GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

SUPPLEMENTAL REPORT

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman, Director

DATE: July 20, 2004

SUBJECT: BZA Case #17188, Variance Request

I. APPLICATION-IN-BRIEF

Location 409 3rd Street NE, Square 780, Lot 26; Ward 6

Applicant: Deborah Miles Domingue, owner

Zoning: R-4

Proposal: Construction of a new detached garage.

Relief Sought: Variances to lot occupancy, alley setback, rear yard coverage

At its July 12, 2004 meeting, the BZA considered this application for variances to permit construction of a new detached garage to the rear of the existing rowhouse at 409 3rd Street NE. The BZA left open the record for the receipt of additional information from the Office of Planning and from the applicant. OP reviewed the following historic maps and current photos (Attachment I):

1. 1904 map – The rowhouse at 409 3rd Street NE is in existence, but it does not yet have a garage or carriage house. The current alley system is not entirely as it exists today. 28 of the 49 developed lots have rear accessory buildings, and there are a number of buildings on the internal lots (now the commercial parking lot).

2. 1928 map – The Square is now generally developed to its current form and the alley system and internal lots are in place. An accessory building at 409 3rd Street is now in existence. 41 of the 63 developed lots have a rear accessory building.

3. 1960's map – 22 of the 63 lots have accessory buildings, so half were demolished between 1928 and the 1960's. The accessory building at 409 3rd Street remains, although the maps indicate that the shape may have changed (this may be due to inaccurate measurements).

4. 1991 map, although the information may not have been up to date in 1991 – 34 of the 64 lots now have rear accessory structures. The rear accessory building at 409 3rd Street remains.

5. 2002 aerial photo – it is difficult to determine, but it appears that about 21 of the 64 lots have accessory structures. The one formerly at 409 3rd Street has been removed. All of the internal lots are now part of the commercial parking lot.

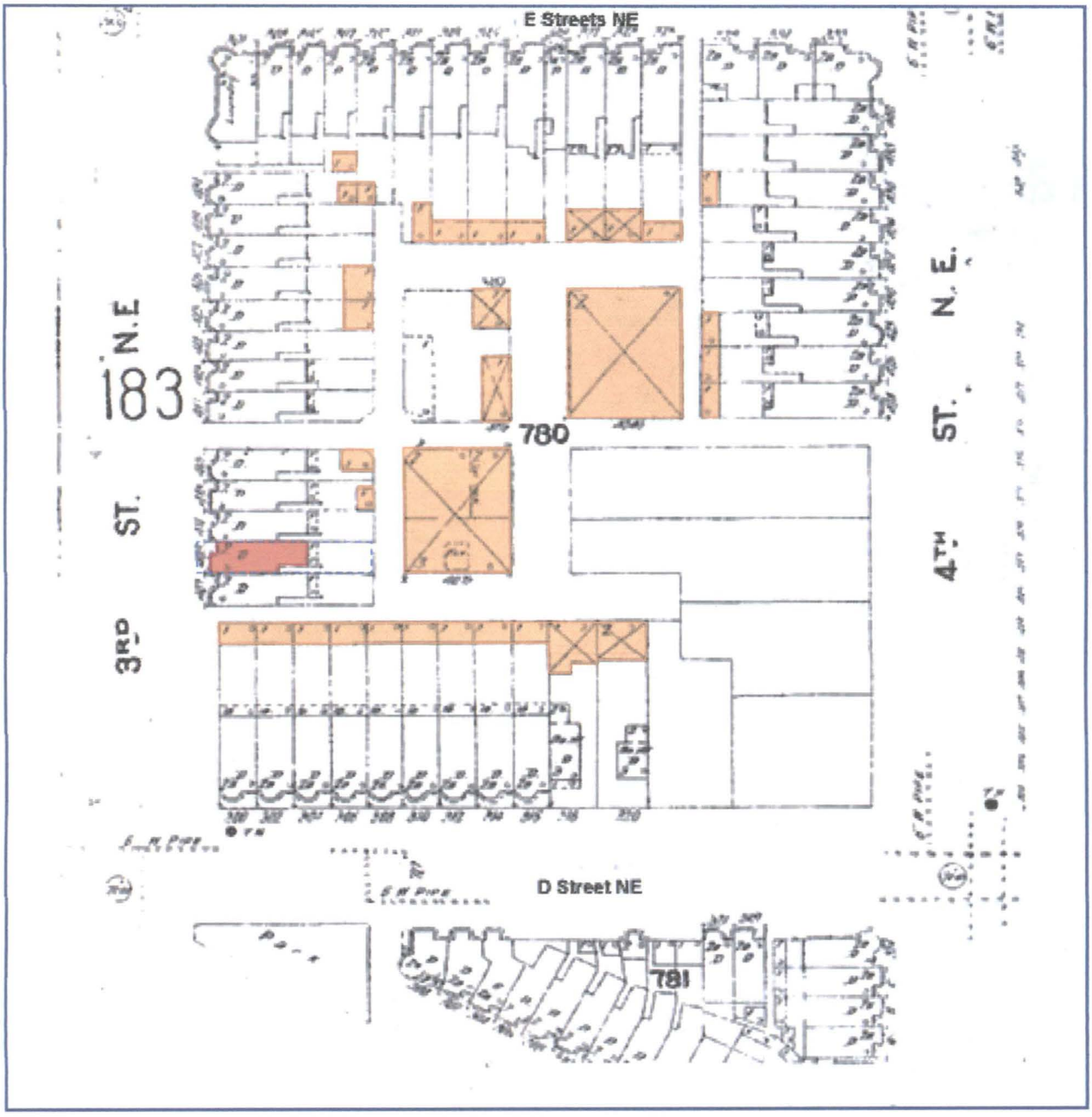
While there appears to have been a structure at the rear of this lot in the past, §2001 is drafted to attempt to bring non-conforming properties into greater conformance with regulations. Therefore, it is difficult to adequately meet the third prong of the variance test (zoning regulation intent and integrity) for rebuilding a non-conforming structure.

