

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Megan Rappolt, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: December 15, 2015

SUBJECT: BZA Case #19161- variance per §3103 for required parking relief at 1537, 1539, and 1541 6th Street NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (“OP”) recommends **approval** of the following variance relief for three new flats:

- §2101.1, Schedule of Requirements for Parking Spaces (0 existing, 0 proposed, 3 required).

The vacant lots are also nonconforming for lot area (1800 sf required) and lot width (18 feet minimum). The Zoning Administrator has determined that relief is not required to develop previously developed vacant lots.

LOCATION AND SITE DESCRIPTION:

Addresses:	1537, 1539 and 1541 6 th Street NW
Legal Description:	Square 478 Lots 56, 57 and 58
Ward/ANC:	6/6E
Characteristics of the Lots:	The three (3) lots are currently vacant except for minor building encroachments. Each lot is between 1,572 sf and 1,681 sf in area and lot widths range between 16.83 ft and 18 ft. The lots have no alley access.
Zoning:	R-4 – row, one-family detached and one family semi-detached dwellings.
Existing Development:	Row dwelling, permitted in this zone.
Historic District:	None
Adjacent Properties:	Predominantly row dwellings; however there are a few small apartment buildings and a church nearby. The Kennedy Recreation Center and Playground is located to the southwest.

II. PROJECT DESCRIPTION IN BRIEF

Applicant	1537 Street NW, LLC represented by Meridith Moldenhauer
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Proposal:	Required parking relief for three (3) spaces associated with three (3) new flats to be built as a matter-of-right on three (3) existing vacant lots.
Relief Required:	§3103, Variance from required parking per §2101.1

III. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	35' max.	0'	Unknown	None required
Lot Width (ft.) § 401	18' min.	17.7', 16.83', & 18'	17.7', 16.83', & 18'	Existing Nonconformity
Lot Area (sq.ft.) § 401	1,800 sf min.	1,603 sf, 1,571 sf, & 1,680 sf	1,603 sf, 1,571 sf, & 1,680 sf	Existing Nonconformity
Lot Occupancy § 403.2	60% max.	0%	60%	None required
Rear Yard (ft.) § 404	20' min.	Vacant lots so N/A	29.875	None required
Side Yard (ft.) § 405	0' min.	0'	0'	None required
Parking §2101	1 space per 2 units, or 3 spaces	0 spaces for 0 units	0 spaces for 6 units	Relief required for 3 spaces

IV. OP ANALYSIS:

Per §3103.2 Variances, the BZA can grant relief from certain regulations where the BZA determines the request meets the criteria listed below. The requested parking relief is considered an area variance as opposed to a use variance, because area variances include requests for deviations from requirements that affect the size, location and placement of buildings, as well as the minimum parking requirements. Below is the three-part area variance test with OP's comment and analysis for BZA consideration:

1) Does the property exhibit exceptional narrowness, shallowness, or shape; or exceptional topographical conditions, or other extraordinary or exceptional situation or condition?

The property exhibits an exceptional situation in that the existing lots are vacant and are of substandard areas and widths. Additionally, no alley access exists and there are no curb cuts from the street to the lots. The submitted Baist maps show prior residential use on the property, in effect vesting residential use on the property, per DCRA.

2) Does a peculiar or exceptional practical difficulty result from the strict application of the regulation(s)?

¹ Information provided by the Applicant.

Due the fact there is no alley access to the lots, the Square is improved with existing rowhomes to remain, and a curbcut permitting access from 6th St NW through public space into the lots will not likely be supported by DDOT, a practical difficulty exists in the provision of required parking to support the proposed development of three (3) flats.

3) Can the relief be granted without substantial detriment to the public good and without substantial impairment to the intent, purpose and integrity of the Zoning Regulations and Map?

The relief can be granted without substantial detriment to the public good or the intent, purpose and integrity of the Zoning Regulations and Map due to the following: there is nearby available street parking; the development will be eligible for RPP; and the Property is well-located in terms of proximity to several transit modes.

V. COMMUNITY COMMENTS

Adjacent neighbors: The Applicant has provided letters of support from the adjacent neighbors to the north and south of the Property, 1543 6th St. NW and 1535 6th St. NW, as well as other nearby property owners, for a total of nine (9) letters.

Ward/ANC: The property is within ANC-6E. In its pre-hearing statement, the Applicant states ANC-6E is in support of the request. A report or a letter from the ANC has not be entered into the record at the time of the writing of this report.

Attachment: Location Map



Location Map