GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

Memorandum

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy, Director
Office of Planning

DATE: September 13, 2005

SUBJECT: BZA Application #17358 (Safe Haven Outreach Ministry)
2352, 2356, 2360 High Street, S.E. (Square 5799, Lot 976)

2005 SEP 13 PM 3:12

BZA
Case No. 17358
Exhibit No. 26

APPLICATION

The application by Safe Haven Outreach Ministry (Applicant) requests variances from Section 2002.3 to increase the number of apartments from thirty-six (36) to forty-eight (48) within a nonconforming structure and from Section 2101.1 regarding a reduction in the required number of parking spaces. The subject property is located in the R-3 District.

SUMMARY RECOMMENDATION

The Office of Planning (OP) supports the proposal to provide affordable housing to low-income persons. The proposed unit types will house less people than the current unit types can accommodate and will therefore have less impact on the surrounding community. It has been demonstrated that these requests will be consistent with the intent and purpose of the Zoning Regulations and will not be detrimental to the community. OP therefore recommends **approval** of the requested variances.

SITE AND AREA DESCRIPTION

The subject property is developed with three apartment buildings at 2352, 2356, and 2360 High Street, SE (Square 5799, Lot 976). The buildings are currently vacant and have been boarded up and fenced to prevent further vandalism. The property is located at a high elevation in the area where High Street meets Maple View Place. Due to the topography, the buildings appear as three stories along High Street and four stories in the rear where the property slopes down toward the alley to the rear of the property.

To the north of the site are large, single family, detached houses many of which have been converted to apartments and other uses such as a church in the R-3 district. To the east are single-family attached houses in the R-3 district and apartment buildings in the R-5-A district. To the south and west are 15-feet alleys adjacent to the property and a mixture of apartments and single-family attached units. (Attachment 1)

Board of Zoning Adjustment
District of Columbia
CASE NO. 17358
EXHIBIT NO. 26

PROPOSAL

The applicant proposes to demolish the internal portions of the buildings that have thirty-two (32) two-bedroom units and four (4) one-bedroom units for a total of 36 units. The structures will be reconstructed with twelve (12) efficiencies, thirty-three (33) one-bedroom units and three (3) two-bedroom units for a total of forty-eight (48) units. The building footprint will not be expanded for additional residential space. The proposed apartments will be rented and affordable to low-income residents. A total of twenty-two (22) parking spaces will be provided, three (3) handicapped spaces in front of the buildings and nineteen (19) spaces to the rear of the buildings along the alleys. The applicant is proposing a three-foot high fence around the buildings and a gate to provide security.

ANALYSIS

When the apartments were constructed (estimated to be in 1964) the property was zoned R-5-A and by Appeal No. 8020 (Attachment 2) the Board of Zoning Adjustment granted relief from the parking requirements and allowed parking in the front yard. In 1978, the Zoning Commission rezoned the property to the R-3 district (Zoning Commission Order No. 227 - Attachment 3). The rezoning was to retain the quaint character of Anacostia, encourage homeownership, and retain overall densities. The apartment building therefore became a non-conforming structure.

Some years ago, the buildings were vacated, allowed to deteriorate and were vandalized. The buildings have since been secured by boarding the windows and doors and fencing the perimeter of the property. The apartments front on High Street that has a number of large single-family houses.

Safe Haven Outreach Ministries is a non-profit organization that has a number of outreach programs but their main emphasis is providing affordable housing to low-income residents. The proposal for High Street is to provide affordable, rental, housing for low-income residents (approximately $400 per month for efficiencies and $500 for one-bedroom apartments). The program caters to mature, drug free, single adults whose aim is to work towards homeownership in two to four years. Safe Haven has programs to help these residents attain their goal. Save Haven has chosen to serve this segment of the population because single persons do not qualify for assistance under many other housing programs.

