Board of Zoning Adjustment Application for Zoning Relief
Case Number 16573, 1821-1823 Florida Avenue, N.W.
Justification for proposed variances

The existing garages were built in the 1920s and were once part of properties that front on Vernon Street. They have been separately owned for many years, and were part of the estate of Bernard and Miriam Maizel.

The garages have no rear or side yards, and occupy more than 75% of the lot, which only amounts to 1,045 sf in total. The ground level at the rear and on the west side of the property is about 10 feet above the floor level of the garages themselves. The property is zoned R-5-B. Behind and on either side of the garages are multi-unit condominiums and apartment buildings on Florida Avenue, 18th and 19th Streets, and Vernon Street.

The garages are already nonconforming as far as the zoning regulations are concerned. Also, as can be seen from the photos submitted with the application, they are in a state of advanced disrepair. They are covered with graffiti, the doors are hanging off and the roof is covered with junk and is leaking. They are a major eyesore, and detract from the entire neighborhood.

The applicant proposes to build a three story house essentially on the footprint of the existing garages, and incorporating them into the new structure. The resulting building would consist of a ground floor 1-bedroom apartment with separate entrance, and a 2-story house above, with its own enclosed garage. The addition would be traditional in style, and the documents provided in this hearing should be viewed as merely illustrative. The applicant intends to coordinate with the neighborhood groups and interested parties to ensure that the final building design is fully in keeping with the architectural quality of the area.

OFFICE OF ZONING
DISTRICT OF COLUMBIA
JUN -6 P12:56
BZA
Case No. 16573
Exhibit No. 42
Board of Zoning Adjustment
District of Columbia
CASE NO.16573
EXHIBIT NO.42

The amount of public space available for parking will actually increase by two spaces. This is because, as a result of the proposed project, one of the two existing curb cuts that provide access to the existing garages would be eliminated. The applicant is seeking variances to allow:

1) no side and rear setbacks, as at present. There would be a 3ft niche at the rear on the east side to permit safety windows;
2) 90% lot occupancy (from the present 75%);
3) an increase in density and change of use from storage to 2-family flat; and
4) FAR of 2.61.

The granting of these variances is predicated on the following tests for zoning relief:

1) An undue hardship, unique to this specific property and inherent in the property itself, would result if the application were not granted;
2) The requested variance can be granted without substantial adverse impacts; and
3) The requested variances can be granted without impairing the intent, purpose and integrity of the zone plan for the city.

Test for undue hardship

Due to the configuration of the lot, its small size, its irregular shape, and particularly the absence of rear or side yards, under the existing zoning requirements it would be impossible to re-utilize this space. The lot amounts to only 1,045 sf, and the present buildings occupy 76% of the area, and are built along the lot-lines. The building also serves as a retaining wall, as the land in the rear and west side is 10 feet above the street level of Florida Avenue. A change in the building's configuration would cause major problems to the immediately adjacent lots. Moreover, requiring setbacks or applying the existing LAR would result in an uneconomic (and ungainly) structure. Thus, in the present case, the existing zoning regulations impose a severe hardship.

Test for Adverse Impacts
There are absolutely no adverse impacts. On the contrary, the proposed building will be a major improvement to the 1800 block of Florida Avenue, as it will result in a townhouse building facing the street in place of run down garages and the rear of apartment buildings. The entire neighborhood will benefit as this last vestige of urban blight is removed from the block.

In addition, as a result of the new building, there will actually be an increase the amount of available public parking space because of the elimination of one of the two existing curb cuts on Florida Avenue.

Test for Impairment of the Zone Plan
The proposed building is fully in conformity with the plan.