

STATEMENT OF EXPLANATIONS AND REASONS

RECEIVED
D.C. OFFICE OF ZONING
2013 APR 11 AM 11:48

**SUPPORTING AN APPLICATION
TO THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

**FOR A VARIANCE
FROM MINIMUM LOT AREA, MINIMUM LOT WIDTH, AND SIDE YARD
REQUIREMENTS OF R-2 ZONE
PERSUANT TO 11 DCMR §3103.2 SECTION 401 & 405**

Address of the property:

**1019 49th Place NE
(SQ. 5175, LOT 4)**

BZA CASE NO. 18578...

**BOARD OF ZONING ADJUSTMENT
District of Columbia**

CASE NO. 18578

EXHIBIT NO. 4

Board of Zoning Adjustment
District of Columbia
CASE NO.18578
EXHIBIT NO.4

APPLICANT'S STATEMENT

We own this vacant lot which has 30' lot width and 2228 SFT lot area, and which is located at 1019 49th Street NE, square # 5175, lot # 4, and R-2 zone of the District. This lot does not meet the criteria to build a detached house as a matter of right, because it does not conform to the minimum lot width (40') and lot area (4000 sf) requirements for this zone.

Additionally, due to the narrow lot width it is difficult to maintain the minimum required side yard (8') on each side of the proposed building. Therefore, we seek BZA variance on those non-conforming requirements (lot width, lot area, and side yard) in order to build a single family detached house on this lot.

PROJECT DESCRIPTION

The proposed single family house will have a foot print of 800 sft and gross floor area of 2400 sf in three floors. First floor is primarily occupied by a one car garage, recreation room, and utility rooms. Most of the habitable areas are in second and third floor that consist 3 bedrooms, 3½ bathrooms, kitchen, and living room.

DESCRIPTION OF THE SITE AND SURROUNDING AREA

The subject property is located in Ward 7, ANC 7C, Deanwood neighborhood, cluster 31, and in the vicinity north of Sherrif Road, west of Eastern Avenue, and east of Kelinworth Avenue. It is served by adequate number of educational facilities, such as Houston Elementary School, Ron Brown Middle School, and Spingam Senior High School.

ZONING

The proposed site is in R-2 zoning district. The table below shows a comparison between the single family detached dwelling development standards of the R-2 zone and the proposed development.

Section	Description	Minimum Required	Maximum Allowed	Provided	Remarks
400	Building Height	-	40' 3 stories	39'-2" 3 stories	
401	Lot Area	4,000 sft	-	2,228 sft	Variance
401	Lot Width	40'	-	30'	Variance
403	Lot Occupancy	-	40%	37.84%	
404	Rear Yard	20'	-	26'-9"	
405	Side Yard	8'	-	5'	Variance
2101	Parking Space	1	-	1	

The proposed construction of a single family detached structure on the subject lot will be non conforming because the lot is smaller than the minimum lot area and width permitted in the R-2 zone, and the side-yard requirement is not met.

Section 401.3 - Lot Area

The minimum lot area required for a detached dwelling in R-2 zone is 4,000 square feet. The subject lot is only 2,228 square feet. Therefore the lot requires a variance of 1772 square feet of the requirement.

Section 401.3 - Lot Width

The minimum lot width required for a detached dwelling in R-2 zone is 40 feet. The subject property has a lot width of only 30 feet. Therefore the lot requires a variance of 10 ft of the requirement.

Section 405 – Side Yard

The side-yard required for a detached dwelling in R-2 zone is 8 feet each. The proposed side yards on both the sides are 5 feet each. Therefore the proposed development requires side-yard variance of 3 ft on both the sides.

ANALYSIS

The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition.

The subject property is unique and in exceptional situation because adjacent properties are already developed and in separate ownerships, so there is no opportunity to combine lots to create a conforming lot.

By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property.

Because of these unique and exceptional situations we have a practical difficulty to build a house. Without BZA relief the property would be incapable of being developed.

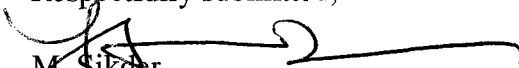
The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Variance to build proposed three-story structure would not limit the light and air to adjacent properties or to other dwellings in the neighborhood. We will also provide one car garage inside the building and thus will not be any burden of street parking.

CONCLUSION

Proposed building will contribute to the continued improvement of the surrounding area by developing one of many vacant infill lots. The improvement of this infill lot would be for the public good as it would remove a vacant property and prevent the use of the property for negative purposes. As demonstrated in the analysis, the proposal adequately meets 3 prong requirements of the requested variances under Sections 3103.2. Variances for the lot area, lot width, and side-yard will not have any negative impact on the zoning regulations and would allow the property to be developed with a single-family structure that will be consistent with the development pattern in the area. The requested variances could be granted without substantial impact to the Zoning Regulations and public good.

Respectfully submitted,



M. Sikder
District properties
6500 Chillum Place NW
Washington DC 20012