RECEIVED
D.C. OFFICE OF ZONING
2001 MAY -2 AM 8:21

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

RECEIVED
D.C. OFFICE OF ZONING
2001 MAY -2 AM 8:21

MEMORANDUM

TO: D.C. Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: May 1, 2001

SUBJECT: BZA Application No. 16682, Hunt Place N.E. Row Dwellings

---

APPLICATION

Application of W.F. Equipment Corporation, pursuant to 11 DCMR 3104.1 and 3103.2 for a special exception to allow new residential development consisting of five row dwellings and one semi-detached dwelling under Section 353 and a variance from the side year requirements for one semi-detached dwelling (Lot 36) under section 405 in the R-5-A District at premises 5516-5526 Hunt Place, N.E. (Square 5204, Lots 31-36).

SUMMARY RECOMMENDATION

The Office of Planning recommends approval of the special exception for the five row dwellings and the one semi-detached dwelling under Section 353 and the variance from the side yard and areas requirements for the one semi-detached dwelling under Section 405.

BACKGROUND

This application involves development of a row of six new town houses (five row dwellings and one semi-detached dwelling in the terminology of the Zoning Regulations). The development is located in the R-5-A District and therefore requires a special exception for review of the project. The original hearing on this project (March 13) was postponed because the application was originally advertised as being in the R-2 District.

BZA
Case No. 16682
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO.16682
EXHIBIT NO.37

SITE AND AREA DESCRIPTION

The site is located in the 5500 block of Hunt Place, N.E., a short two-block street that is perpendicular to Eastern Avenue, N.W., southeast of Division Avenue and northwest of Nannie Helen Burroughs Avenue (note that there are longer east-west sections of Hunt Place to the west of 48th Street, not connected with this short section of Hunt Place). Hunt Place is a narrow 40-foot wide street that slopes down from Eastern Avenue. Fourteen lots were subdivided on the north side of Hunt Place some years ago. A semi-detached dwelling and seven row dwelling were constructed on the first eight lots extending south from Eastern Avenue in 1979 (Lots 23-30). The remaining six lots have remained undeveloped since that time and apparently have been a continuing problem because of having trash dumped on them. The W.F. Equipment Company has recently purchased the remaining six lots (Lots 31-36) and has proposed constructing five row dwellings and one semi-detached dwelling as described below.

The site is zoned R-5-A. The R-5-A zoning district line extends along Hunt Place, then turns northwest along the property line of the property (lot 19) just south of the six lots in this application. A garden apartment complex is located northeast of the site. The area to the southeast and southwest of the R-5-A area is zoned R-2.

The adjacent area, which is part of the Burrville neighborhood, has a mix of housing types, including single family, semi-detached and row dwellings and garden apartments. There are also some vacant lots and some civic and institutional buildings. The Church of the Incarnation is located at southeast corner of the intersection of Eastern Avenue and Hunt Place, N.E. across from the row dwellings constructed in 1979. The Burrville Elementary School is located at the west end of this section of Hunt Place, about a block and a half from the proposed new row dwellings.

The surrounding area has a mixed appearance. Some older dwellings appear to have been built in the early years of the 20th century and there are other dwellings that have been constructed in recent years. Maintenance of buildings and grounds also varies. Many dwellings and ground are maintained in good condition while others have various maintenance problems. Some dwellings need major repairs or should be demolished.

The Comprehensive Plan Generalized Land Use Map indicates this entire area as moderate density residential.

As in all residential neighborhoods, proposed new development needs to be evaluated in terms of how it will improve the neighborhood.

APPLICANT'S PROPOSAL

The applicant, W.F. Equipment Corporation, owns six (6) contiguous lots in the 5500 block of Hunt Place, N.E. in Square 5204 (Lots 31-36). The street addresses for these properties are 5516, 5518, 5520,5522, 5524 and 5526 Hunt Place, N.E. The property is

zoned R-5-A. The applicant indicates that, upon approval from the BZA, the applicant intends to construct and sell to the public six attached townhouses (row dwellings in the terminology of the Zoning Regulations). These townhouses will be of modular construction. Each townhouse will be fee simple and have a one-car garage. Each row house will be three stories tall and be intended for one family. Note that the southernmost dwelling will actually be a semi-detached dwelling, because it will have a side yard.

