



# MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen Cochran, Case Manager  
Joel Lawson, Associate Director Development Review  
**DATE:** July 10, 2012  
**SUBJECT:** BZA Case 18381, 4336 Douglas Street, N.E.

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## **I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends the board **deny** the applicant's request for the following relief:

- Area Variance/Use Variance from § 201.1 (detached single family dwelling permitted, semi-detached single family dwelling proposed)
- Area Variance § 401.3 Area Variance from § 401.3, minimum lot width ( 50 feet required, 25 feet proposed);
- Area Variance from § 405.9, minimum side yard widths ( 8 feet on each side yard required, 0 feet for one side yard and 5 feet for other side yard proposed).

OP has suggested to the applicant that he request a delay in the hearing in order to submit modified plans for a single family detached house with two reduced-width side yards. As of July 10, 2012, the applicant had neither asked for a postponement, nor filed revised plans and relief requests.

## **II. LOCATION AND SITE DESCRIPTION**

|                                           |                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Address</b>                            | 4336 Douglas Street, N.E.                                                                                                                                                                                                                                                                                                                           |
| <b>Legal Description</b>                  | Square 5116, Lot 115                                                                                                                                                                                                                                                                                                                                |
| <b>Ward</b>                               | 7                                                                                                                                                                                                                                                                                                                                                   |
| <b>Lot Characteristics</b>                | Flat, essentially rectangular lot 25' wide, approximately 226' deep , with a land area of 5,654 square feet                                                                                                                                                                                                                                         |
| <b>Zoning</b>                             | R – 1 detached single family dwellings.                                                                                                                                                                                                                                                                                                             |
| <b>Existing Development</b>               | Undeveloped vacant lot                                                                                                                                                                                                                                                                                                                              |
| <b>Historic District</b>                  | none                                                                                                                                                                                                                                                                                                                                                |
| <b>Adjacent Properties</b>                | West: 2 vacant lots of same size as applicant's. East                                                                                                                                                                                                                                                                                               |
| <b>Surrounding Neighborhood Character</b> | Both sides of Douglas Street are developed with single family detached houses, many of which are on narrower lots than required in this low-density zone. There are a substantial number of small infill lots that were platted prior to the Zoning Act of 1958. The two lots to the west of the applicant's lot are also 25 feet wide, and vacant. |

BOARD OF ZONING ADJUSTMENT  
District of Columbia

CASE NO. 18381

EXHIBIT NO. 26

### III. APPLICATION IN BRIEF

The applicant has requested relief to construct a twenty-foot wide, two-story, semi-detached dwelling with side yards of 5 feet and 0 feet on a twenty-five foot wide, 5,654 square foot lot in the R-1-B zone. The zone permits a detached house to be constructed with 8 foot side yards on a 5,000 square foot lot that is at least 50 feet wide. The applicant has requested a 50% reduction in the required lot width, a 3-foot reduction for one side yard and a full 8-foot reduction for the other side yard. There would be off-street parking accessed from a 16-foot wide public alley at the rear.

### IV. ZONING REQUIREMENTS and REQUESTED RELIEF

| R-1 Zone               | Regulation          | Existing   | Proposed           | Relief               |
|------------------------|---------------------|------------|--------------------|----------------------|
| Height § 400           | 40' / 3-story max.  | Vacant lot | 28' 11", 2 stories | None required        |
| Lot Width § 401        | 50 ft. min.         | 25 ft.     | 25 ft.             | 25 ft., 50% required |
| Lot Area § 401         | 5,000 SF min.       | 5,654 SF   | 5,654 SF.          | None required        |
| Floor Area Ratio § 402 | None prescribed     | ---        | ---                | None required        |
| Lot Occupancy § 403    | 40 % max.           | Vacant lot | 17%                | None required        |
| Rear Yard § 404        | 25 ft. min.         | Vacant lot | 134.58 ft.         | None required        |
| Side Yard § 405        | 8' min., both sides | Vacant lot | 3 ft. and 3 ft.    | 5 ft. on each side   |
| Court § 406            | Not applicable      | n/a.       | n/a.               | n/a                  |

### V. OFFICE OF PLANNING ANALYSIS

The size of the subject lot (25 ft. width & 148 ft. depth) was an existing condition in 1958 when the current zoning regulations were adopted. The R-1-B District was designated as the appropriate zoning category for the subject area, with the expectation that lots would be combined in order to meet dimensional requirements (which the applicant has not attempted to do), or if they could not be combined, that the owner would seek appropriate relief.

There is clearly difficulty in building on just the twenty-five foot wide site. Without some relief from the requirement for two 8-foot side yards, a house could be no wider than 9 feet.

While there may be justification for relief, the applicant has not addressed the provisions of the zoning regulations that would enable OP to make a recommendation for relief to the Board:

- The applicant has not submitted a demonstration of the existence of an exceptional condition that would lead to a practical difficulty.
- The applicant has not attempted to demonstrate that the granting of relief would result in no substantial harm to the public good or to the intent of the zoning regulations.

### VI. COMMENTS FROM OTHER DISTRICT AGENCIES

The District Department of Transportation has indicated that it has no objection to the requested relief.

### VII. COMMUNITY COMMENTS

OP is not aware of any meetings between the applicant and the ANC or other community groups. There were no public comments on file at the time OP submitted this report.