



**MEMORANDUM**

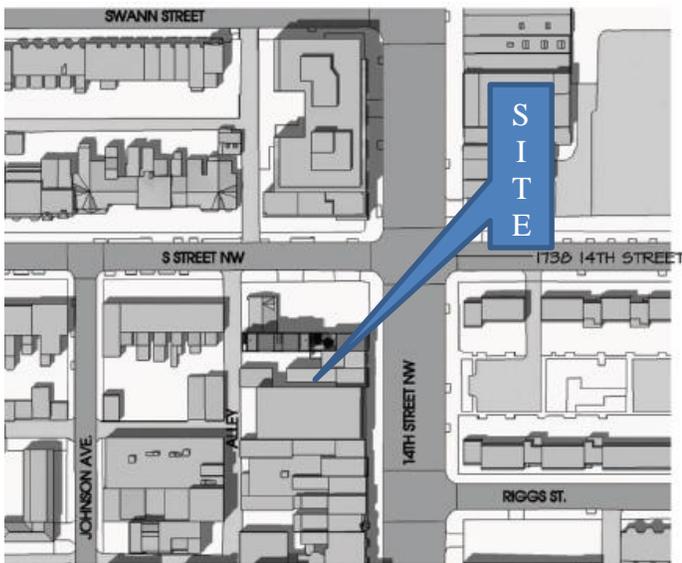
**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Stephen Cochran, Case Manager

 Joel Lawson, Associate Director Development Review

**DATE:** September 9, 2014

**SUBJECT:** **BZA Case 18817** - request for special exception relief from § 774.1 in accordance with § 774.2 to reduce the rear yard setback required for a proposed addition to the existing three-story building located at 1738 14<sup>th</sup> Street NW



**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) **recommends approval** of the following Special Exception relief from § 774.1’s minimum rear yard requirement, in accordance with § 774.2 and the criteria in §§ 774.3 – 774.6.

- (12 feet from alley centerline required for first 20 feet of height; 10 foot setback proposed);
- (12 feet from rear property line required above 20 feet of height; 5 foot setback proposed).

The applicant has filed timely revised drawings and a written statement that demonstrates that the applicant meets all but the rear yard requirement for the C-3-A zone, meets all of the Arts overlay requirements, and meets the standards for special exception approval of the requested rear yard relief.

**II. LOCATION AND SITE DESCRIPTION**

<b>Address:</b>	1738 14 <sup>th</sup> St. NW	<b>Legal Description:</b>	Square 207, Lot 69	<b>Ward/ANC:</b>	2F
<b>Zoning:</b>	Arts/C-3-A medium density commercial, mixed-use and residential development subject to provisions of the Uptown Arts-Mixed Use (Arts) Overlay.				
<b>Historic:</b>	Greater 14 <sup>th</sup> Street Historic District				
<b>Characteristics of Lot and Adjacent Properties:</b>	The 2,800 square-foot rectangular interior lot borders: 14 <sup>th</sup> Street NW along the front (eastern) property boundary; a 20 -foot wide public alley along the rear (western) boundary; a 3 story property to the south side; and, to the north, a 1 story commercial corner property set back approximately 100 feet from 14 <sup>th</sup> Street.				



<b>Existing Development:</b>	The present structure is a commercial building consisting of four joined parts. From east to west they are: 3 stories on 14 <sup>th</sup> Street from property line to property line; behind that, a two-story “L” addition on the northern property line and; a one-story addition filling a former open court between the two-story addition and the southern property line; and, finally, a one-story addition along the northern property line and extending to the rear property line and alley, but with an open court between that addition and the southern property line.
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### III. PROJECT DESCRIPTION IN BRIEF

<b>Applicant:</b>	Teymour Zabihi, owner of record. Self-Certified.
<b>Proposal:</b>	Renovate existing 3-story portion of structure. Demolish remainder and construct addition varying from one story to three-stories plus lofts. First floor would be commercial with parking, loading and trash storage in rear. Upper stories would be 8 residential units and a closed courtyard.
<b>Relief Sought:</b>	The proposed new construction would encroach into the required rear yard setback. Special exception relief is sought under § 774.1 in accordance with the provisions of § 774.2.

