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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
Joel Lawson, Associate Director for Development Review

DATE: January 8, 2013

SUBJECT: BZA 18483: Construction of new Flat - 1235 4th Street NW

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval of variance** relief pursuant to § 2101 Title 11 DCMR to decrease the number of off-street parking spaces from one to zero.

II. LOCATION AND SITE DESCRIPTION

Address	1235 4th Street, N.W.
Legal Description	Square 523, Lot 0023 (formerly Lot 872)
Ward	6
Lot Characteristics	Irregular shaped lot with no alley access
Existing Development	Vacant
Zoning	R-4— row dwellings, conversions and apartments residence district
Historic District	Mount Vernon Square
Adjacent Properties	North: Vacant row house lot South: Flat East: Abutting rear of row house lot fronting New jersey Avenue West: Across 4th Street, some vacant row house lots
Surrounding Neighborhood Character	Row houses, flats and multi-family residential buildings, and institutional uses.

III. APPLICATION-IN-BRIEF

The applicant proposes to construct a flat on the subject property. One parking space is required and none are proposed. The site is currently vacant and there is no existing alley system.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18483
EXHIBIT NO. 26



OFFICE OF PLANNING ANALYSIS

Area Variance to § 2101.1 – Off-Street Parking Requirements

Section 2101.1 sets the minimum off-street parking requirements for flats within the R-4 district at one space per flat, or one off-street parking space for the subject property. The subject application proposes no parking spaces.

Uniqueness

The subject square was developed over 100 years ago, prior to the adoption of the Zoning Regulations and the requirement to provide off-street parking. The square is designed with no vehicular accessible alleys. As a result the subject property has no alley access. The subject property and two other lots at 1213 and 1211 4th Street, N.W. (see BZA Application No. 18067 and 18068), were also recently proposed within this square with an off-street parking requirement, resulting in an exceptional situation. Beyond this, no new residential structure has been constructed within the square since the adoption of the off-street parking requirements contained within the Zoning Regulations in 1958, or the inclusion of this square within the Mount Vernon Square Historic District in 1999.

Practical Difficulty

Provision of one off-street parking space would be a practical difficulty to the applicant. The subject lot has no alley access and is only accessible from 4th Street. The Historic Preservation Office has routinely recommended against the creation of a curb cut from the 4th Street frontage and the other three sides of the lot directly abut adjoining private property, precluding access. No other options exist for vehicular access to the site. Therefore, it would be a practical difficulty to require the applicant to provide one off-street parking space for this site.

Intent of the Zone Plan

The requested variance would not substantially impair the intent, purpose and integrity of the zone plan. It would allow for infill development on a vacant lot in conformance with all other provisions of the Zoning Regulations and consistent with the policies of the Comprehensive Plan. The granting of this variance would maintain the existing number of parking spaces as the provision of a curb cut to an off-street parking space would simply trade an on-street parking space for an off-street parking space, with no net gain in parking.

COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

COMMUNITY COMMENTS

ANC 6C's report will be submitted under separate cover.

CONCLUSION AND RECOMMENDATION

The Office of Planning finds the subject application to be in conformance with the provisions of the requirements for the granting of a variance.

ATTACHMENT

1. Vicinity Map

Attachment 1

Vicinity Map

