

Owner / Applicant

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Statement of Existing / Intended Use

The property located at 808 L St NE is currently owned by George Boguslawski and is used as an owner-occupied single-family row house residence. The intended use shall remain as a single-family row house residence. The owner is requesting variances to construct a detached garage to be located at the rear (north property line) of the site, abutting a public alley.

Summary of Variances

In order to accommodate a detached garage, the Owner / Applicant seeks a special exception from the lot occupancy requirements as set forth in Section 223.

Background

The property is located at 808 L Street NE, Lot 51 of Square 908. It is currently zoned R-4, and is within ANC 6A. It is not within an historic district. The lot measures 17.7' wide and is approximately 96' deep, and is 1,712 square feet. A 15' public alley borders the north edge of the property and L Street NE, an 90' right of way borders the south edge. The west lot line borders Lot 52 (806 L Street NE) and the east lot line borders Lot 50 (810 L Street NE). Both adjacent lots have been improved with single-family row houses. The property has been improved with a two-story single-family row house, with an occupancy of 800 sf / 47%. The Applicant purchased the property in December 2011.

The Applicant seeks to construct a detached private garage for the storage of his automobile, a use which is permitted under section 201. The dimensions of the proposed garage are 17.7' wide x 22' deep, for a total lot occupancy of 390 sf / 23%. The Applicant would also like to access the roof of the garage for a garden area. The height of the proposed structure is 15'.

There is evidence of a garage that was razed / demolished prior to the Applicant's ownership. Historical maps, as well as current DC GIS data substantiate the existence of the garage. There are also a number of private garages on this square.

Street parking is scarce on the street and the addition of additional off-street parking spaces (in private garages) will benefit the neighborhood at large. There is also concern about property crimes, and the Applicant would like to be able to secure his car in a private garage.

Lot Occupancy

The existing lot (1,712 sf) is less than the zoning minimum lot area of 1,800 sf, as set forth in Section 401.3. The existing lot width of 17.7 feet is less than minimum lot width of 18 feet, as set forth in Section 401.3. It is not possible to enlarge the lot, as it is bound by public rights of way to the north and south, and private property to the east and west.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18361

EXHIBIT NO. 4

Board of Zoning Adjustment
District of Columbia
CASE NO.18361
EXHIBIT NO.4

As per Section 403.2, maximum lot occupancy is 60%. As per Section 223.3, the maximum lot occupancy is increased to 70%. As per Section 2300.7, a private garage is subject to the limitation on lot occupancy. The addition of the garage will cause the lot occupancy to increase to 1,190 sf or 70%, thus necessitating the need to request a special exception.

Conclusion

The burden of proof for special exception is two-fold; the first aspect being that granting relief "will be consistent with the general intent and purpose of the Zoning Regulations and Map". This application meets the criteria for the following reasons:

1. The R-4 zone permits accessory structures / private garages.
2. The historical pattern of development, as evidenced by the Baist maps, shows a prevalence of private garages within the square.
3. An existing garage of approximately the same size was located on the property, as evidenced by the Baist map excerpt. It was demolished at some point prior to the current owner obtaining the property.

Additionally, granting special exceptions shall:

- *Not unduly affect light and air available to neighboring properties*
- *Not compromise the privacy of use and enjoyment of neighboring properties*
- *Not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage*

There are a number of factors that meet the criteria above.

1. The proposed garage is consistent with adjacent garages and the alley street-wall.
2. The adjacent neighbor to the west has a garage, therefore light, air and privacy would not be affected.
3. The adjacent neighbor to the east uses the area for parking, therefore light, air and privacy would not be affected.
4. The Applicant would also like to screen off-street parking from his deck, as well as from neighboring yards and decks. The proposed design includes a south-facing green wall that will facilitate the growth of plants to soften the private garage.
5. The Applicant has informally renewed the plans with adjacent neighbors and is in the process of soliciting signed letters of support.
6. The accessory structure is of similar character, scale and pattern to existing garages located on the public alley.