

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Anne Fothergill, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: September 29, 2015
SUBJECT: BZA Case 19056, 3324 Dent Place, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends

denial of the following variance relief:

- § 401 minimum lot width for a new subdivision (20 feet required, 17.5 feet proposed).

Should the lot width relief be permitted, OP would recommend **approval** of the following additional variance relief:

- § 2101.1 minimum off-street parking (2 required, 0 proposed)

II. LOCATION AND SITE DESCRIPTION

Address	3324 Dent Place, N.W.
Legal Description	Square 1278, Lot 0251
Ward	2
Lot Characteristics	The 5,250 SF lot is 35' wide and 150' deep. The historic house on the lot was razed in 2012. There is a swimming pool toward the rear of the lot.
Zoning	R-3 – row dwellings
Existing Development	Vacant lot
Historic District	Old Georgetown Historic District
Adjacent Properties	The adjacent properties are row dwellings.
Surrounding Neighborhood Character	The neighborhood is residential and the block is predominantly row dwellings.

III. APPLICATION IN BRIEF

The applicant proposes to construct two rowhouses on the subject property, which would be subdivided into two lots. The two lots would each be 17.5 feet wide and would not have any off-street parking. The applicant revised their proposal and reduced the lot occupancy from 58% to 40% (see revised proposed plans in Exhibit 33A).



3324 Dent Place prior to demolition (photo date unknown)



IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-3 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 feet max.	N/A	<40 feet	None required
Lot Width § 401	20 feet min.	35 feet	17.5 feet	Relief requested
Lot Area § 401	2,000 SF min.	5,250 SF	2,625 SF	None required
Floor Area Ratio § 402	None prescribed			None required
Lot Occupancy § 403	60 % max.	0	58%	None required
Rear Yard § 404	20 feet min.	N/A	>20 feet	None required
Side Yard § 405	0 feet min.	N/A	0 feet	None required
Parking § 2101.1	1 per dwelling	N/A	0	Relief requested

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 401 – requirement of 20’ minimum lot width

i. **Exceptional Situation Resulting in a Practical Difficulty**

The applicant has not adequately addressed this part of the variance test. The existing lot is 35 feet wide and is a buildable lot. With the 20 foot lot minimum width requirement, the applicant could construct one house on this property as a matter of right. The applicant has not established a practical difficulty in complying with the zoning regulations or an exceptional situation related to the property that would justify relief from the 20 foot lot width minimum. There are other lots on the square and in the surrounding area that are wider than 20 feet and a wider house or a house that maintains a side yard would not be incompatible with the square and the neighborhood. The historic house on this property that was razed in 2012 was narrow and had an open side yard at the west side (see map and photo on page 2).

ii. **No Substantial Detriment to the Public Good**

Many of the adjacent neighbors and property owners on this block oppose the granting of relief to construct two rowhouses on this property since the applicant can construct one conforming house by right. There are other substandard lots in the area but that doesn’t justify relief for this property. Historically this lot had a side yard that provided open space and open sightlines and infilling this lot with two row dwellings could adversely impact access to light and air through this property. The ANC is also in opposition to this proposal (see Exhibit 25).

iii. **No Substantial Harm to the Zoning Regulations**

The proposed relief would not be in keeping with the intent of the zoning regulations. The minimum lot width requirement in the R-3 zone is intended to allow appropriate density for the area. Other substandard lots in the area were

created prior to the current zoning regulations. Allowing the relief would be detrimental to the intent of the zoning and could have an adverse impact on the block.

b. Variance Relief from § 2101.1 – requirement of off-street parking for 2 cars

i. Exceptional Situation Resulting in a Practical Difficulty

If the lot width variance is granted and the subject property is developed as two rowhouses, off-street parking for two cars would not be possible since there is no alley behind this lot. This would be a practical difficulty and OP would support the variance.

If the lot width variance is denied and the property is developed as one house, DDOT most likely would not support a new curb cut off Dent Place to access a new driveway, which causes a practical difficulty that supports the granting of the variance.

ii. No Substantial Detriment to the Public Good

If the lot width variance is granted and the subject property is developed as two rowhouses, allowing parking on the street would not be detrimental to the public good. DDOT has reviewed the parking conditions and has no objection to the parking relief (see Exhibit 24).

If the lot width variance is denied and the property is to be developed with one new house, it could be possible to design a driveway for off-street parking and the requested relief would be for one car (not two cars). However, a curb cut would remove an on-street parking space and can cause conflicts for pedestrians where the driveway crosses the sidewalk. Additionally, a new driveway would remove green pervious area adjacent to the house.

iii. No Substantial Harm to the Zoning Regulations

If the historic house was still extant, the applicant would be exempt from the off-street parking requirement. Allowing the relief from the off-street parking requirement would not harm the intent of the zoning regulations and would be in keeping with DDOT's recommendation to support the variance and also their recommendation against a new curb cut in this location.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT submitted a report stating they had no objection to the application for parking relief for two vehicles. DDOT staff also communicated to the applicant and to OP staff that if the applicant was to apply for a curb cut for a driveway on this property, DDOT most likely would not support it for a number of reasons including that it would not comply with their policy on driveway spacing.

VII. COMMUNITY COMMENTS

The Citizens Association of Georgetown and neighbors at 3321 Dent Place, 3322 Dent Place, and 3326 Dent Place have requested Party Status as opponents to this proposal and one neighbor at 1615 34th Street submitted a letter of opposition (See Exhibits 26-28 and 31-32).

ANC 2E in June unanimously adopted a resolution recommending that BZA deny the variance relief for lot width and that the BZA deny or defer the variance for off-street parking (see Exhibit 25). The applicant postponed the original hearing date to allow more time to reach out to the community but it is OP's understanding that they did not make a presentation at the August ANC meeting (Exhibit 30).

The Commission of Fine Arts/Old Georgetown Board reviewed a concept application for this proposal but has not yet taken final action.