

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: November 24, 2015
SUBJECT: BZA Case 19117, 1010 Irving Street, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) is **unable to support** of the following variances to subdivide an existing conforming lot into two nonconforming lots:

- § 401, Minimum Lot Width (30 feet required, defined width of 26.8 feet proposed).

II. LOCATION AND SITE DESCRIPTION

Address	1010 Irving Street
Legal Description	Square 3877, Lot 7
Ward	5, 5B
Lot Characteristics	The rectangular through lot is 8,037 square feet in area, with a lot frontage of 37.8 feet along Irving Street. The rear of the lot has a width of 69.36 feet along the rear property line, which partially butts a 15 foot wide public alley.
Zoning	R-2 – One-family and semi-detached dwellings.
Proposed Development	Semi-detached dwellings, permitted in this zone.
Historic District	Not applicable
Adjacent Properties	Adjacent properties vary significantly in width and area, ranging between 25 feet to 100 feet in the subject square. Neighboring properties are a mix of detached or semi-detached dwellings, with the adjacent C-1 District having some multifamily buildings.
Surrounding Neighborhood Character	The surrounding neighborhood character is predominantly residential, with a mix of detached and semi-detached dwellings. The adjacent C-1 District, along 12 th Street, includes commercial uses as well as multifamily buildings.

III. APPLICATION IN BRIEF

The subject property is currently vacant, with detached dwellings located to the east and west of the lot. Semi-detached dwellings are located on the two lots abutting the north property line of the subject property. The applicant proposes to subdivide the lot into two lots, each with a defined lot

width of 26.8 feet, and areas of 4,018 and 4,080 square feet. Based on the site plan provided, relief for minimum lot width would be required for the subdivision; the two proposed dwellings would otherwise be compliant with the Zoning Regulations.

The existing 15 foot wide public alley provides access to the proposed west lot, but not the proposed east lot, which initially resulted in a concern that the required parking space would not be provided on the east lot. However, the applicant has confirmed that an easement will be recorded, ensuring that the required parking spaces will be provided on each lot. Thus, relief for parking would not be necessary.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed	Relief
Lot Width § 401	30 ft. min.	38.58 ft.	26.8 ft.	Required
Lot Area § 401	3,000 SF min.	8,037 SF	4,018 SF 4,080 SF	Not required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 401, Minimum Lot Dimensions

i. Exceptional Situation Resulting in a Practical Difficulty

The applicant has requested relief that would allow for the subdivision of an 8,037 square foot lot into two lots. While both lots would have a reduced lot width of 26.8 feet, the area would exceed the minimum required in the R-2 District. The lots would be developed with two semi-detached dwellings that appear to require no additional relief. The lot was previously developed with a two story detached dwelling, which was razed in 2013.

The applicant has indicated that the large size of the lot results in an exceptional situation resulting in a practical difficulty. OP recognizes that while this is a larger lot, this does not result in a practical difficulty, as the lot can be developed, and has been previously, as a dwelling that conforms to the R-2 District development regulations. The shape, while not perfectly rectangular, does not make it practically difficult to construct a detached dwelling on the lot. In this case, the lot is developable without relief, and there does not appear to be an exceptional situation resulting in a practical difficulty that impedes its development.

ii. No Substantial Detriment to the Public Good

The requested relief would not appear to cause substantial detriment to the public good. This particular neighborhood has a diverse array of lot sizes, lot widths, and housing types. For example, in an adjacent square, there are nonconforming row dwellings on 17 foot wide lots, while the neighboring property to the east is 50 feet wide and developed with a detached dwelling. Lots located further east along Irving have a frontage of 25 feet, which is consistent with the applicant's proposal. In this case, the variety of lot sizes and widths is a defining neighborhood characteristic, and neither the existing lot nor the applicant's proposal to have two lots at 26.8 feet width would be

particularly inconsistent with the current pattern of development, although, due to the tapering of the lot, the proposed frontage of 18.9' appears to be less than the norm for the area.

iii. No Substantial Harm to the Zoning Regulations

The requested relief would pose harm, but in this case potentially not substantial, to the Zoning Regulations. The purpose of the lot width regulation is to ensure that the character of low density residential neighborhoods is preserved. In the low density areas, this character is manifested through regulations that require larger rear and side yards, and reduced lot occupancy, resulting in a greater amount of open space. In this case, the applicant has demonstrated that the proposed dwellings would comply with these particular development regulations, ensuring that the lots would exhibit characteristics typical of the surrounding neighborhood, which is consistent with the intent of the Zoning Regulations.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this writing, comments from other District Agencies had not been received. However, it is anticipated that DDOT will file a report under separate cover.

VII. COMMUNITY COMMENTS

As of the date of this writing, OP has not received any comments from the community or ANC. However, two letters of support from neighbors located immediately to the west and east of the subject lot have been provided for the record.

Attachment: Location Map

Location Map