The apartments are a nonconforming use within the R-3 district. The applicant has submitted that they do not believe that a variance from Section 2003.3 is required:

> ***A nonconforming use shall not be extended to portions of a structure not devoted to that nonconforming use at the time of enactment or amendment of this title, or to another structure.***

Currently, the buildings in their entirety are apartment units and the alterations proposed are within the same structures.

Section 2002.4 states that:

> ***Ordinary repairs, alterations, or modernizations may be made to a structure or portion of a structure devoted to a nonconforming use. Structural alterations shall not be allowed, except those required by other municipal law or regulation; provided, that structural alterations shall be permitted to a lawfully existing, nonconforming flat or apartment house located within a Residence District.***

OP believes the proposed structural alterations to increase the number of apartment units are not required by municipal law or regulations and therefore a variance is needed.

VARIANCES

Nonconforming Uses within Structures

As required by Section 3103.2 the applicant has to demonstrate that:

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

The exceptional conditional of the property is the existing apartment building and the fact that the Zoning Commission rezoned the site after the building was lawfully constructed.

> **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.**

If the variance is not granted, the applicant will not be able to update the building to further their mission and would have to demolish the building. While Section 2001 clearly intends that non-conforming properties be brought into conformance, the proposed alterations result in less impact on the neighborhood due to parking population or existing blight than either the status quo or the existing apartment configurations.

> **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.**

If the apartments were to be renovated and the number and type of units retained the number of persons that could be accommodated could be approximately 136. However, although the number of units will be larger, the unit types will be smaller and only generate approximately 90 residents. Therefore, the proposed increase in the number of units will have less impact on the community. The buildings have been in disrepair and the renovation of the building will remove an eyesore in this residential area. Parking to serve the residents will be located at the rear of the buildings except for three handicapped spaces in front of the buildings. Therefore, the traffic generated by the residents will not be disruptive to the residents along High Street and Maple View Place.

Parking

Currently there are no parking spaces shown on the property but by BZA Appeal No. 8020 the applicant was granted permission to park in the circular drive. The record did not specify how many parking spaces were to be provided.

In calculating the required parking for the proposed use the applicant's representatives based the requirement on the number of spaces required for apartments in the R-4 district. OP does not believe that this requirement is correct. Since the R-3 district does not allow apartments there is no requirement stated in the Regulations. Therefore, the requirement should be "All other Uses " and 1 space per 600

square feet of gross floor area and cellar space. The proposal would therefore require fifty-four (54) spaces. The applicant has requested a variance to reduce the number of spaces to twenty-two (22).

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

The property is unique because of the topography of the site which change from a high point along High Street and slopes down towards the alleys to the rear and west side and the existence of the buildings.

> **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 topography of the site and the fact that the site is already developed presents an exceptional practical difficulty to the applicant to provide additional parking spaces. The only area that can accommodate parking is to the rear of the buildings. To extend the parking along the entire western boundary would require extensive grading and retaining walls. It would also mean a loss of green space on 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.**

The applicant has stated that many of their renters will not own cars and therefore the reduction in the required number of parking spaces will not negatively impact the neighborhood. Many of the residents will use public transportation that travels along Martin Luther King, Jr. Avenue that connects to other bus routes and the Anacostia Metro Station. The granting of the variances will not impair the Zoning Regulations.

COMMUNITY COMMENTS

The applicant states that they have met with ANC-8A on a number of occasions but to-date the ANC has not taken a vote on the application. The ANC has expressed some concerns regarding the reduction in parking and the proposal to house low-income residents.

SUMMARY AND RECOMMENDATION

The Office of Planning (OP) supports the proposal to provide affordable housing to low-income persons. The proposed unit types will house less people than the current unit types can accommodate and will therefore have less impact on the surrounding community. The requests will be consistent with the intent and purpose of the Zoning Regulations and will not be detrimental to the community. OP therefore recommends **approval** of the requested variances.

