

BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

APPLICATION OF
RICHARD GBOLAHAN

1609 LEVIS STREET, NE
ANC -5D07

STATEMENT OF THE APPLICANT

1. NATURE OF RELIEF SOUGHT

This statement is submitted by Richard Gbolahan (the "Applicant".) the Owner of property located at 1609 Levis Street, NE, Lot 804 Square 4074 the "property" in support of its application for an area variance from the lot minimum area requirement (401.3) to allow the applicant to build a new townhouse single family dwelling unit in an R-4 District at the property.

II BACKGROUND

A. Background information on the Property

The Property, known as Lot 804 in square 4074 contains about 1,269 square feet of land area and is located in North East , Washington DC. The Property is located on the south side of Levis Street , NE, between Bladensburg Ave, NE on the east, 16th Street, NE, on the west and a Public Alley on the south. The Property lot has approximately 16.67 feet width. The property is presently vacant and unimproved.

B. Description of the Proposed Development

As shown on the Architectural plans, See Architectural Plans and Elevation attached, the Applicant proposed to build a new townhouse with four bedrooms, a living room, dining area and kitchen. First floor contains the living room, dining area, kitchen, pantry, coat closet and powder room. The second floor contains two bedrooms, one full bathroom, utility room and laundry room. The third floor consist of one regular bedroom with double closet, and one bathroom, one master bedroom with double closet and a walk in closet and master bath. Frontage building material finish of the townhouse is brick, the sides are brick finish and rear is siding. The proposed townhouse is in harmony with other existing residential buildings in the neighborhood.

III NATURE OF RELIEF SOUGHT AND STANDARD OF REVIEW

Variance relief is required from the lot minimum area requirement under 401.3. Under 11 DCMR 3103.2, the Board is authorized to grant an area variance where it finds that three conditions exist:

a. The property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition:

b. The Owner would encounter practical difficulties if the zoning regulations were strictly applied ; and

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

IV. THE APPLICANT MEETS THE BURDEN OF PROOF FOR AREA VARIANCE RELIEF

The lot predates current zoning regulations and practical difficulty of compliance comes from the less than standard size of the lot, recorded prior to adoption of current zoning regulations, and its location in a district zoned solely for residential purposes. In view of the dilemma created by pre-existing undersized lots, the zoning regulations provide, in the case of an unimproved lot in single ownership on November 1, 1957, which has an area or width of lot less than that specified in requirement 401.3 for the district in which it is located and does not adjoin another unimproved lot in the same ownership, a structure may be erected thereon if both the area and width of lot are at least 80% of the area and width of lot specified under requirement 401.3 provided the structure complies with all other provisions of the regulations.

The width size of the property is 16.67 feet whereas the allowable width is 18 feet. The property width is 1.33 feet shy of the allowable width i.e. 92.61% of the allowable width, therefore okay as a matter of right considering 80% allowable per requirement 401.4 of the Zoning regulation. The property area is 1,269 square feet which is shy of the allowable 1,800 square feet by 531 square feet which is 70.5% of the allowable area. 70.5% is 9.5% less than 80% which could have qualified the property as a building lot as a matter of right under requirement 401.4 of the zoning regulation. Therefore the Property narrowly missed qualifying as a matter of right for a building permit since the lot falls short of the 80% area requirement by a mere 9.5 %. Without the benefit of BZA relief the Property cannot be put into any other beneficial use.

b. The Owner would encounter practical difficulties if the zoning regulations were strictly applied ;

In view of the less than current standard size of the lot which predates the current zoning regulation, the owner would encounter practical difficulties if the zoning regulation were strictly applied. Due to the substandard lots size the Owner will endure practical difficulty of an extreme nature because of his inability to put the lot to any use. The unusual and peculiar condition of the lot will deprive the Owner of all beneficial use of the Property thereby causing the Owner an extreme practical difficulty if area variances is not granted. Furthermore, the Owner would be unable to dispose of the unimproved property for a permitted use if area variance is denied and would effectively prevent any useful development of the lot.

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

Building of a new townhouse in the neighborhood on same lot size as most other lots would not be out of harmony with the area and would not create a deleterious condition rather it will enhance the aesthetic and pleasing views of neighborhood. The new proposed townhouse will not create additional congestion and decrease property values rather it will help reduced the numbers of vacant lots in the neighborhood which is the source of unauthorized trash dumping ground that reduce property value. Granting of this area variance requested would not result in substantial detriment to the public good and would not adversely affect the harmony of the neighborhood, in contrary it will upgrade the neighborhood and help alleviate housing shortage in the neighborhood.

ANC meeting: At our 5D ANC meeting of July 14, 2015, the commissioners needed extra time to review the project with their constituents but few immediate neighbors to the subject property were concerned about parking, high front facade/fascia board and a neighbor wanted side brick finish also. The project has been revised to meet all the above concerns. We met with the neighbors after completion of the project revision and they express satisfaction and their full support of the project as revised. See signed letters of support from the neighbors attached.

V. Witnesses

1. Richard Gbolahan, Property Owner and Developer
2. C. Dominic Chidozie, Architect on behalf of CDC Design Associates, Ltd.

VI. Conclusion

In view of the reasons stated above, the requested relief meets applicable standards for variance under the Zoning Regulation. The Applicant respectfully request that the Board grant the application.

Respectfully submitted,

By: 
Richard Gbolahan, Property Owner and Developer