AA/jl

BZA
Case No. 17188
Exhibit No. 30

Board of Zoning Adjustment
District of Columbia
CASE NO. 17188
EXHIBIT NO. 30

BZA 17188 – 409 3rd Street NE

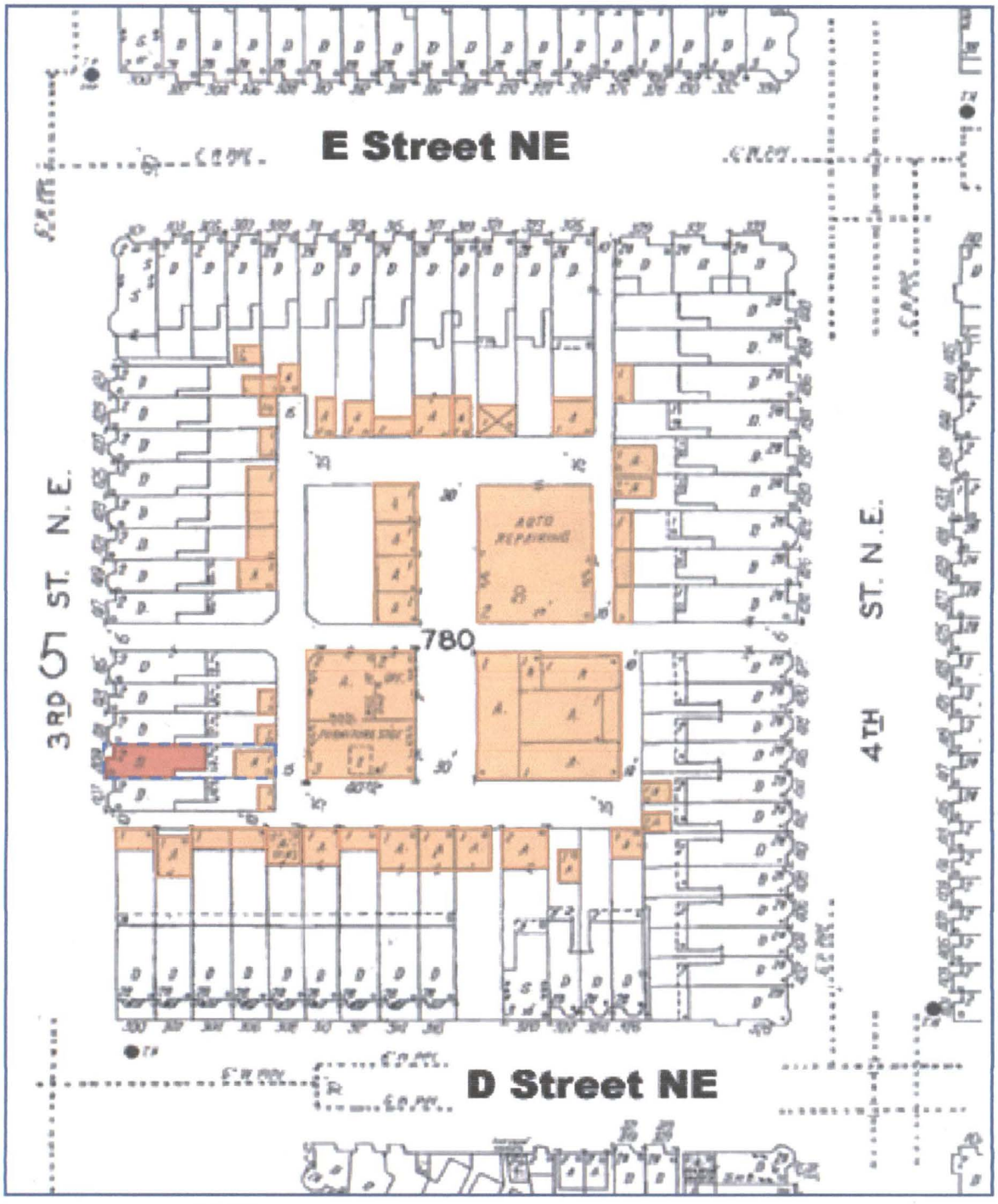


Legend:
- Site
- House on site
- Alley buildings

1.
1904 Sanborn map –
