



## MEMORANDUM

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

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

**DATE:** September 15, 2015

**SUBJECT:** BZA #19066 – 1100 Euclid Street, NW

### I. RECOMMENDATION

With regard to this proposal to expand an existing flat to allow room for a third unit, the Office of Planning (OP) **cannot recommend approval** of the following relief:

- § 404 Rear Yard (20' required, ~29' existing, 0' provided).

The application does not show that the requested variance would meet the three-part variance test, and the submitted plans are both inaccurate and do not show an already-approved third floor addition on the house. Also, the applicant has requested relief from lot occupancy, but OP does not believe lot occupancy relief is required.

### II. LOCATION AND SITE DESCRIPTION

Address	1100 Euclid Street, NW
Legal Description	Square 2865, Lot 115
Zoning	R-4, moderate density rowhouses
Ward and ANC	1, 1B
Historic District	None
Lot Characteristics and Existing Development	The property is a rectangular rowhouse lot, 25'9" x 121', and sits at the southwest corner of 11 <sup>th</sup> and Euclid Streets, NW. Because it has a side yard on the 11 <sup>th</sup> Street side, the structure is considered semi-detached. The existing semi-detached rowhouse structure has two stories and a cellar, and a third floor has been approved as a matter-of-right, though that is not shown on the plans submitted to date. The property slopes down from the location of the house to 11 <sup>th</sup> Street, and the existing garage, which is mostly below grade, is accessed from 11 <sup>th</sup> Street. There is no alley abutting the property.
Adjacent Properties and Neighborhood Character	Mostly rowhouses with some small apartment buildings nearby. Two schools nearby – one a block to the south and one across 11 <sup>th</sup> Street to the southeast.

### III. PROJECT DESCRIPTION IN BRIEF

The applicant proposes to create an addition to the existing flat, at the rear of the property on top of the existing garage. The addition would contain a third unit, and would have a roof deck on top. The applicant states that the space could be used in the near future as an office, but the office of the Zoning Administrator has concluded that as designed it would constitute a third unit. Also, while the addition would appear to be a separate structure, the Zoning Administrator has determined that, because of the connections between the buildings, the new construction would actually be an addition to the existing house and not an accessory structure. It is also important to note that the existing garage does not count toward lot occupancy, as it is mostly below grade.

### IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The site is zoned R-4 (Single family or flat rowhouses). In order to develop as proposed, the application seeks zoning relief as noted in the table below. The “Existing/Approved” column is intended to include information from the third floor addition that has been approved as a matter-of-right. As of this writing, however, the submitted plans do not show that addition. Also, based on the date this application was submitted, the applicant has the option of proceeding under the “old” R-4 regulations or the “new” R-4 regulations. OP asked the applicant to clarify which regulations they wanted to proceed under, and in the absence of an affirmative statement, this analysis utilized the old regulations because the application assumes the future third unit is a matter-of-right use.

Item	Requirement	Existing / Approved	Proposed	Relief
§ 400 Height	40', 3 stories	Ft. not provided, 3 stories	No change to total height; greater height over garage	Assumed conforming
§ 401 Lot Area	2,700 sf (900 sf per unit)	3,098 sf	No change	Conforming
§ 401 Lot Width	None prescribed for conversions	25'9"	No change	Conforming
§ 403 Lot Occupancy	Greater of 60% or the occupancy at the time of the conversion	34% (1,054 sf)	48% (1,497 sf)	<b>Requested, but conforming</b>
§ 404 Rear Yard	20'	~29'	0'	<b>Requested</b>
§ 405 Side Yard	8' required on detached side	8'	No change	Conforming

## V. ANALYSIS

In order to be granted a variance, the applicant must show that they meet the three part test described in § 3103.

### 1. Exceptional Situation Resulting in a Practical Difficulty

The written submission in the record (Exhibit 4) does not address the three-part variance test, and based on OP's review, the subject property does not seem to exhibit an exceptional condition that would lead to a practical difficulty in following the Zoning Regulations. The property is similar and even larger in size to others on this square and on nearby squares. While the property does have an unusual change in grade from the house down to 11<sup>th</sup> Street, that feature does not relate to a need to have no rear yard. The written statement also references the corner condition of the property and implies that the rear of this property facing the side of the adjacent property is somehow unusual. But in fact, that condition is typical of rowhouse neighborhoods in the District, as is having a gap between the houses. OP asked the applicant to address the three-part test, but as of this writing has not received a revised written statement. Based on the information in the record, therefore, OP concludes that the application does not meet the first part of the variance test.



## **2. No Substantial Detriment to the Public Good**

The plans submitted to date show a very modern, minimalistic design that would contrast sharply with the existing buildings on site and the buildings to the south. While a modern design is not inherently incompatible with the public good, methods can be employed that would help the structure blend more sympathetically with its neighbors and with the 11<sup>th</sup> Street streetscape. OP worked with the applicant to address concerns about the design and make the proposed construction over the garage more compatible with adjacent development. As of this writing no revised designs have been submitted.

The submitted plans do not accurately show the relationship of the existing garage to the properties to the south. For example, on Sheet A1.0 the plans show the face of the garage in-line with the face of the adjacent house, whereas in reality the garage is built out to the Building Restriction Line, about six feet in front of the face of the houses on 11<sup>th</sup>. OP asked the applicant to correct the plans and to also show adjacent structures on the elevation drawings. OP estimates that, as designed, the wall and parapet would extend to be about equal in height to the top of second story windows on the house to the south. An updated elevation drawing would show this with more certainty.

Given the lack of updated drawings, OP cannot completely assess the impact to the public good of the proposed addition.

## **3. No Substantial Harm to the Zoning Regulations**

The Zoning Regulations generally support the maintenance of open space on a lot through rear yard limits. In this case, the rear yard would be completely eliminated and a natural open space in the urban fabric would be filled. While the Zoning Regulations allow for variances in cases where unique or exceptional conditions warrant them, the application to date does not contain sufficient justification for the proposed rear yard variance. As such, granting the variance could impair the intent of the Regulations.

## **VI. COMMUNITY COMMENTS**

The ANC voted to support the application, and the record contains letters of support, including from the owners of the adjacent properties, as well as a petition expressing concern about the proposed third unit.