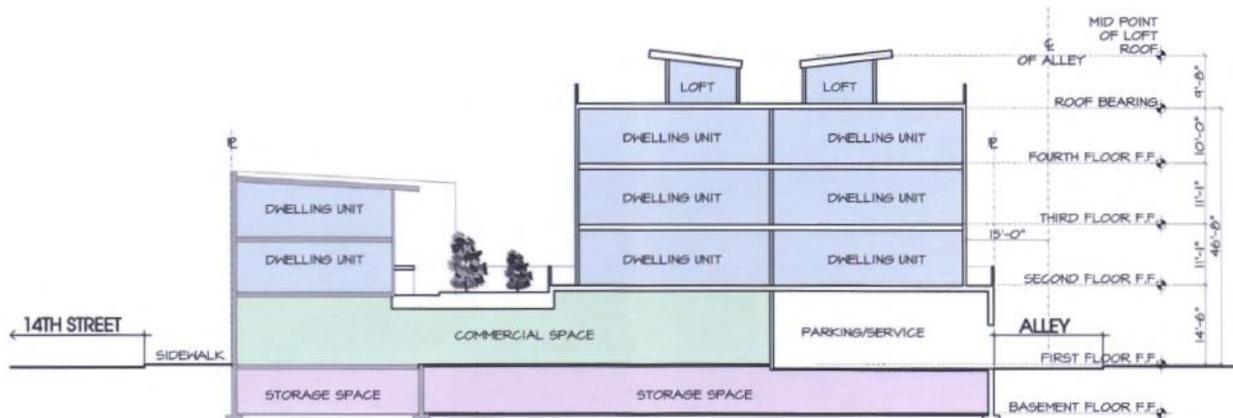


Figure 1. Proposed Section from North

### IV. ZONING REQUIREMENTS

Item	Reg.	Existing	Required / Permitted	Proposed	Relief
Lot Area	none	2800	n/a	Same	Not required
Lot Width	none	20 ft.	n/a	same	Not required
Lot Occ.	772.1	95%	100% commercial / 85% residential	100% comm. / 85% res.	Not required
FAR	1904.1	1.75	4.0 (w/out Arts bonus)	3.22	Not required
Height	1902.1	35'4"	65 ft. max.	56 ft. 4 in. to loft roof midpoint	Not required

Item	Reg.	Existing	Required / Permitted	Proposed	Relief
Roof Struc.	411.5	n/a	n/a	none	Not required
Parking	2101.1	n/a	None (3 existing parking credits, and historic)	1	Not required
Loading	2202.1	n/a	0	0	Not required
Rear Yard	774.1	n/a	12' minimum from alley centerline below 20' of height and 12' from rear property line above that	0 ft., below 20 ft. 5 ft. above 20 ft.	12 ft. below 20 ft.; 7 ft. above 20 ft. (See Applicant Sheet A.21)
Side Yard	775.5	none	Not required	none	Not required
Open Ct.	776.3	4 ft.	15 ft., if provided	none	Not required
Closed Ct.	776.2	none	356 SF	565 SF	Not required
Arts Setback	1902.1(b)	n/a	> 50 feet high, 45° from rear property line.	Not within regulated area	Not required (See Applicant Sheet A.20)

**V. OP ANALYSIS**

Consistency with § 774.2

*774.2 The Board of Zoning Adjustment may waive the rear yard requirements of this section pertaining to C-3-A, C-3-B, C-3-C, and C-4 Districts in accordance with the requirements of § 3104 for special exceptions; provided, that the standards in §§ 774.3 through 774.6 shall be met.*

Section and Criterion	OP Analysis	Notes
<u>774.3</u> : Windows facing other buildings separated by distance sufficient for mutual light, air, privacy	Separation of 32 ft. provides adequate distance, consistent with yards and alleys separating rear of mixed use properties and residential zones in Arts District.	See Applicant sheets A. 20 and A.19. Cf. Fig. 2, below.
<u>774.4</u> : Angle of sight lines and distance of penetration into habitable rooms sufficient to ensure adequate light, air, privacy	32 ft. separation provides adequate distance, consistent with other mixed use properties and residential zones in Arts District, particularly on west side of 14 <sup>th</sup> Street. Properties across alley include a wall with no windows, a back yard, and part of a two story building with windows.	See Applicant sheet A.20. Cf. figure 2, below.
<u>774.5</u> : Adequate off-street service functions, including parking, loading, access	There are currently no parking, loading or formal trash facilities. Enclosed trash and loading and 1 parking space are proposed.	The Zoning Administrator has written that "... a three-space parking credit exists...the size of the addition will not trigger any additional parking spaces." Cf. Applicant Sheet 1.
<u>774.6</u> : Review by OP, DDOT, DHCD, HPO	Concept approval received from HPO. DDOT has not expressed objections and will provide comments separately.	-----

Figure 2. View Across Rear Alley



## VI. COMMUNITY COMMENTS

On July 10, 2014, ANC 2F's Community Development Committee recommended approval of the rear yard special exception to the full ANC, which is scheduled to consider the application on September 10, 2014.