ATTACHMENTS:

1. Site and Surrounding Area
2. Board of Zoning Adjustment Appeal No. 8020
3. Zoning Commission Order No. 227

EM/mbr



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Feet

0 100 200

Aerial Photogaph/Zoning
BZA Application 17358
Safe Haven Outreach Ministry
2352, 2356, 2360 High Street, S.E.



Government of the District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ September 8, 2005

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies

Attachement 1

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING--December 16, 1964

Appeal No. 8020 Joseph Batleman and Abraham Sindler, appellants.

The Zoning Administrator, District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered on December 22, 1964:

ORDERED:

That the appeal to permit parking spaces in front of building at 2348 High Street S.E., lot 976, square 5799, be granted.

From the record and the evidence adduced at the hearing the Board finds the following facts:

(1) Due to the unusual topographic condition related to the subject property and the grades of adjacent alleys it would be very difficult to provide the required parking in accordance with Section 7205.12.

(2) There was objection to the appeal on the part of an adjacent property owner. This objection was based on the fact that the parking area in question would be close to and visible from his front porch. Discussion of this problem revealed that the proposed parking would be 6 feet below the porch.

OPINION:

It is the opinion of the Board that the proposed parking location provides the best solution of the development of the subject site. It is also the opinion of the Board that to grant the appeal as requested would affect the enjoyment and livability of neighboring property.

In view of the above and to protect the surrounding residential area this order is subject to the following conditions:

(a) The appellant shall submit to the Board for its approval a plan to screen the parking area along the High Street frontage. The screening plan to include the following elements:

1. The entrance to be flanked with brick entrance pillars 16 inches square x 48 inches high with caps. From each post provide a brick wall 6 feet long parallel to and adjoining the northerly lot line, such wall to be 42 inches high and 12 inches thick.

2. Screen planting in depth along the entire northerly lot line, the location, type and variation to be specified.

Government of the District of Columbia

ZONING COMMISSION

ZONING COMMISSION ORDER NO. 227
CASE NO. 77-30
August 10, 1978

Pursuant to notice, a public hearing was held by the District of Columbia Zoning Commission on March 13, 1978 to consider an amendment to the Zoning Map of the District of Columbia. This amendment was initiated by the Zoning Commission to consider changes of zoning for various properties located in Anacostia. The specific proposed changes are from C-2-A, C-3-A, and R-5-A to R-3.

The C-2-A District permits a medium density community business center for retail and office uses to serve shopping and business needs with a floor area ratio (FAR) of 2.0, and a sixty foot height limit with residential uses limited to an FAR of 1.8 and a sixty per cent lot occupancy. The C-3-A District permits a medium bulk major business and employment center for retail and office uses to serve major shopping and business needs with an FAR of 3.0, and a sixty foot height limit with residential uses limited to an FAR of 1.8 and a sixty per cent lot occupancy. The R-5-A District permits general residential use, including detached, semi-detached and row dwellings, flats, and apartments, with a forty per cent maximum lot occupancy, a maximum FAR of 0.9, and a three story/forty foot maximum height limit. The R-3 District permits single family residential use including detached, semi-detached, and row dwellings, with a minimum lot area of 2000 square feet, a minimum lot width of twenty feet, a sixty per cent lot occupancy, and a three story/forty foot maximum height limit.

The Neighborhood Housing Services, Inc., the Frederick Douglass Community Improvement Council, and the Fort Stanton Civic Association submitted a petition requesting the Zoning Commission to sponsor the proposal to rezone Anacostia. The Commission granted the petitioners request and initiated action to conduct a public hearing in accordance with provisions of Sub-section 9101.22 of the Zoning Regulations.

