

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Karen Thomas, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** November 6, 2012  
**SUBJECT:** BZA Case 18442- 1400 Spring Road: Variances to convert a church to an apartment house in the C-2-A District

**I. OFFICE OF PLANNING RECOMMENDATION**

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

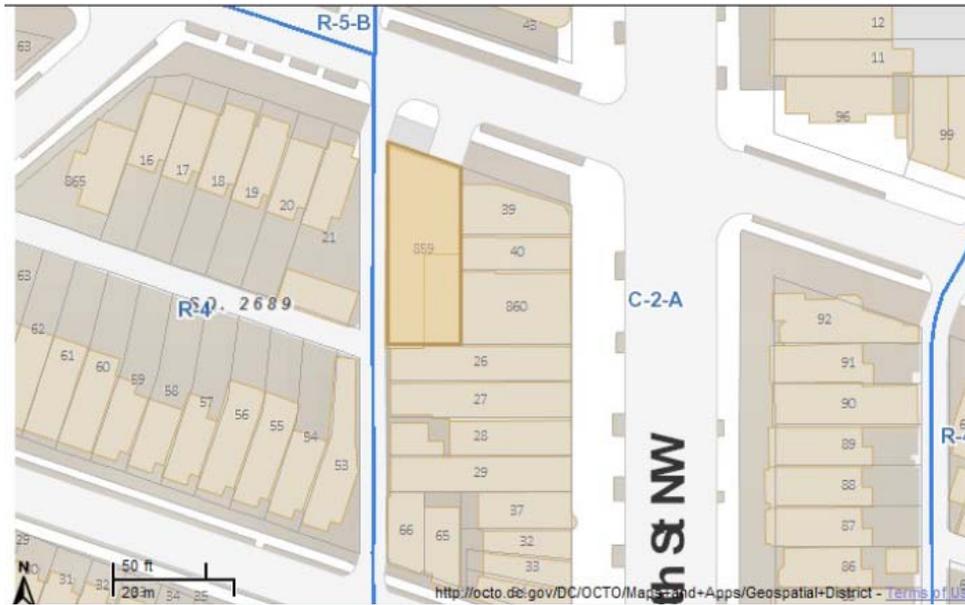
- Area variance relief under § 772.1 – lot occupancy - (75% permitted; 100% existing; 88% proposed);
- Area variance relief under § 774.1– reduction in rear yard (**Required** 15 ft: None Proposed)

to permit the renovation and reuse of a former non-conforming church structure as an apartment house.

**II. LOCATION AND SITE DESCRIPTION**

|                               |  |
|-------------------------------|--|
| <b>Address</b>                | 1400 Spring Road NW  |
| <b>Legal Description</b>      | Square 2689 Lot 859  |
| <b>Ward/ANC</b>               | 1/ANC 1A   |
| <b>Zoning</b>                 | C-2-A – which permits matter-of-right low density development, including housing to a maximum lot occupancy of 60% and 100% for all other uses.  |
| <b>Lot Characteristics</b>    | The 4,087 sf lot is an irregularly shaped lot, larger than the existing lots within the square. It abuts a 15-foot alley to the west and is developed with a two-story concrete church building which fronts on Spring Street.   |
| <b>Adjacent Properties</b>    | The majority of the lots in the square front on 14 <sup>th</sup> Street and two small lots front on Perry Street to the south. The square is split-zoned C-2-A and R-4 with row dwellings to the west of the alley and C-2-A commercial properties to the east across 14 <sup>th</sup> Street. |
| <b>Neighborhood Character</b> | The neighborhood is a mix of low to moderate density residential and commercial properties in the C-2-A, R-4 and R-5-B districts.  |





**ZONING MAP**

**III. APPLICATION IN BRIEF**

The applicant proposes to convert an existing non-conforming two-story church building to a three-story residential apartment building with 12 units. The current development provides no on-site parking and none would be required since the property has 8 parking credits (confirmed by the Zoning Administrator) and the proposed project would require 6 spaces per § 2101.1. The structure is non-conforming due to its existing lot occupancy and rear yard requirements which do not satisfy the requirements of the regulations. Therefore, based on the site’s existing condition, the applicant has applied for relief from the existing lot occupancy and rear yard requirements to allow the proposed apartment use.

