

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of 2500 41st Group LLC for a Special Exception

2500 41st Street NW (Sq. 1708, Lots 0006, 809)

STATEMENT OF THE APPLICANT

2500 41st Group LLC, the “Applicant” and owner of the property located at 2500 41st Street NW (Sq. 1708, Lots 0006, 809) (the “Property”), now seeks a special exception to add two units to an existing 5-unit apartment house located in the RA-1 zone, pursuant to 11 DCMR, Subtitle U, Section 421.

I. BACKGROUND

The Property is zoned to the RA-1 zoning district and is currently improved with a semi-detached two-story multifamily apartment house with five units. The Property is comprised of two lots located at the intersection of 41st Street NW and Calvert Street NW. The Property has a total combined land area of 5,952 square feet. The existing two-story apartment house is semi-detached and has 4,789 square feet of gross floor area. The Property is not located within a historic district.

II. NATURE OF RELIEF REQUESTED

The Applicant proposes to consolidate lots 6 and 809, add a unit in the partial cellar/basement, and construct a rear addition to the existing structure with an additional unit. Therefore, the Applicant seeks a special exception to add two units to the existing apartment house pursuant to 11 DCMR Subtitle U, Section 421. The project will comply with all other applicable zoning requirements.

A. Special Exception Relief for New Residential Developments in the RA-1 Zone Pursuant to Subtitle U, Section 421.1

All new residential developments¹ in the RA-1 zone, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in Subtitle U, Section 421.1.

B. Special Exception Standards Pursuant to Subtitle X, Chapter 9

Pursuant to Subtitle X, Chapter 9, the special exception relief requested must meet the standards set forth in Section 901.2, which states that the BZA may grant a special exception when the relief requested:

- (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;**
- (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and**
- (c) Will meet such special conditions as may be specified in this title.**

The Application meets the above standards. First, the relief requested is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The purpose of the RA-1 zone is to “[p]ermit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these districts.” *See* Subtitle F, Section 300.1(a). The RA-1 zone allows for low- to moderate-density development, including detached dwellings, rowhouses, and low-rise apartments. *Id.*, Section 300.2. The proposed project will meet all development standards in the RA-1 zone.

¹ The Applicant does not propose a “new residential development,” but rather proposes to add two units to an existing apartment house building. However, the Zoning Administrator has interpreted the BZA’s Order in Case Number 20226 to require that a special exception is now required for this project.

The proposed addition and two new dwelling units will not substantially intrude on the character, scale, and pattern of houses along the street and alley. A mix of small and large multifamily residential buildings are common in this neighborhood. The Property is surrounded by apartment houses and large apartment buildings and is located across the street from Stoddert Elementary School. In BZA Case No. 20697, the BZA approved a similar apartment house addition with two new units on May 4, 2022 for a lot just one block from the Property. The property in Case No. 20697 has only 3,261 s.f. of land area and is just over half the size of the Property in this case.

Further, the project will not adversely affect the use of neighboring properties as the only change to the existing footprint is the one-story rear addition of 666 s.f., which will have no impact on the light, air, privacy, enjoyment, character, scale, and pattern of neighboring properties. The neighboring property to the south is improved with a large condominium building and, just adjacent to the Property, a parking lot. The neighboring property to the north is an apartment house that is under renovation and currently the subject of BZA Case No. 20873, in which the owner seeks to add up to 9 units to the existing apartment house. The neighboring property to the rear is improved with a large apartment building and located significantly below grade from the Property, thereby significantly shielding the Property from view from the rear. As noted above, the neighboring property to the east is Stoddert Elementary School, a large institutional use that will be unaffected by the proposed rear addition.

In addition, given the large proposed consolidated lot area of this Property it can accommodate the addition and two dwelling units without exceeding the maximum FAR (0.90) in the RA-1 zone and without generating adverse impacts on neighbors. Further, parking is not required for this project pursuant to Sections 704 and 705 of Subtitle C of the Zoning Regulations.

For all of these reasons, the Application satisfies the general standards and criteria for a special exception.

Subtitle U, Section 421 of the Zoning Regulations sets forth additional standards for the BZA to consider in determining whether to approve new residential developments in the RA-1 zone. Sections 421 requires that the application be referred to relevant D.C. agencies to analyze the project's impact on schools, public streets, recreation, and other services. Given this project only involves two new residential units, impacts on schools and public infrastructure will be minimal to nonexistent and outweighed by the addition of new units to a neighborhood already constrained by low housing supply. Section 421 also requires that the BZA refer the application to the Office of Planning to review the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the surrounding neighborhood, and the relationship of the proposed project to public plans and projects. As noted herein, the Applicant is proposing minimal changes to the existing site and these changes will not have a significant impact on the surrounding neighborhood.

III. COMMUNITY ENGAGEMENT

The Applicant will engage with ANC 3B, neighbors, and the community as this project moves forward.

IV. WITNESSES

The following witnesses will appear on behalf of the Applicant at the BZA hearing on this Application:

1. Matthew Medvene, District Line Development, LLC

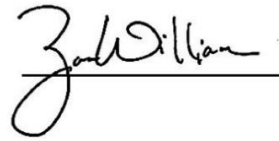
Mr. Medvene is supervising the proposed construction for this project and will testify as to construction, design, and community engagement and outreach.

2. Ryan Petyak, Architect, Studio 3877

Mr. Petyak is the architect for this project and will testify as to design and architecture matters related to the project.

V. CONCLUSION

For all of the reasons discussed above, the Applicant respectfully requests that the BZA approve this application for a special exception.

A handwritten signature in black ink, appearing to read "Zach Williams", is written over a horizontal line.

Zachary G. Williams, Esq.
Venable LLP
Authorized Agent for the Applicant