

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Project Manager
 Joel Lawson, Associate Director Development Review
DATE: June 17, 2014
SUBJECT: BZA Case 18765, 3919 Fulton Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

In its original application, Observatory Land Trust (Applicant) requested a variance from § 403, lot occupancy, and special exception review under § 353 to allow the demolition of the existing single family house and redevelopment with a six unit apartment building in the R-5-A zone. The plans were subsequently revised, eliminating the need for the variance.

The proposal would demolish the existing single family detached house on the property and replace it with a six unit apartment building. The Office of Planning (OP) recommends **approval** of the special exception request under § 353.

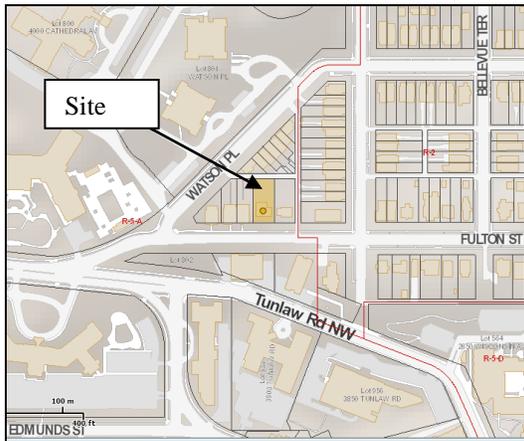
II. LOCATION AND SITE DESCRIPTION

Address	3919 Fulton Street, NW
Legal Description	Square 1806, Lot 32
Ward	3, 3B
Lot Characteristics	The rectangular lot is 7,500 square feet in area (60 feet x 125 feet), with frontage along Fulton Street and a 15 foot wide alley to the rear.
Zoning	R-5-A – lower density urban development consisting of detached and semi-detached single family dwellings and multi family buildings
Existing Development	Single family dwelling, permitted in this zone.
Historic District	N/A
Adjacent Properties	To the north, across the alley, is 2 and 3 story rowhouses. To the south, across Fulton Street, are 7-story apartment buildings. To the east, are 2-story rowhouses which have been converted to flats. To the west, is a single family detached house ¹ .

¹ The property is the subject of BZA 18784 which proposes to demolish the existing single family house and replace it with a 6 unit apartment building.



Surrounding Neighborhood Character	The surrounding neighborhood includes a mixture of rowhouses and multifamily apartments. To the west and south predominantly multifamily buildings west and south of the property while to the north and east are predominantly 2 story rowhouses except for an apartment building at the intersection of Fulton Street and 39 th Street.
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Site Location and Zoning



Subject Property



Proposed Multifamily Building

III. APPLICATION IN BRIEF

The applicant is proposing to demolish the existing single family house and redevelop the property with a six unit, 3 story, multi-family building. The proposed building would comply with all zoning requirements, as noted in the table below.

Under § 353.1, all residential developments, except those composed entirely of one-family detached or semi-detached dwellings, are subject to special exception review by the Board of Zoning Adjustment in accordance with § 3104.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

R-5-A Zone	Regulation	Proposed	Relief
Height § 400	40 ft. max.	36.58 ft. (3 stories)	None required
Floor Area Ratio § 402	0.9	0.9	None required
Lot Occupancy § 403	40% max.	40%	None required
Rear Yard § 404	20 ft. min.	41 ft.	None required
Side Yard § 405	9.25 ft. min. (8 inches per foot of height)	9.17 ft.	None required
Parking § 2101.1	1 space per unit	6	None required
GAR § 3401	0.40	0.439	None required

V. OFFICE OF PLANNING ANALYSIS

Special Exception Relief pursuant to § 353

353.1 *In R-5-A Districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under § 3104 in accordance with the standards and requirements in this section.*

353.2 *The Board shall refer the application to the D.C. Board of Education for comment and recommendation as to the adequacy of existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project.*

The application has been referred to the D.C. Board of Education. With only six units, it is not expected that students from this development would have any effect on the adequacy of existing schools.

353.3 *The Board shall refer the application to the D.C. Departments of Transportation and Housing and Community Development for comment and recommendation as to the adequacy of public streets, recreation, and other services to accommodate the residents of the project and the relationship of the proposed project to public plans and projects.*

The application has been referred to the D.C. Department of Transportation, which has filed a report under separate cover. The application has been referred to the D.C. Housing and Community Development. As of the writing of this report, a response has not been received.

353.4 *The Board shall refer the application to the D.C. Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the future residents of the project and the surrounding neighborhood.*

The proposed plan consists of replacing the existing dwelling with a 3-story, six unit, apartment building at a height of 36.58 feet. Along the east and west property lines, a setback of 9.17 feet would be provided, where 8 feet is required. A rear setback of approximately 41 feet would be provided, where 20 feet is required. The proposed development would comply with lot occupancy and floor area ratio requirements. Six parking spaces, as required by the regulations, would be provided at the rear of the property, accessible from the rear alley.

The proposed development would be compatible in height, size, style and architecture to other multifamily buildings in the neighborhood. The scale of the development would not overshadow the rowhouses to the north of the site or the flat to the west. OP worked with the applicant on the use of building materials colors that would be compatible to the neighboring buildings. The proposed development would provide setbacks consistent with the zoning regulations and light and air to the cellar units as well as to adjacent properties would not be compromised. In addition, the proposal would have landscaping on the site consisting of a combination of shrubs, groundcover and shade trees.

353.5 In addition to other filing requirements, the developer shall submit to the Board with the application, four (4) site plans and two (2) sets of typical floor plans and elevations, grading plans (existing and final), landscaping plans, and plans for all new rights-of-way and easements.

The developer has submitted the required plans.

3104.1 Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The properties to the north, south and west of the site are zoned R-5-A, which is a low density residential district permitting single family and by special exception, multifamily dwellings. There are several rowhouses and multifamily buildings ranging in heights from 3 to 7 stories high. The proposed development is suitably sized for the property and would be an appropriate transition between the rowhouses to the east and the multifamily developments.

Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposal would not tend to affect adversely the use of neighboring property. The property has frontage on Fulton Street with alley access along the rear property line that provides separation from the single family rowhouses and parking to serve the units. The proposed multifamily use is consistent with the majority of the buildings in that area of R-5-A zoned properties. The proposal would be at a scale and density that is consistent with the surrounding area and would not affect light and air to adjacent properties.

VI. COMMUNITY COMMENTS

The property is within ANC-3B and will be reviewed at the regular meeting of the ANC on June 12, 2014.