**IV. ZONING REQUIREMENTS and REQUESTED RELIEF**

| C-2-A Zone            | Regulation            | Existing | Proposed       | Relief                 |
|-----------------------|-----------------------|----------|----------------|------------------------|
| Lot Area              | N/A                   | 4,087 sf | same           | None required          |
| FAR § 771.2           | 2.5 (res) 1.5 (other) | 1.75     | 2.46           | None required          |
| Lot Occupancy § 772.1 | 60% (2,452 sf)        | 100%     | 88% (3,597 sf) | <b>Variance relief</b> |
| Rear Yard § 774.1     | 15 ft                 | 0        | 0              | <b>Variance relief</b> |

**V. OFFICE OF PLANNING ANALYSIS**

Section 2001.3 permits enlargements or additions to a non-conforming structure; provided the structure conforms to percentage of lot occupancy requirements, and the addition or enlargement itself conforms to use and structure requirements without increasing or extending any existing, nonconforming aspect of the structure; or creating any new nonconformity of structure and addition combined.

The proposed renovation of the building also includes the addition of a third story. However, this addition does not increase the lot occupancy’s percentage and it is setback from the rear yard at least 17 feet. No new non-conformity would be created and no existing non-conformity would be extended.

## **Area variance relief from §§ 772.1-Lot Occupancy and 774.1-Rear Yard**

### **i. Exceptional Situation Resulting in a Practical Difficulty**

The property's existing lot occupancy, its lot width and size combined, create a practical difficulty for the applicant in providing the required lot occupancy and rear yard.

#### **Lot Occupancy**

The applicant proposed to reduce the lot occupancy by extending the existing second floor courtyard to the first floor, which would reduce the building's footprint to 88% (3,597 sf) in order to provide light and air to the new residential units. The building would not be demolished and a further reduction of the lot occupancy to 60% (2,452 sf) would require an additional loss of 1,144 sf of the building's footprint. This would create a long narrow residential structure with inefficient residential units. This presents a practical difficulty for the applicant, as it may render the project economically infeasible.

#### **Rear yard**

The lot's coverage and irregular shape also create a practical difficulty for the provision of the required 15-foot rear yard. Similar to the lot occupancy, a reduction in the building's footprint and size to provide a required rear yard would also create an inefficient residential building, as there is insufficient lot width to compensate for loss in the building's length. It would adversely impact the provision of the courtyard to provide light and air and a passive recreation area for future residents. Therefore, the provision of a 15-foot rear yard would create a practical difficulty for the applicant in redesigning the existing building to create contemporary marketable units.

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

There would be no substantial detriment to the public good should relief be granted from the rear yard and lot occupancy requirements. The long standing structure already exists at 100 percent lot occupancy in the moderate density neighborhood just north of Columbia Heights. The proposed reduction in the lot occupancy and rear yard through the creation of a courtyard would enhance the renovated building's efficiency by providing light and air to residential units, as well as a passive recreation area for residents. Retention of the existing structure minimizes demolition and construction impacts on the neighborhood and its reuse supports green building initiatives.

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

The renovation of the already developed property to establish a residential use would not be detrimental to the Zoning Regulations. The proposed use would not adversely impact the neighborhood's character or cause adverse impacts on the surrounding neighborhood since the neighborhood is a thriving mixed-use, residential and commercial neighborhood. Therefore, no substantial harm to the Zoning Regulations would result from granting the requested variance relief from the rear yard and lot occupancy requirements.

## **VI. COMMUNITY COMMENTS**

The application was unanimously approved by ANC1 at its regularly scheduled meeting on September 12, 2012. The applicant also submitted letters in support from neighbors in the immediate vicinity of the project.

## **VII. COMMENTS OF OTHER DISTRICT AGENCIES**

The District Department of Transportation expressed no objection to the requested relief. Their report would be issued under separate cover.