

Before the

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

APPEAL OF:)
Advisory Neighborhood Commission 6A for the)
Administrative Decision of DCRA to issue)
Building Permit # B1207040)

Statement of the Applicant

Advisory Neighborhood Commission 6A (“ANC 6A”) hereby requests that the Board of Zoning Adjustment GRANT the Appeal from the administrative decision of the Department of Consumer and Regulatory Affairs Building and Land Use Regulation Administration approval of the Building Permit # B1207040 (“the Permit”) at 607 14th Place NE and in support of its appeal states:

SUMMARY OF APPEAL

The Department of Consumer and Regulatory Affairs (“DCRA”) erred in its decision to grant Building Permit # B1207040. The property that is subject to this appeal is located at 607 14th Place NE (Square 1051, Lot 0181) and in an R-4 district. The requested reason for revocation is because DCRA approved the building permit in violation of 11 DCMR Section 401.3. Specifically, the lot size of 1021sq. ft. is under the minimum required of 1800 square feet, and the lot width, which is 13 feet according to the drawings, is less than the minimum 18 feet required. Because both the lot area and lot width fail to comply with the minimum zoning requirements, the application needs a variance from Section 401.3.

DISCUSSION

11 DCMR §401.3 states:

Except as prescribed in the other provisions of this chapter, the minimum dimensions for a lot in an R-4 residential district shall be 1800 square feet in lot area and 18 feet in width of lot.

The property does not meet either of the lot width or lot area requirements of this subsection. Also, as stated in Section 401.2, the applicant would be able to build if the lot met 80% of the width and area requirements, was unimproved in 1957 and the same person did not own the adjacent lot. 11 DCMR §401.2 states:

Except as provided in §401.3, in the case of an unimproved lot in single ownership on November 1, 1957, that has the lot area or width of lot less than that specified in §401.3 for the district in which it is located and that does not

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adjoin another unimproved lot in the same ownership, a structure may be erected on the lot if both the lot area and width of lot are at least 80% of the lot area and width of lot specified under §401.3.

At this time, it is not known if the lot was unimproved in 1957 and if the adjacent lot was under different ownership. However, even if the lot met these two criteria, it still would not meet the 80% of the width or area requirements (1540 sq. ft. lot area, 15.4 ft. lot width).

REQUEST FOR RELIEF

The appellant requests that the Board ORDER DCRA to revoke Building Permit #B1207040 because it was inappropriately granted the without complying with the requirements of Section 401.3.