GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

May 17, 2016

Anthony M. Rachal, Esq.
Agent for Owners of 770 Park Road, N.W.
5004 Cathedral Avenue, N. W., Suite 200
Washington, D. C. 20016

Via email: amrlaw@att.net

Re: Zoning Determination and BZA Requirements for 1340 770 Park Road N.W. (Square 2894, Lot 902)

Dear Mr. Rachal:

In conjunction with a Building Permit application you plan to submit on behalf of owners of the above subject property, you submitted a request for a zoning determination. As part of this submission, you prepared an analysis of the subject property and provided the proposed development plans. Per our Preliminary Design Review Meeting ("PDRM") meeting held September 30, 2015, I reviewed the proposed plans, for both a 'Matter of Right' [MOR] development scheme as well as two Alternative Development Options that would require Board of Zoning Adjustment [BZA] approval. Below is a review of these alternatives:

1. Summary of Property and Matter of Right Proposal

The following is based upon the submission of the revised plans for the subject property [See attached]. The owner purchased the subject property which was a former private school building structure. A prior BZA special exception was granted in 1993 for a private school use as per BZA Order No. 15885 [attached].

The site is located within an R-4 Zone District, and is a rectangular shaped site fronting Park Road, NW on the west, Sherman Avenue, NW on the west, and New Hampshire Avenue, to the Northwest. The present building on the property, now vacant, accommodated the former private school building which was the last actual use. The lot is currently improved with an existing non-conforming four story building. The total lot area is 8,294 square feet with a total building gross floor area of 11,292 sq.ft. Photographs of the existing building are attached.

The R-4 Zone permits a "Matter of Right" [MOR] development of apartment uses for a conversion from a non-residential building when at least 900 square feet of lot area is available for each dwelling unit. According to the summary of requirements set forth below no zoning relief is required for this site under the proposed conversion of the school building into nine (9) dwelling units. See the table on the next page for the bulk and yard, and parking requirements:

Conversion into Nine (9) Dwelling Units

Section	Item	R-4 Regulation	Allowed	Proposed	Variance
400	Height	3 Stories		4 stories [Existing]	N/A
401.3	Min Lot Width	18 feet		19.6 feet	N/A
	Min Lot Area	8,100 sqft		8,294 sqft	N/A
402	FAR	None prescribed			N/A
403.2	Lot Occupancy	60% maximum	4,976 sqft	2,283 sq ft (27.5%)	N/A
404.1	Rear Yard	20 feet		36.5 feet	N/A
405.6	Side Yard	None required		None	N/A
2101.0	Parking	1 for every 3 dwelling units		3	N/A

The current height of the building is 35 feet, four stories, which is non-conforming as to the number of stories, and will not be increased with planned conversion. The renovation does not utilize the full available 60% of lot occupancy even with the enclosed to the party wall of the less than <3' wide open area. No neighboring chimneys, solar energy systems or vents are present on adjacent properties that would be affected. The top of the roof will not be visible from either side of Kenyon Street at the ground level, and the existing dormers will be maintained. Parking will be provided for three (3) vehicles, which meets the minimum required under the zoning regulations.

The proposed plans, as revised after the 9-30-15 PDRM, rely upon the history of prior uses and illustrate MOR scheme for the premises within the subject R-4 Zoning District. Under this classification, the property can be renovated into a multifamily building housing nine (9) dwelling units, as apartments or condominiums without the need for Board of Zoning Adjustment [BZA] approval.

2. BZA Review Required for Other Development Options

The owners are seeking to determine what zoning elements are necessary for consideration of development of this site by a determination for the necessary approvals by the Board of Zoning Adjustment ("BZA"). Under consideration are two alternative plans that would require BZA approval for proposals to either:

(1) a conversion into 15 dwelling units with a fourth floor addition; or
(2) a mixed use proposal of 13-15 dwelling units with first floor commercial space.

With either of these schemes, the owner must file the appropriate application for relief with the BZA.

3. Conclusions

Accordingly, the required Building Permits for the proposed preliminary plans, as revised, shall be issued as a matter of right by my office upon submission of plans consistent with the project described above in Point #1 of this determination letter.

Sincerely,

Matthew Le Grant
Zoning Administrator

Attachments: BZA Order # 15885
Plan Set
Photos Existing Building

File: Det Let re 770 Park Rd NW to Rachal 5-17-16