ANALYSIS

This proposed development is actually relatively simple, being the construction of six row dwellings on existing subdivided lots along an existing street (Hunt Place). Because the proposed new row dwellings are in the R-5-A District, a special exception is required. A variance is needed to address the issue of a narrower end lot (Lot 36) than called for in the Zoning Regulations.

The Special Exception

Section 351.1 reads as follows:

> In R-5-A districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment in accordance with the standards and requirements set forth in Section 410; the conditions specified in Section 3108 of chapter 31 of this title, and the requirements of this section.

Section 410 outlines a detailed set of requirements that are clearly intended to guide review of large developments of row dwellings, flats or apartment houses on relatively large sites, thereby providing flexibility in design while allowing site plan review. For the most part, these conditions do not apply in this case.

The most significant site planning issue relates to the setback of the six row dwellings. Hunt Place is a narrow street (40 feet). Because of this narrow width, a five foot building restriction line has been established along the north side of the street. In addition, the first eight row dwellings constructed on the street in 1979 were set back a total of about 18.1 feet from the street line.

The initial design for the new six row dwellings indicated that they would be built at the building restriction line. The Office of Planning suggested that the buildings be set back the same distance from the street as the original row dwellings and the developer, W.F. Equipment Company, agreed to that change. The reason for this recommendation by the Office of Planning was two-fold. First, this will place the six new row dwellings in line with the existing row dwellings to the east on Hunt Place (the row dwellings built in 1979). Note that developer proposes slight variations of the facade of adjacent row dwellings to set off each separate facade. The Office of Planning agrees with this design feature. The second reason is that an older, existing single-family detached dwelling

(5512 Hunt Place on Lot 19) that is adjacent to the row of proposed row dwellings is set back about 17 feet from the street line. The Office of Planning believes that setting the new row dwellings back about 18 feet from the street line, as now proposed, will allow them to related better to the existing row dwellings to the east and the existing single-family-detached to the west.

It should be noted that the five row dwellings (Lots 31-35) each have a lot width of 20 feet, a rear yard of about 31 feet and a lot area of 1,814 square feet. They therefore meet the minimum lot area, minimum lot width and minimum rear yard requirements of a row dwelling in a R-4 District.

The developer proposes to grade the rear yards of the new row dwellings to make the yards more useable as they step down the hill along Hunt Place. The developer will also landscape the front yards of the new row dwellings to make them compatible with the landscaping of the existing row dwellings. The Office of Planning believes that this site plan revisions and landscape features will make the proposed row dwellings compatible with the adjacent dwellings.

Variances

The end dwelling (5516 Hunt Place on Lot 36) in the proposed group of dwellings will be a semi-detached dwelling. Lot 36 has a width of 25 feet and a lot area of 2,267 square feet.

Section 405.2 provides that in a R-5 district, a one-family semi-detached dwelling shall be subject to the side year requirements of an R-2 district (8 feet). The proposed development has a 20 foot wide semi-detached dwelling on 25-foot wide lot. This results in a five foot side year, three feet less than the eight feet required). A variance for the side year is required.

In addition, Section 401.3 outlines minimum lot requirements. For the R-5-A District, the lot area is "as prescribed by the Board." This apparently assumes a large site development. Looking to the R-4 district standard, the requirement for a one-family semi-detached dwelling is 3,000 square feet. The Office of Planning believes the Board should address the minimum lot area for Lot 36, either by granting a variance for the lot area or otherwise indicating that the lot area is sufficient.

Section 3103.2 provides three standards for a variance.

The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition.

By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and

exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property.

