

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: April 29, 2014

SUBJECT: BZA Case 18748, 1827 Park Road NW – variance relief to allow two principal structures on a single lot

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) **supports** the following:

- § 404.1 Rear Yard (20 feet required, 3 feet existing, 3 feet proposed); and
- § 3202.3 Permits (one principal dwelling per lot permitted, two principal dwellings proposed).

Typically, OP does not support variance relief for residential uses in an accessory structure in the R-4 zone and expects all principal uses to remain within one building. In this particular case, OP recommends approval of the requested variances as there are unique circumstances which present a practical difficulty in meeting all the zoning requirements. OP would support a condition limiting the number of residential units in the Carriage House to one, and that as part of any conversion of the principle building to apartments pursuant to Section 401.3, the unit in the carriage house would count towards the total number of units permitted on this lot.

In addition to the relief requested by the Applicant, OP has advised the Applicant that if approved as a second principal structure, the Carriage House may also require side yard relief under § 405.1.

II. LOCATION AND SITE DESCRIPTION

Address	1827 Park Road NW
Legal Description	Square 2614, Lot 801
Ward	1
Lot Characteristics	The property is a rectangular lot with an area of 6,200 square feet (50 feet x 120 feet), and which fronts on Park Road NW. A 15 ft. alley is located to the rear.
Zoning	R-4 - Permits matter-of-right development of single-family residential uses (including detached, semi-detached, row dwellings, and flats).

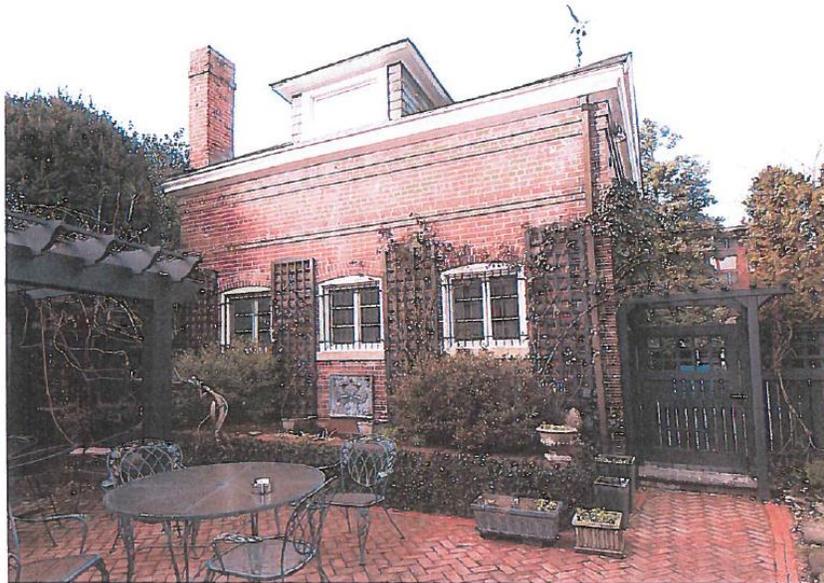


Existing Development	The Subject Property includes a single family detached dwelling, built in 1907, and permitted in this zone. The Subject Property also includes a two-story carriage house, (the “Carriage House”), also built in 1907. The Carriage House includes a one-bedroom unit and is currently rented out by the Applicant. The application states that when the Applicant purchased the property in 1974, the Carriage House was configured and used as a separate residence. Additionally, Sanborn maps indicate that the Carriage House has been used as a dwelling since at least 1959.
Historic District	Mount Pleasant Historic District Park Road NW (North Side of 1800 Block – Historic Landmark)
Adjacent Properties	Adjacent properties on the north side of Park Road NW include detached single family dwellings. Row dwellings are located across Park Road NW. In addition, row dwellings and detached single family dwellings are located across the alley to the rear of the Subject Property.
Surrounding Neighborhood Character	The neighborhood is characterized by historic single family detached dwellings and row dwellings, some of which have been converted to multi-unit condominiums or apartments.

III. APPLICATION IN BRIEF

Proposal:	As a rental unit, a valid Certificate of Occupancy for the Carriage House is required. The Applicant proposes to convert the existing Carriage House into a second principal structure on single record lot to bring the Carriage House into compliance with District regulations. No additions, alterations, or construction is proposed as part of this application.
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Subject Property

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	NA	NA	NA	None required
Lot Width § 401	40 ft. min.	50 ft.	50 ft.	None required
Lot Area § 401	4,000 sf. min.	6,200 sf.	6,200 sf.	None required
Floor Area Ratio § 402	NA	NA	NA	None required
Lot Occupancy § 403	NA	NA	NA	None required
Rear Yard § 404	20 ft. min.	3 ft.	3 ft.	Relief Required
Side Yard § 405	NA	NA	NA	None required
Court § 406	NA	NA	NA	None required
Permits § 3202.3	1 principal structure per lot	1 principal structure and 1 nonconforming rental unit	2 principal structures	Relief Required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 404 (Rear Yard); § 3202.3 (Permits)

i. Exceptional Situation Resulting in a Practical Difficulty

The Subject Property includes an exceptional situation resulting in a practical difficulty. The single-family house and the Carriage House are historic landmarks and must be retained. The Carriage House's Historic Landmark designation limits the ability of the owner to remove or relocate portions of the structure or to convert the Carriage House to another permitted use. The Carriage House could only meet the rear yard requirements if it were to be relocated or substantially altered, both of which would be impractical and would not conform to the intent of the historic district.

The Carriage House could be used for one of the uses permitted for an accessory building by the Zoning Regulations, including storage, garage, or an artist's studio pursuant to §2300.3. However, these uses would not seem appropriate for this location. According to the Applicant, the Carriage House's garage doors are not operable and are not large enough to fit a car. Further, few uses could be accommodated on the Carriage House's second floor as a matter of right, resulting in a practical difficulty.

Historic Preservation Office staff recommended that the property not be subdivided to create two lots as this would result in a change to the historic character of the site. Further, a trellis connecting the two structures, (essentially combining the two structures into a single one for zoning purposes), would likely not be possible given the Subject Property's historic landmark designation.

ii. No Substantial Detriment to the Public Good

The requested variances could be granted without detriment to the public good. The Carriage House has been used as a rental unit for at least the previous 40 years, and its continued residential use would encourage the preservation and maintenance of the landmark. In addition, compliance with the Zoning Regulations would involve evicting an existing tenant.

The Applicant is not proposing to enlarge or alter the structure and no impact to light and air or the privacy of neighboring properties is anticipated. No views would be impaired and the residential use would not create undue noise or odors.

iii. No Substantial Harm to the Zoning Regulations

The proposed relief would not cause substantial harm to the Zoning Regulations. The proposal would maintain the architectural integrity of the historic resource and would maintain the residential use on the property. Therefore, the requested variances would not impair the zone plan.

VI. COMMUNITY COMMENTS

At its public meeting on March 18, 2014, ANC 1D voted 5-0 to support the Applicant's request for relief.

Three neighbors submitted letters in support of the application.