief
Height	35 feet	25 feet	No change	None required
Lot Width	18 feet min.	20 feet	No change	None required
Lot Area	1800 SF min.	2000 SF	No change	None required
Rear Yard	20 feet min.	49 feet	No change	None required
Lot Occupancy	60% max.	60%	No change	None required
Expansion of accessory building for residential use	By Special Exception	N/A	Studio space	Relief requested
Parking spaces	1	0*	0	Relief requested

*The Applicants have never used the shed for parking and the structure does not have a garage door for auto access. The Zoning Administrator determined that since there is a driveway to the shed from the alley, the Applicants' proposal would eliminate a parking space and they need to apply for zoning relief.

[1] Information provided by applicant.

IV. OP ANALYSIS

A. Subtitle U Section 301 - Proposed Expansion of Accessory Building for Residential Purposes

U-301.1 (g) Any proposed expansion of an accessory building for residential purposes shall be permitted only as a special exception approval pursuant to Subtitle X, and shall be evaluated against the standards of this section.

Subtitle X Section 901 Special Exception Review Standards
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 Applicants' proposed expansion of the existing shed and the conversion of the storage shed to a two-story studio is consistent with the review criteria. The shed has always been used for storage purposes – and not as a garage - and expanding it for residential purposes would be in harmony with the zoning regulations for accessory buildings in the RF-1 zone.

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

The proposed expansion of the shed and the owners' use of it as a studio should not adversely impact neighboring properties. The Applicants adjusted the design based on adjacent neighbors' wishes. The adjacent property owners as well as other nearby neighbors have submitted letters of support in Exhibits 12-15.

(c) Will meet such special conditions as may be specified in this title.

There are no special conditions specified.

B. Subtitle C Section 703 - Special Exceptions from Minimum Parking Requirements

703.1 This section provides flexibility from the minimum required number of parking spaces when the provision of the required number of spaces would be contrary to other District of Columbia regulations; or impractical or unnecessary due to the shape or configuration of the site, a lack of demand for parking, or proximity to transit.

703.2 The Board of Zoning Adjustment may grant a full or partial reduction in number of required parking spaces, subject to the general special exception requirements of Subtitle X, and the applicant's demonstration of at least one (1) of the following:

(a) Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;
(b) The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;
(c) Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;

(d) Amount of traffic congestion existing or which the parking for the building or structure would reasonably be expected to create in the neighborhood;
(e) The nature of the use or structure or the number of residents, employees, guests, customers, or clients who would reasonably be expected to use the proposed building or structure at one time would generate demand for less parking than the minimum parking standards;
(f) All or a significant proportion of dwelling units are dedicated as affordable housing units;
(g) Quantity of existing public, commercial, or private parking, other than on-street parking, on the property or in the neighborhood, that can reasonably be expected to be available when the building or structure is in use;
(h) The property does not have access to an open public alley, resulting in the only means by which a motor vehicle could access the lot is from an improved public street and either:
(1) A curb cut permit for the property has been denied by the District Department of Transportation; or
(2) Any driveway that could access an improved public street from the property would violate any regulation of this chapter, of the parking provisions of any other subtitle in the Zoning Regulations, or of Chapters 6 or 11 of Title 24 DCMR;
(i) The presence of healthy and mature canopy trees on or directly adjacent to the property; or
(j) The nature or location of a historic resource precludes the provision of parking spaces; or providing the required parking would result in significant architectural or structural difficulty in maintaining the integrity and appearance of the historic resource.

The Applicants have demonstrated that they meet more than one of the above conditions including (b) and (c), thus meeting the criteria for a Special Exception for parking reduction. The Applicants have stated that a Metro station and many bus lines are located nearby and the property is well served by transit (b). The Applicants have also stated that most of the nearby properties have parking off the alley which reduces the need for on-street parking (c). The Applicants do not use the shed for parking so the proposal to expand and convert the shed to a studio would not reduce the amount of current on-site parking. While the Applicants do not intend to use the two garages that they own directly across the alley from the shed, it would be possible to use those structures for the Applicants' parking spaces in the future should that be desired.

703.3 Any reduction in the required number of parking spaces shall be only for the amount that the applicant is physically unable to provide, and shall be proportionate to the reduction in parking demand demonstrated by the applicant.

703.4 Any request for a reduction in the minimum required parking shall include a transportation demand management plan approved by the District Department of Transportation, the implementation of which shall be a condition of the Board of Zoning Adjustment's approval.

DDOT has indicated that the Applicants' submission satisfies their requirements for a transportation demand management plan and they support the relief request.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No other comments from other District agencies had been filed at the time of this report.

DDOT has indicated that they support the parking relief the Applicant has requested.

VI. COMMUNITY COMMENTS

There are letters of support from neighbors in Exhibits 12-15.

Capitol Hill Restoration Society submitted a letter of support in Exhibit 35.

ANC 6B had not filed a report at the time of this report.