The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

In this case, the problem is the original subdivision of this row of lots. In theory, the developer could reduce the size of the dwelling on Lot 36 to reduce or eliminate the need for a variance. However, as a practical matter it makes no sense to reduce the size of the end dwelling that would make it less desirable than the other five row dwellings. Also in theory, all the lots could be subdivided to avoid or reduce the variance issue. Again, as a practical matter, this is not desirable because the width of all dwelling units would be reduced.

The Office of Planning recommends that the Board of Zoning Adjustment grant variances for the side yard and minimum lot area of the semi-detached dwelling (the end dwelling) on Lot 36. This will allow the best overall design for the project and allow the project to move forward. The Office of Planning believes that these variances will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations.

The Office of Planning believes that this new housing, as now designed, will be an asset to the neighborhood and will be one more step in improvement of the neighborhood.

ANC AND COMMUNITY GROUPS

Office of Planning staff attended a community meeting, sponsored by ANC-7C at the ANC-7C office, on Wednesday, April 11. This case, Application No. 16682, and another case were discussed. Community residents indicated support for both cases. On Thursday, April 12, at the regular ANC meeting, ANC-7C voted to recommend approval of the special exception and variances needed for this case, Application No. 16682 This support by ANC-7C is indicated in an April 23, 2001 letter to the Board (Exhibit 35).

OTHER AGENCY COMMENTS

As indicated previously, Section 353.1 calls for all new development in R-5-A Districts, except those comprising all one-family and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment in accordance with standards in Section 410. Section 353.2 provides for the Board to refer the application to the D.C. Board of Education for comment and recommendation as to adequacy of existing and planned area schools to accommodate the number of students that can be expected to reside in the project. Section 353.3 provides for the Board to refer the application to the D.C. Department of Public Works and the Department of Housing and Community Development for comment and recommendations as to the adequacy of public streets, recreation and other

services to accommodate the residents of the project and the relationship of the proposed project to public plans and projects.

Section 353.4 also provides for referral of the application to the Office of Planning for comment and recommendations on the site plan, arrangement of buildings and structures, provisions of light, air, parking, recreation, landscaping and grading as they relate to future residents and the surrounding neighborhood. Comments by the Office of Planning have been discussed in a previous section of this report.

As of the date this report was completed, the Office of Zoning had received reports from the Department of Public Works and the Department of Housing and Community Development.

The April 13, 2001 memorandum from the Department of Public Works indicates that the proposed use will not negatively effect on-street parking supply or cause a large increase in traffic volume on neighboring streets. The Department of Public Works has no objections to the application (Exhibit 34).

The April 4, 2001 memorandum from the Department of Housing and Community indicates that the six proposed townhouses will help revitalize and stabilize the block by adding more residential units of the same type and scale as the existing rowhouses and developing a vacant lot that now gathers trash. The Department of Housing and Community Development supported the variances requested (Exhibit 32).

