GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Memorandum

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy, Interim Director
Office of Planning

DATE: May 10, 2005

SUBJECT: BZA Application No. 17321
1041 Taussig Place, N.E.

APPLICATION

The application by Darcy E. Flynn requests, pursuant to 11 DCMR 3103.2, a variance from Sections 401, 403, and 404, 405 and 201.1 to allow the construction of single family detached structure in the R-2 District. The property is in Square 3890, and Lot 117.

SUMMARY RECOMMENDATION

The Office of Planning recommends approval of the requested area variances. OP finds that the variances will not be a detriment to the public good and the resulting house will be in character with other dwellings on the subject block.

SITE AND AREA DESCRIPTION

The subject property is located at 1041 Taussig Place, N.E, Square 3890, and Lot 117. The property is currently undeveloped. The surrounding area is residential consisting mostly of single-family detached dwellings and some semi-detached attached units.

There are a number of institutional uses in proximity to the subject property. Providence Hospital is within two blocks and the Howard University School of Dentistry is four blocks away. The Hospital for Sick Children is east of the site. Boys and Girls Town and St Anselms School are east of South Dakota Avenue. Catholic University is also within proximity to the property.

BZA
Case No. 17321
Exhibit No. 20

Board of Zoning Adjustment
District of Columbia
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PROPOSAL

The applicant proposes to construct a single-family detached dwelling on a lot, which is currently vacant, with the exception of a dilapidated garage structure at the rear of the property. The lot does not meet the following lot requirements:

SECTION	REQUIRED	PROPOSED
Minimum Lot Dimensions (Sec. 401)	4,000 square feet	2242.5 square feet
Lot Occupancy (Sec. 403)	40%	42.8%
Rear Yards (Sec. 404)	20 ft.	18.5 ft.
Side Yards (405)	8 ft.	7.5 and 3.5 ft.
Side Yards (405)	1 ft.	0 ft.

The proposed dwelling will be a 2-story structure with basement, and will consume 960 square feet, or 42.8 percent of the subject lot.

ZONING REQUIREMENT and ANALYSIS

" *The R-2 District consists of those areas that have been developed with one-family, semi-detached dwellings, and is designed to protect them from invasion by denser types of residential development. It shall be expected that these areas will continue to contain some small one-family detached dwellings.*" (Sec. 300.1)

The applicant proposes to construct a small single-family detached dwelling on an existing non-conforming lot. The lot predates the adoption of the 1958 Zoning Regulations. As such, it does not meet many of the present zoning requirements, as demonstrated in the following zoning analysis.



South view of subject lot

Minimum Lot Area

The minimum lot area permitted in the R-2 District is 4,000 square feet. The lot area of the subject property is 2,242.5 square feet. Therefore, the lot is considered to be

substandard and a variance from the minimum lot area requirement of Section 401 is necessary if the applicant is to develop the subject property as proposed.

Percent of Lot Occupancy

"*In the R-2 District, a church or public school can occupy a maximum of sixty percent (60%) of their lots. All other structures can occupy a maximum of forty percent (40%) of the lot area.*" The proposed structure will consume 960 square feet, or 42.8% of the lot. Consequently, the applicant will need relief form the provisions of Section 404 in order to construct the proposed structure.

Rear Yards

A rear yard in the R-2 District shall have a minimum depth of twenty feet (20ft.). The subject lot will have a rear yard of only 18.5 feet, after the new structure is built. The applicant will require relief of 1.5 feet from the rear yard requirement of Section 404.

Side Yards

In an R-2 District, a one-family detached dwelling shall provide side yards with a minimum width of eight feet (8ft.). The structure proposed for the subject lot will provide a 3.5 foot side yard on the west side, (after allowances for a 4.0 foot stoop) and a 7.5 foot side yard on the east side. The applicant will need variance relief from the side yard requirements of Section 405.



Northwest view of rear Yard/dilapidated garage (to be removed)

Off-Street Parking

One-family dwellings in all districts are required to provide a minimum of one parking space. The applicant is requesting relief from the parking requirements because the lot is substandard, which will result in the proposed house encroaching into the rear yard area, where the off-street parking space would be located. Taussig Place is a quite residential block and there are available parking spaces on the street to accommodate residents parking needs.

Area Variance

The standard by which the BZA should approve a variance is set forth in Section 3103.2 of the Zoning Regulations. The following demonstrates how these standards are met:

Is the property unique by reason of exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition?

Yes. The subject property is a substandard lot because it is too narrow and shallow to meet the minimum lot size in the R-2 District. The minimum lot area for property in the R-2 District is 4,000 square feet. The subject property has a lot area of only 2,242.5 square feet. There are no options to increase the lot size because there are improved lots on both sides and an alley beyond the rear property line. The lot predates the zoning requirements and was signed by the Surveyor of the District.



Dwelling on west side of subject vacant lot

By reason of the aforementioned unique or exceptional condition of the property, will the strict application of the Zoning Regulations result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property?

Yes. The applicant recently purchased the subject property from the abutting neighbor, (east side) with full intention of constructing a two-story single-family detached structure. It would be an exceptional difficulty upon the owner of the property, if the property could not be developed as anticipated. Although the proposed structure will be smaller in size than most other dwellings on the subject block, the owner will ensure that the new structure will be compatible with the character of other dwellings on the block.



Dwelling on east side of subject vacant lot

Will the variance cause substantial detriment to the public good and impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

No. The subject property will be used for its intended residential purpose. The impending structure will not be a detriment to the public good; traffic, noise and lighting on the subject block will not be negatively impacted by the addition of a smaller then usual dwelling. The lot is currently vacant and a vacant lot interrupts the housing flow on the block. A new single-family dwelling on an otherwise vacant lot favors the public good.



Will the granting of the requested variances be inconsistent with the general purpose and intent of the Zoning Regulations and Maps?

No. The applicant's proposal to construct a single-family dwelling on an unimproved lot is consistent with the purpose and intent of the Zoning Regulations. The lot is in the R-2 District, which permits small single-family detached dwellings as a matter-of-right, if it meets the zoning requirements. The proposed house will need a number of variances before it may be issued a building permit in the R-2 District, but it is being designed to be consistent with the character and pattern of other dwellings on the block.

The proposed structure will be consistent with the Comprehensive Plan Generalized Land Use Map that depicts the subject site as being in the ***Low-Density Residential Land Use Category.*** The proposed single-family detached structure will be consistent with one of the desired housing-types encouraged in low-density areas.

COMMUNITY COMMENTS

As of April 25, 2005, the application had not been presented to Advisory Neighborhood Commission 5A. OP encouraged the applicant to contact the ANC.

RECOMMENDATION

OP concludes that the applicant has met the provisions of Section 3103.2 of the Zoning Ordinance for granting a variance. The uniqueness of the property is demonstrated through its unusual narrowness and shallow depth, which cause practical difficulties on the property owner to develop the property in a manner consistent with the R-2 neighborhood. Approval of this variance request will not cause any "substantial detriment to the public good and will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations or Map", as the new residential structure on the subject lot will be more consistent with the scale and character of other dwellings on the block. The Office of Planning therefore recommends that the Board of Zoning Adjustment **APPROVE** the variance requested.