

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: January 27, 2016

SUBJECT: BZA Case 19127 – SUPPLEMENTAL REPORT - variance and special exception relief to allow a subdivision and construction of 10 flats at 2800 Sherman Avenue NW

I. OFFICE OF PLANNING RECOMMENDATION

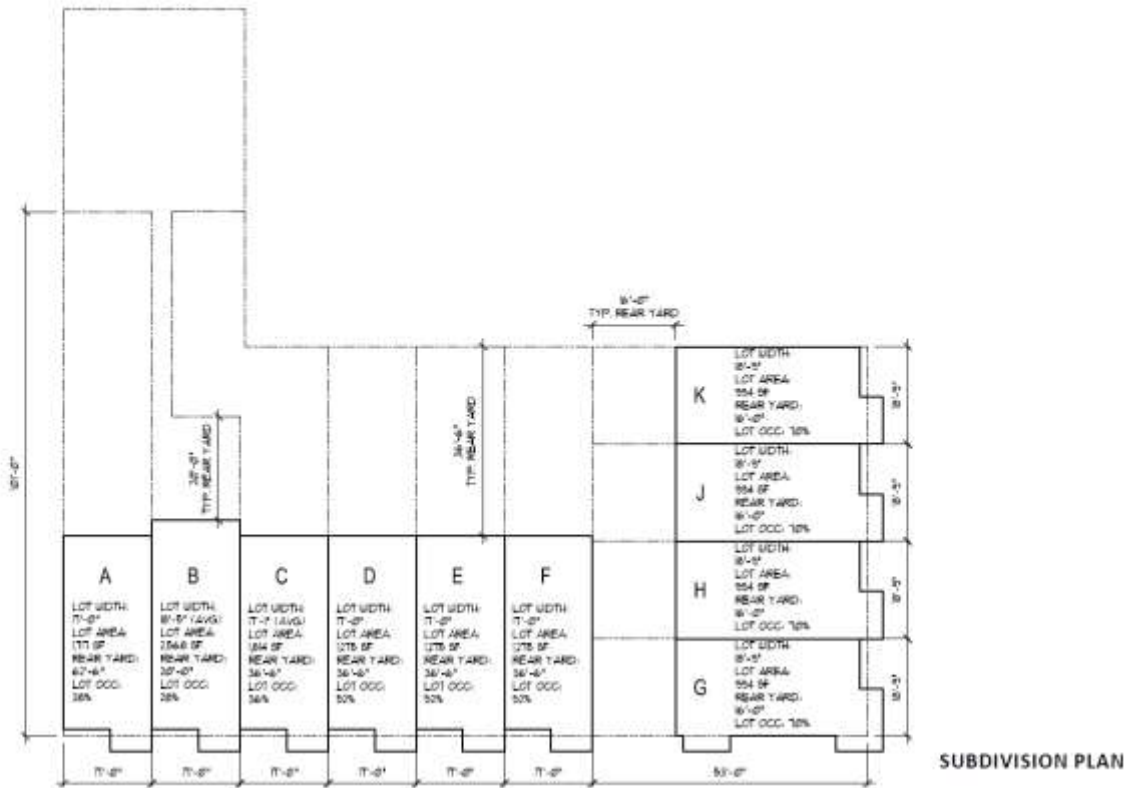
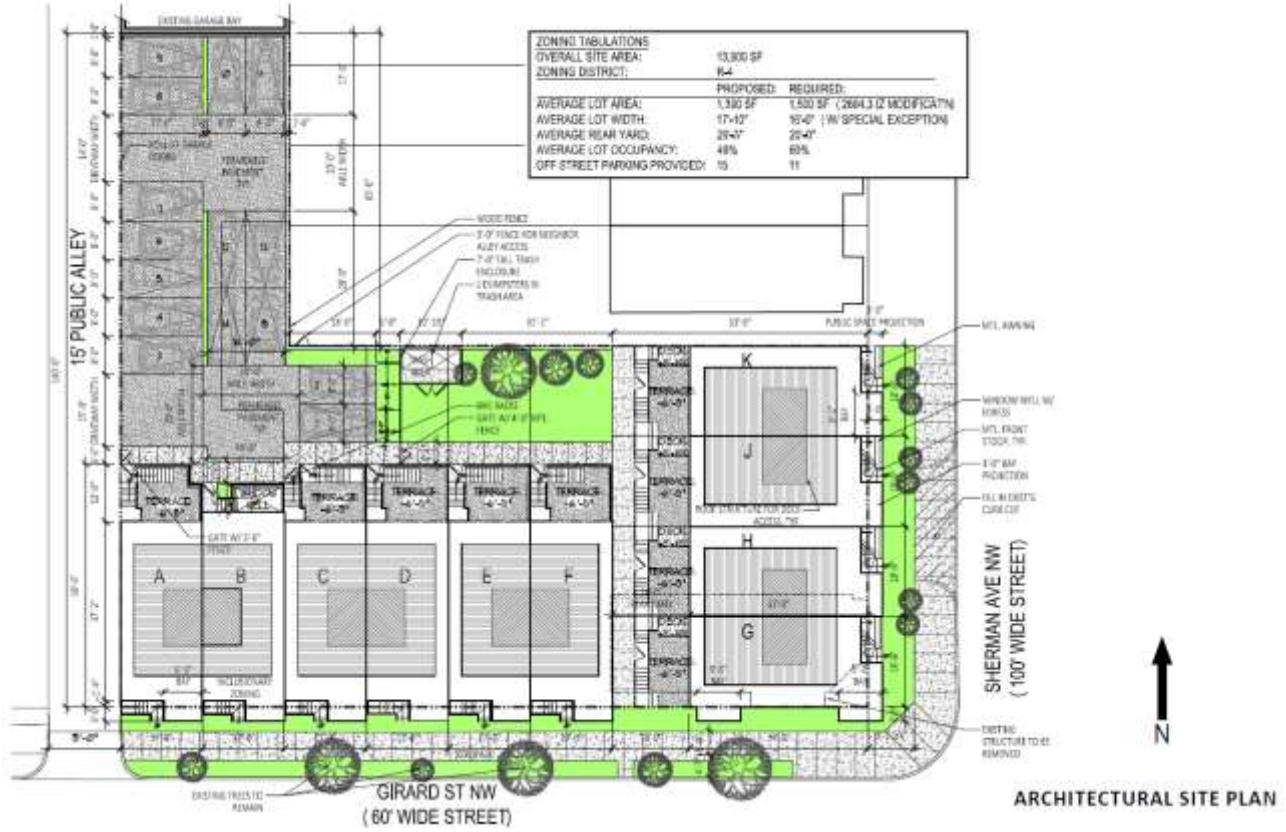
In response to a request by the Board at the conclusion of the public hearing on December 8, 2015, 2800 Sherman, LLC (the “Applicant”) submitted to the Board additional information on January 26, 2016. The Applicant’s revised proposal includes a revised site plan with one lot eliminated from Sherman Avenue (10 lots instead of 11, or 20 units instead of 22 units), as shown on Sheet 5 of the revised architectural plans and elevations (Exhibit 40). Further, the Applicant proposes removing one of the two proposed trash areas after further consultation with a trash contractor, and there is now one trash area in the center of the site with larger bins/dumpsters for trash and recycling than previously proposed. In addition, the flat containing the IZ units would now be located on Girard Street (Lot B) instead of on Sherman Avenue.

