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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP Case Manager
 Joel Lawson, Associate Director, Development Review
DATE: October 9, 2012
SUBJECT: BZA Case 18413, 257 Warren Street, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

- § 401.3, Lot Area (1,800 square feet required, 1,425 and 1,409 feet proposed); and
- § 401.3, Lot Width (18 feet required, 16.75 feet proposed).

OP further recommends to the applicant that the buildings be designed to be in character with existing development on the 1000 block of D Street, N.E. or the 500 block of 13th Street, S.E., should the application be granted by the Board.

II. LOCATION AND SITE DESCRIPTION

Address	257 Warren Street, N.E.	BOARD OF ZONING ADJUSTMENT District of Columbia
Legal Description	Square 1033, Lots 135, 135 and 137	CASE NO. <u>18413</u>
Ward	6	EXHIBIT NO. <u>27</u>
Lot Characteristics	Three narrow and shallow lots with alley access	
Zoning	R-4— row houses and flats	
Existing Development	Vacant	
Historic District	Not applicable	
Adjacent Properties	North: Across the public alley, one-story row houses South: Two-story row houses East: Across the public alley, row houses West: Across Warren Street, two and one-half story row houses	
Surrounding Neighborhood Character	Residential	

III. APPLICATION IN BRIEF

The applicant proposes to consolidate three legally nonconforming lots into two lots for the purpose of constructing two flats. One parking space would be provided for each flat, as required, directly accessible from the rear alley. The application includes drawings, elevations and plans indicating how the subject property could be developed by the applicant as two flats if the requested relief is granted.



IV. HISTORY

BZA Order 15110, dated September 22, 1989, granted variance relief from the minimum lot area and lot width to permit the consolidation of the subject property into two lots nonconforming for lot width and lot area. The lots were never consolidated and the approval expired in 1990.

V. ZONING REQUIREMENTS and REQUESTED RELIEF

R-4 Zone	Regulation	Existing ¹	Proposed ²	Relief
Height § 400	40 ft. / 3-stories max.	N/A	34 ft./3-stories	None required
Lot Width § 401	18 ft. min.	Approx.11 ft.	16.75 ft.	Required
Lot Area § 401	1,800 SF min.	Lot 135: 927 SF Lot 136: 949 SF Lot 137: 963 SF	Lot 135: 1,425 SF -- Lot 137: 1,409 SF	Required
Floor Area Ratio § 402	None prescribed	--	--	None required
Lot Occupancy § 403	60% max. (Row dwellings and flats)	None	58.8% 59.5%	None required
Rear Yard § 404	20 ft. min.	N/A	31 ft.	None required

VI. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 401, Minimum Lot Dimensions

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property contains three record lots nonconforming for lot area and lot width. Combined, these lots are not of sufficient area or width to permit the creation of two conforming R-4 lots. Developed individually as currently subdivided, the narrowness of each of the lots would make difficult the provision of code compliant stairs and doors. Although one lot large lot could be created out of the entire property in conformance with the lot width and area requirements, the size of this one lot would be out of character with the surrounding row house development, and would be unreasonably large for the development of a typical row dwelling or flat.

ii. No Substantial Detriment to the Public Good

The granting of variances to lot area and lot width would permit the creation of two lots that would allow the development of two flats or two row houses. Although the lots would be smaller than that required by the R-4, they would be more similar in area and width to the existing surrounding neighborhood than would be one large lot, large enough to permit code compliant dwellings and allow for infill development consistent with the surrounding neighborhood.

The application includes plans, drawings and elevations of the two proposed flats that could be built upon the site if the requested relief is granted by the Board. Varying the proposed building design would make the structures more consistent with the surrounding neighborhood. Setting the buildings back from the street would allow for the provision of green space in the front, similar to existing development and softening the impact. Although the brick row houses to the south are two stories in height, three-story all brick row houses

¹ Existing lot areas recorded on the District of Columbia Real Property Database.

² Proposed lot areas requested by applicant.

or flats could be constructed on the site similar to those in the 1000 block of D Street, N.E. or the 500 block of 13th Street, S.E. Roof decks could instead be provided atop the bays without the need to introduce a separately styled roof structured with siding, as these structures would be all new construction, without the need to differentiate between new and old. Minimizing architectural and building siting differences would have a positive impact on public good as the new buildings would blend more easily into the streetscape.

iii. No Substantial Harm to the Zoning Regulations

The requested variances would permit the applicant to create lots in the R-4 district of sufficient size to permit the development of row houses or flats with adequate off-street parking accessible from a public alley.

VII. COMMUNITY COMMENTS

ANC 6A, at its regularly scheduled meeting of September 13, 2012, voted in opposition to the application.

VIII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

Attachment: Location Map

