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Outline of Testimony
before the Board of Zoning Adjustment

BZA Application No. 16899
1st and Q Streets, N.E.

Steven E. Sher
Director of Zoning and Land Use Services
Holland & Knight LLP

July 23, 2002

I. Site location and description

A. Northeast corner of the intersection of 1st and Q Streets, N.E.

B. Site is rectangular in shape, with ninety feet of frontage on 1st Street and 100 feet of frontage on Q Street

C. Site also abuts and access from a twenty foot alley on the north

D. Site contains 9,000 square feet

E. Site is currently improved with a parking lot (see photographs at Tab D of the PreHearing Statement of the Applicant)

II. Description of surrounding area

A. Site is part of Eckington area

B. Mix of industrial type buildings and uses, including the wholesale flower center and the Federal Express distribution center

C. To the north is the Old Eckington School converted to residential condominiums, and row houses which front on Quincy Place

BZA Board of Zoning Adjustment
District of Columbia
Case No. 16899
Exhibit No. 31
CASE NO.16899
EXHIBIT NO.31

III. Existing zoning: R-4

A. Uses (§330)

1. Single-family detached, semi-detached and row dwellings, flats and conversions of pre-1958 buildings to apartments permitted as a matter-of-right

2. Other institutional uses also permitted as a matter-of-right, including churches, hospitals, clinics, private clubs, etc.

3. Accessory parking spaces permitted as special exception (§2116)

B. Height - maximum of three stories, forty feet (§400.1)

C. Minimum lot width and area (§401.3):

1. For row dwellings & flats: 18 feet, 1,800 square feet

2. For semi-detached dwellings: 30 feet, 3,000 square feet

3. For conversion to apartments: 900 square feet of lot area per unit

4. For detached dwellings and all other structures: 40 feet, 4,000 square feet

D. Maximum percentage of lot occupancy (§403.2):

1. For row dwellings, flats, churches and public schools: 60%

2. For conversions to apartments: none prescribed

3. For all other structures: 40%

E. Rear yard - minimum depth of twenty feet (§404.1)

F. Side yard - not required (§405)

IV. Proposed use and development: parking lot containing thirty-nine parking spaces, sixteen of which are located in whole or in part in public space

V. Relief required: special exception under §2116

VI. Standards for the special exception (§2116)

A. Not practical to locate spaces in normal way because of:

1. Unusual topography, grades, shape, size or dimensions of the lot;

2. Lack of an alley or lack of appropriate ingress or egress though existing or proposed alleys or streets;

3. Traffic hazards caused by unusual street grades; or

4. Result in more efficient use of land, better design or landscaping, safer ingress or egress and less adverse impact in neighboring properties

B. Preference to locate on adjoining lot or lot separated only by an alley

C. Furnish reasonable and convenient parking for the occupants or guests of building to be served

D. Board may impose conditions to protect adjacent or nearby property

VII. Compliance with the special exception standards

A. Practical location

1. Existing buildings were built prior to 1958 and have no parking

2. Existing buildings cover 100 percent of their lots

3. Buildings would now require more than seventy spaces

4. More efficient to have parking on an adjoining lot than to have no parking

B. Adjoining property: parking is on the lot abutting the west end of the row of buildings

C. Reasonable and convenient location

1. Is no closer property to the buildings

2. Access to the west building through a door from the parking lot

3. Ramp leads from the southeast corner of the lot to the sidewalk along Q Street

VIII. Response to Office of Planning report concerning landscape requirement

A. Application seeks relief under §2116 and not §214

1. §214 requires compliance with Chapter 23

2. §2116 does not incorporate Chapter 23

B. Parking lot pre-dates requirement for landscaping

1. Parking lot was established by BZA approval in Case No. 13841

2. Voted on by the Board on November 3, 1982

3. Order issued January 18, 1983

4. §2303 requirement for landscaping did not come into effect until March 1, 1985

5. Property has been paved in its entirety since it was used as a playground for the Old Eckington School

6. Owner has substantially improved the condition and appearance of the property, including proposed iron fence recently approved by Public Space Committee

IX. Conclusions

A. Proposed use as a parking lot meets the standards set forth in the Zoning Regulations

B. The number of parking spaces proposed would create no adverse impacts

C. Approval of the application would have no adverse impacts on the area

D. The application should be granted

Aerial View of Square 3819 and Environs (circa 1995):