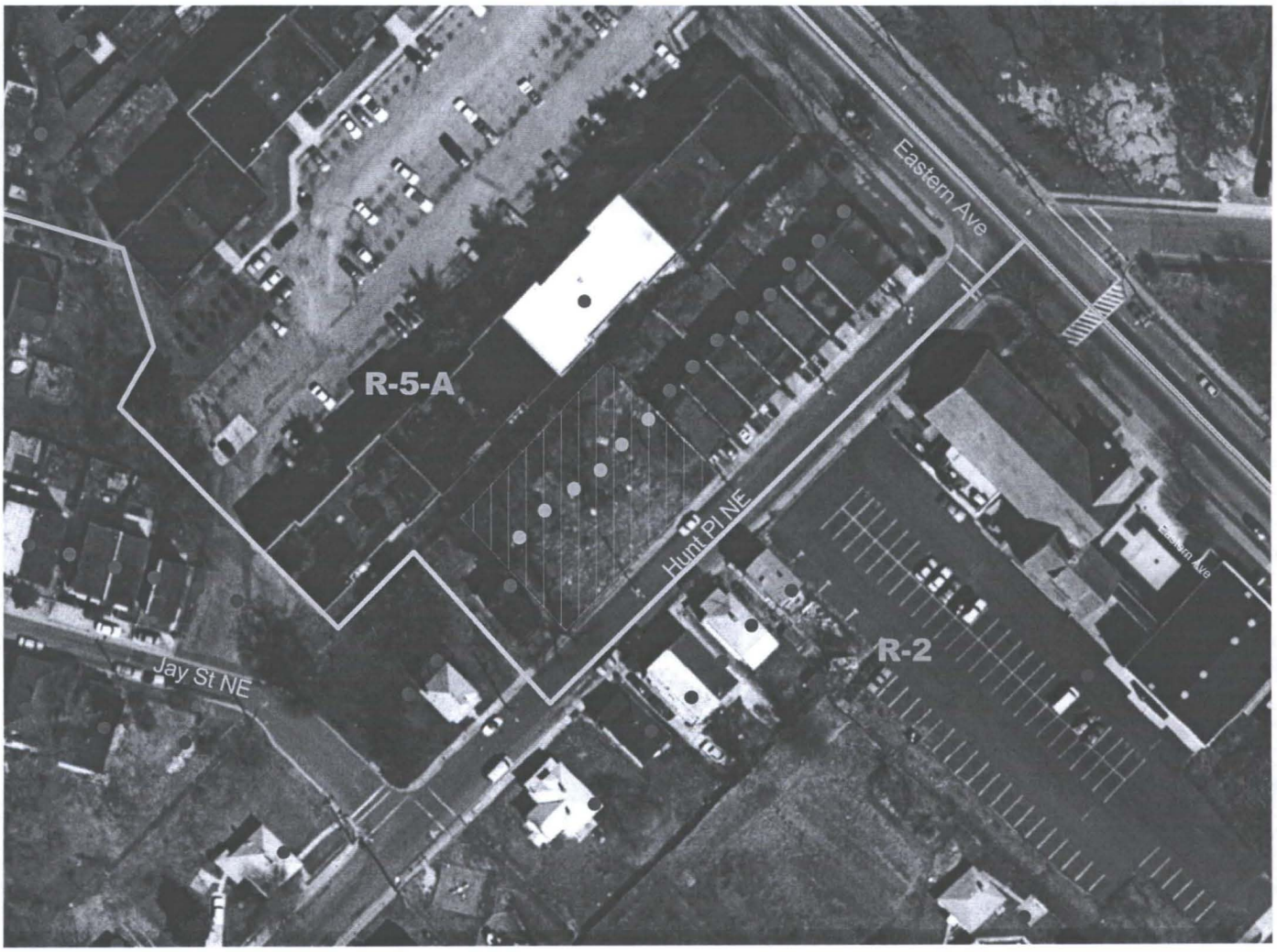
RECOMMENDATION

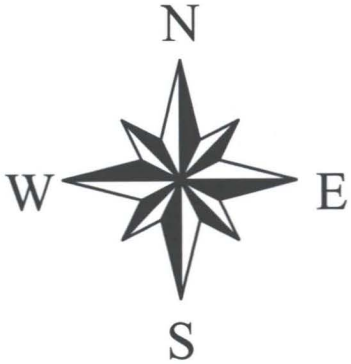
The Office of Planning recommends that the Board of Zoning Adjustment approve a special exception for the overall design of the five row dwelling and one semi-detached dwelling under Section 353, approving the overall design of the project, and grant variances from the side yard and lot size requirement for the one semi-detached dwelling on Lot 36.

Attachments

AA/jf

Proposed Row Dwellings
5516 - 5526 Hunt Place, NE
Square 5204, Lots 31-36
BZA Application No. 16682






R-5-A
Karl
Eastern
James
R-2
Hayes
54th
Hayes
Jay
56th
57th
R-2
57th
Field
R-5-A
Rote
Eads
C-1
56th
59th
Dix
C-2
R-5-A
54th
Clay
Clay
Clay