no garage or carriage house

N

BZA 17188 – 409 3rd Street NE

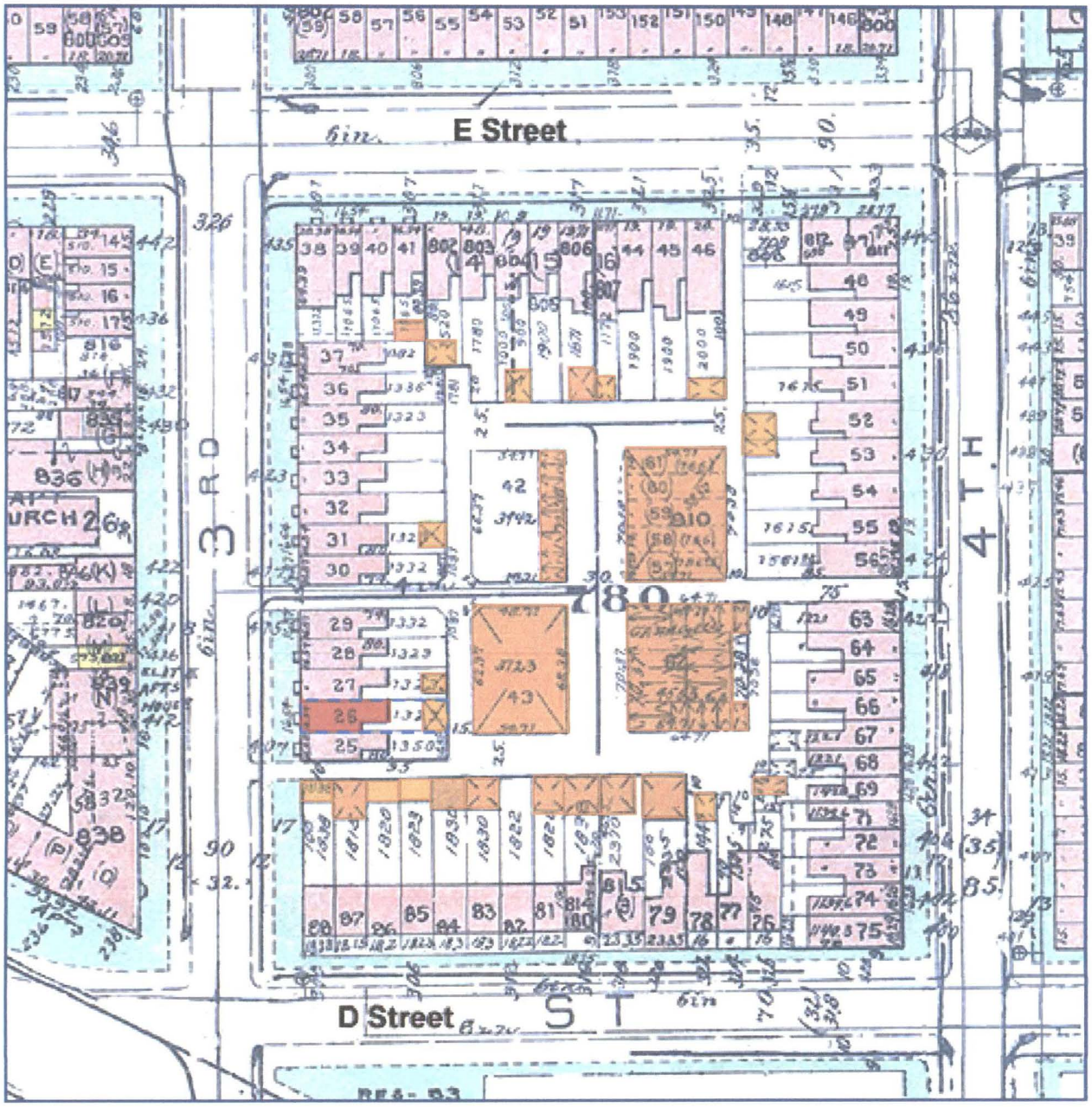


Legend:
- Site
- House on site
- Alley buildings

2.
1928 Sanborn map – shows garage

N

BZA 17188 – 409 3rd Street NE

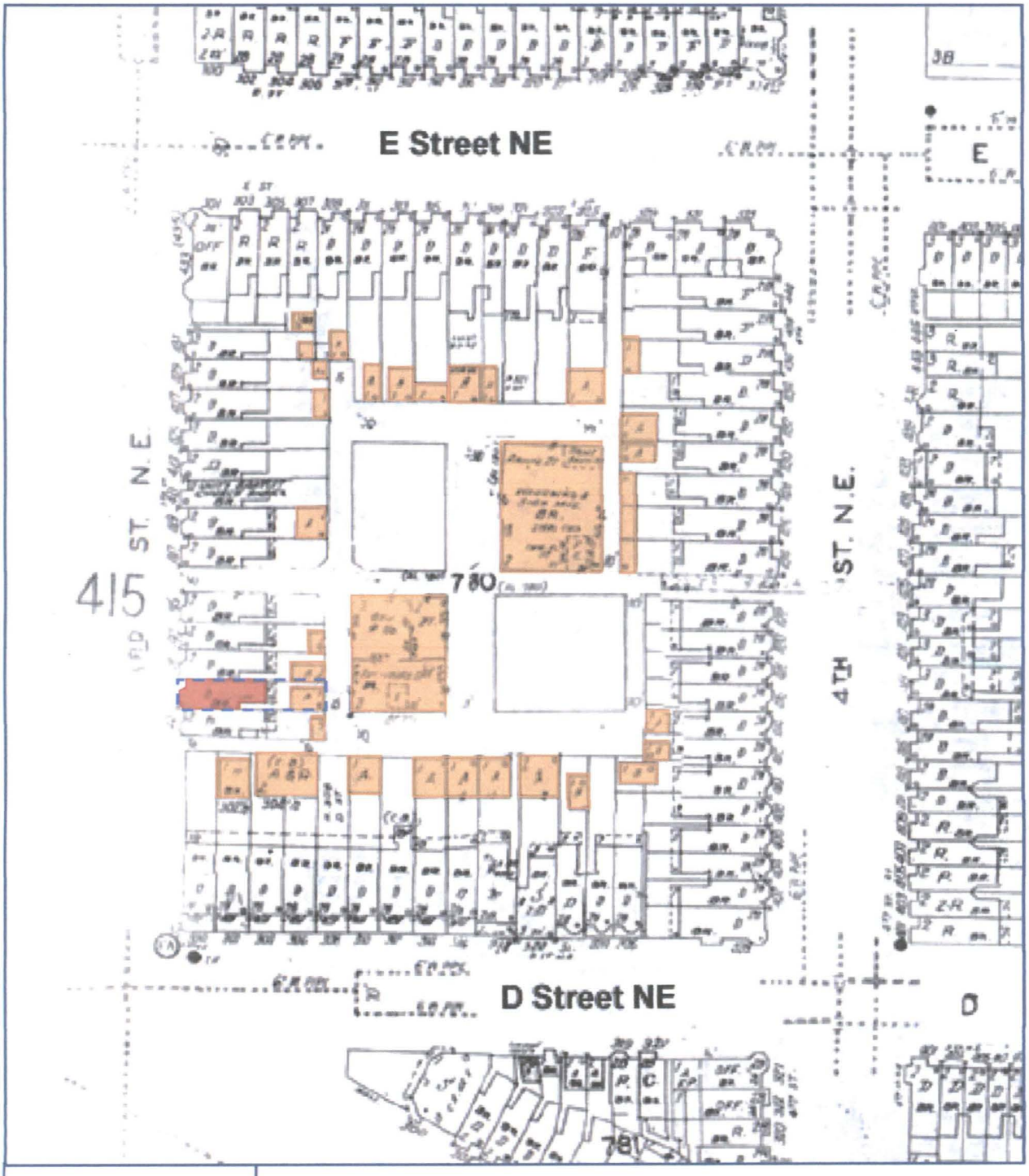


Legend:
- Site
- House on site
- Alley buildings

3.
1960's map – shows garage

N

BZA 17188 – 409 3rd Street NE



Legend:
- Site
- House on site
- Alley buildings

4.
1991 Map map – shows garage

N

BZA 17188 – 409 3rd Street NE



Legend:
- Site
- Alley buildings

5.
2002 Aerial Photo of Square 780

N