GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: June 7, 2001

SUBJECT: Waiver of Rules for Late Submittal of the Report on BZA Application No. 16713
Nathaniel Baker, Sr., 1706 Trinidad Avenue, NE

The attached report concerning a request from Nathaniel Baker, requesting a variance for a beauty salon in a residential zone, is being submitted less than 7 days prior to the Board of Zoning Adjustment's Public Hearing. The Office of Planning respectfully requests that the Board waive its rule and accept the report into the record.

RECEIVED
D.C. OFFICE OF PLANNING

BZA
Case No. 16713
Exhibit No. 30

Board of Zoning Adjustment
District of Columbia
CASE NO.16713
EXHIBIT NO.30

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

DATE: June 7, 2001

TO: District of Columbia Board of Zoning Adjustment

THROUGH: Andrew Altman, Director OP
Ellen McCarthy, Deputy Director OP

FROM: David J. McGettigan, AICP

SUBJECT: Board of Zoning Adjustment Case No. 16713
Nathaniel Baker, Sr.
1706 Trinidad Avenue, NE
Square 4052 Lot 96

SUMMARY

The applicant, Nathaniel Baker, Sr., the owner of the subject property seeks approval of a variance to establish a commercial use, i.e., a beauty salon in the R-4 residential zone. The applicant proposes to convert the basement of a residential apartment unit into a beauty salon.

Issues:

- In considering this case, the Board must determine if by reason of some extraordinary or exceptional situation or condition of this property the strict application of zoning regulations would cause an exceptional and undue hardship upon the owner of the property. The Office of Planning did not find an extraordinary or exceptional situation that would justify this request.
- The Board should also consider if the application would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The Office of Planning does not believe the proposed use will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.
- The Board should determine if granting the special exception would adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. The Office of Planning believes that the proposed use will

tend to adversely affect the use of neighboring property in accordance with Zoning Regulations and Zoning Maps.

Recommended Action:

The Office of Planning recommends denial of this application.

Background

The subject property is located a 1706 Trinidad Ave., NE (Square 4052, Lot 96) close to mid-block between Mt. Olivet Road and Simms Place, NE (See Attachment 1). The subject property is in an R-4 zone. The site is currently occupied by a 2-story building with a basement.

The applicant's current beauty salon is located nearby at 1210 H Street, NE. H Street has long been the location for retail and service uses that serve this neighborhood. According to the applicant, the need to relocate is based on the fact that the building owner who leases the space for the existing salon is not renewing leases.

Project Description

The applicant proposes using the top two floors of the structure for a single-family residence and the basement for a beauty salon.

Comprehensive Plan

The Comprehensive Plan sets goals of stabilizing and improving the quality of residential neighborhoods. Commercial intrusions, including home occupancies, into existing, established residential neighborhoods is discouraged. Economic development opportunities are directed at revitalizing existing commercial areas.

Zoning

Extraordinary or Exceptional Situation Producing an Undue Hardship

The applicant does not present any extraordinary or exceptional situation. The hardship put forth by the applicant is that the lease on the existing beauty salon, which is currently operating in a commercial zone will run out, implying there is no where else to go. However, the H Street Corridor and other commercial corridors near the Trinidad neighborhood have ample unused or underutilized commercial space. It is likely that development in the existing commercial corridors will produce more business for the applicant than the proposed location. Thus, OP concludes that the applicant does not meet this criterion for approval of a variance.

In Harmony with the General Purpose and Intent of Zoning

The general purpose and intent of the zoning ordinance is to protect the quality of life by separating conflicting uses. Core to its design is the creation of residential zones, which exclude commercial and industrial uses. The R-4 residential zone is one of these zones.

The applicant states, "the Trinidad Avenue Area has many senior citizen ladies and single mothers with daughters that would benefit". However, this need can be met by existing commercial zones in close proximity to the property without the necessity of granting zoning relief. Therefore, OP does not feel that the proposed variance would be in harmony with the purposes and intent of the zoning regulations.

Adversely Affect Use of Neighboring Property

Due traffic, parking and other physical characteristics of commercial uses they are not permitted in residential areas. The beauty salon, a commercial use, would have an adverse impact on the quality of life of neighboring residential properties. As the site is surrounded by residential uses in an R-4 zone, its commercial development is not recommended. The applicant states that this use is in the best interests of the neighborhood and the general welfare of the District, but given the close proximity of commercially zoned property and the residential character of the immediate neighborhood this statement is not supported.

ANC Recommendation

The ANC opposes approval of this application.

Recommendation

The Office of Planning recommends denial of BZA application 16713 requesting a variance from the use restrictions of Section 330.5.

ATTACHMENTS:

1. Location Map

Nathaniel Baker, Sr.
BZA Case No. 16713
June 7, 2001

Attachment 1 – Location Map

