CAPITOL HILL RESTORATION SOCIETY
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OFFICE OF ZONING
DISTRICT OF COLUMBIA

BZA No. 16538
407 8th Street, SE
Square 908, Lot 826
Z one: C-2-A
Hearing Date: 10/3/00

September 18, 2000

Board of Zoning Adjustment,
Room 210
441 4th Street, NW
Washington, DC 20001

The Capitol Hill Restoration Society SUPPORTS the above referenced application.

The Capitol Hill Restoration Society is a civic association with a current membership of over 950. The Society's interest district is defined in its bylaws and includes the premises involved in this application.

The Zoning Committee of the Capitol Hill Restoration Society considered the application on September 14, 2000. A quorum was present. Mr. Maurice Kreindler, Manager of Capitol Hill Investors.

The application.

This is an application for a variance from the rear-yard setback requirement for construction of a one-story retail building. Although advertised as Lot 826, surveys provided by the developer indicate a new lot number, 34, with a length of 62.08 feet, 25 feet shorter than Lot 826. The proposed building will fill a gap that was used as a driveway in the past. The block will be greatly improved visually by the proposed construction. There is no alley access for Lot 34 or adjoining Lots 32 and 33. A six-foot easement to provide egress to 8th Street for Lots 32 and 33, reduces the useable width of Lot 34 from 25 feet to 19 feet and the useable area from 1,552 square feet to 1,180 square feet.

The required 15-foot rear-yard setback further reduces the area that can be covered to 895 square feet. Applicant asserts, and the Committee agrees, that this is too small to be economically feasible.

Applicant seeks a variance from the 15 foot rear-yard setback requirement. If granted, the Lot 34 has resulted from a subdivision involving lots 32, 33, and 34, with lot 34 ending up the smallest of the three. There would have been other ways to subdivide this land, but the way chosen seems reasonable to the Committee. We do not believe this is a case of a

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self-imposed hardship. Other possible subdivision strategies would have resulted in hardships also.

Discussion.

The Committee believes that the applicant satisfies the elements for a variance:

- Lot 34 is unique because of small size, lack of alley access, and need to provide an easement for adjoining lots.
- Applicant has demonstrated a hardship in using the property for any matter-of-right use in the C-2-A district.
- This application can be granted without adversely affecting the zoning regulations or zoning map.

We are pleased to submit these views for your consideration.

Lyle R. Schauer
Zoning Chair