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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Cochran, Case Manager
Joel Lawson, Associate Director Development Review
DATE: January 29, 2013
SUBJECT: OP Second Supplemental Report for BZA Case 18381, 4336 Douglas Street, N.E.

I. BACKGROUND

The Office of Planning (OP) has met with and spoken to the applicant several times since this application was last considered by the BZA. On January 22, 2013, the applicant showed OP revised plans and discussed the report he planned to file with the Office of Zoning. The applicant stated that the proposed house in the R-1 zone had been reduced to 18 feet in width in order to increase each of the proposed side yards from 3 feet to 3.5 feet.

In addition to the previously requested lot width relief [an Area Variance from § 401.3, minimum lot width (50 feet required, 25 feet proposed)], this would require the following relief modification:

- Area Variance from § 405.9, minimum side yard widths (8 feet on each side yard required, 3.5 feet for each side yard said to be proposed)

The draft revised plans and zoning table also showed other minor revisions, some of which required recalculations, but none of which would appear to have an impact on the zoning relief needed.

II. OFFICE OF PLANNING RECOMMENDATION

While the applicant has made progress on refining its application, **OP cannot yet recommend approval** of the application.

As noted in OP's October 23, 2012 report, it is quite likely that there are exceptional conditions that would lead to practical difficulties in permitting any house to be constructed on the property without the granting of the requested relief, and that such relief would not cause substantial harm to the neighboring properties, the public, or the zoning regulations. However, as of January 23, 2013, the applicant had not yet demonstrated this. If additional information is provided by the applicant before or at the hearing, OP would be pleased to take that into account and re-consider its recommendation at the hearing.

III. LOCATION AND SITE DESCRIPTION

BOARD OF ZONING ADJUSTMENT
District of Columbia

Address	4336 Douglas Street, N.E.	CASE NO. <u>18381</u>
Legal Description	Square 5116, Lot 115	EXHIBIT NO. <u>44</u>
Ward	7	
Lot Characteristics	Flat, rectangular lot 25' wide, 226' deep , with a land area of 5,654 square feet	

Zoning	R – 1 detached single family dwellings.
Existing Development	Undeveloped vacant lot
Historic District	none
Adjacent Properties	West: 2 vacant lots of same size as applicant's. East
Surrounding Neighborhood Character	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, including the two 25-foot wide vacant lots to the west.

IV. APPLICATION IN BRIEF

The applicant has said he will submit a revised application for an 18-foot wide, two-story single family detached house with two 3.5-foot side yards 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 existing lot is only 25 feet wide, and the applicant will request a 4.5-foot reduction for each side yard. There would be two off-street parking spaces accessed from a 16-foot wide public alley at the rear of the property.

V. ZONING REQUIREMENTS and REQUESTED or NECESSARY 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. each side	Vacant lot	3.5 ft. and 3.5 ft. ¹	4.55 ft. on each side
Court § 406	Not applicable	n/a.	n/a.	n/a

VI. OFFICE OF PLANNING ANALYSIS

By reference, OP incorporates the analysis from its October 23, 2012 report.

VII. COMMENTS FROM OTHER DISTRICT AGENCIES

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

VIII. COMMUNITY COMMENTS

The adjacent neighbor at 4340 Douglas Street, SE has received party status in opposition.

ANC 7D has filed a letter opposing the requested relief.

¹ The applicant told OP on January 22, 2013 that the house would be narrowed to enable the increase in each proposed side yard, from the previously shown 3 feet to the proposed 3.5 feet.