The proposal would still result in the need for variance and special exception relief for the development, including a special exception for the proposed penthouses, but the degree of relief has been reduced. Nevertheless, the Office of Planning’s concerns remain regarding the nexus between the Subject Property’s exceptional situation and the practical difficulty of developing the site. There does not appear to be a practical difficulty related to the shape of the lot that, as a new lot subdivision, would prevent it from being developed in conformance with the intent of the Zoning Regulations. Although the Office of Planning is supportive of the revised architecture as generally consistent and compatible with the surrounding community, **OP cannot support** the following variance relief and will be prepared to further address the Applicant’s revised proposal at the continued public hearing on February 2, 2016:

- § 401.3 Lot Area (1,500 square feet min. required; 994 – 2,568 square feet or an average of 1,390 sf. per lot proposed);

However, if the BZA accepts the non-conforming lot size, then OP does not oppose the following relief:

- § 403.2 Lot Occupancy (60% max. permitted; 28-70% proposed);
- § 404.1 Rear Yard (20 feet min. required; 16-62.5 feet proposed);
- § 411.5 Roof Structures (no more than 10 feet in height/1 story and only stair or elevator access to the roof required and proposed);
- § 2115.2 Compact Parking Spaces (15 compact parking spaces proposed); and
- § 2116.5 Accessory Parking Spaces (15 parking spaces proposed).
- § 2604.3 Lot Width permitted by IZ (16 feet min. required; 17-18 ft. 9 in. proposed)



II. ZONING REQUIREMENTS and RELIEF REQUESTED

R-4 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max.	NA	37 ft.	None required
Lot Dimensions § 401	Per § 2604.3: Area: 1,500 sf. min. (IZ)	13,900 sf.	1,717 sf. (Lot A) 2,568 sf. (Lot B) 1,814 sf. (Lot C) 1,275 sf. (Lot D, E, F) 994 sf. (Lot G,H, J,K)	None required None required None required Relief required for 7 lots
Lot Dimensions § 401	Per § 2604.3: Width: 16 ft. min. (IZ)		17 ft. (Lot A) 18.5 ft. (Lot B) 17 ft. 1 in. (Lot C) 17 ft. (Lot D, E, F) 18 ft. 9 in. (Lot G,H, J,K)	Relief required None required Relief required Relief required None required
Floor Area Ratio § 402	NA	NA	NA	None required
Lot Occupancy § 403	60% max.	NA	38% (Lot A) 28% (Lot B) 36% (Lot C) 52% (Lot D, E, F) 70% (Lot G,H, J,K)	None required None required None required None required Relief required for 4 lots
Rear Yard § 404	20 ft. min.	NA	62.5 ft. (Lot A) 20 ft. (Lot B) 37 ft. (Lot C) 36.5 ft. (Lot D, E, F) 16 ft. (Lot G,H, J,K)	None required None required None required None required Relief required for 4 lots
Side Yard § 405	NA	NA	NA	None required
Court § 406	NA	NA	NA	None required
Roof Structures § 411	No more than 10 feet in height/1 story and only stair or elevator access to the roof required and proposed			Relief required
Compact Parking Spaces § 2115.2			15 parking spaces	Relief required
Accessory Parking Spaces § 2116.5				Relief required