For the purposes of planning and zoning the D.C. Municipal Planning Office divided the subject area into two Areas. Area I is totally within Ward Six and is bounded generally by Martin Luther King, Jr. Avenue to the east, 18th Street to the west, Morris Road to the south, and Good Hope Road to the north. Area II is within Ward Eight and is bounded generally by Morris Road to the north, Martin Luther King, Jr. Avenue to the west, Elvans Road and Suitland Parkway to the south and west, and an isolated tract of land to the east bounded by Frankford, 16th, Gainsville, and 18th Streets, S.E. In 1973, a substantial portion of Area I was placed on the D.C. Inventory of Historic Sites as a Category III Historic District and designated as "Uniontown." In February 1978, the historic district boundaries were expanded, redesignated as the Anacostia Historic District under a more significant Category II designation and recommended for nomination to the National Register of Historic Places.

The Anacostia Historic District is generally bounded by a line parallel to and 130 feet south of Good Hope Road to the north, a line that jogs from Fendall Street to 15th Street to the east, a line that runs along the south side of the Frederick Douglass Home property and parellel to and 175 feet southeast of High Street to the southeast, a line that jogs along and to the south of Mapleview Street to the south, and a line that runs along and to the west of Martin Luther King, Jr. Avenue to the west.

The housing units in Old Anacostia are typical of architectural styles which developed since the mid-19th Century. Certain architectural details, such as front porches, woodwork and elaborate cornice lines give the area small scale uniqueness and a village type of ambience. Bordering the residential neighborhood to the north along Good Hope Road and encompassing part of the residential neighborhoods to the west along Martin Luther King, Jr. Avenue are C-2-A and C-3-A commercial zones. Martin Luther King Jr. Avenue developed during Anacostia's early days as the heart of Uniontown. Good Hope Road has always been the limits of Uniontown's northern expansion. Although in poor condition, the few remaining frame structures standing on the south side of Good Hope Road are probably among the oldest residences still in Old Anacostia.

The existing commercial uses along Good Hope Road and Martin Luther King, Jr. Avenue are varied and low scale retail and service oriented business.

Many of these businesses are located in blighted structures and many businesses have abandoned the area. In the northern portion of the residential area are many row and detached dwellings, many of which exemplify the quaint character of Anacostia. In the southern portion of the residential area are many garden-type apartments and some detached dwellings. This area is much heavier in density.

The overall land use policy and objectives of the Municipal Planning Office for residential areas in Ward 6, east of the Anacostia River, and in Ward 8 is that existing residential areas should be retained and in certain blighted areas, residential uses should be improved. Overall densities should not be increased. Homeownership should be encouraged to help stabilize neighborhoods and the existing moderate density residential character of the Historic District should be retained and enhanced. The overall land use policy and objectives of the Municipal Planning Office for commercial uses in the subject area is to maintain the quantity and diversity of retail stores in most areas and increase or revitalize commercial uses where there is a lack of services. The Commission finds that such policies for both kinds of areas are appropriate and should be encouraged.

The Municipal Planning Office in its memorandum dated 3-10-78 reported on the following agency comments:

1. Department of Environmental Services

   The department is in favor of the request for zoning changes. A reduction in potential residential densities will alleviate water and sewer problems in the area.

2. Office of Business and Economic Development

   The office has no problems with the request for zoning changes; however, it cites the importance of adequate commercial service to the neighborhood.

3. Department of Housing and Community Development

   DHCD has no objection to the request because it agrees with the goals of the community, i.e., protection of the area. The request is also in keeping with work in progress relating to restoration of existing housing.

4. Department of Transportation

The department believes that with the zoning request, transportation needs will be lessened and the impact of traffic decreased.

The Municipal Planning Office in its memorandum dated 6-15-78 reported that the overall recommendation for residential uses in Anacostia is that the predominant moderate density residential character of the community should be retained with particular emphasis on retaining the existing low to moderate density character of the Anacostia Historic District. The MPO noted, however, that recent developments that had occurred within the R-5-A districts had been at densities less than the District allowed and in conformance more with R-4 (row house) provisions. Provisions should be made to expand, where feasible, the existing low density residential zones (R-1-B and R-2) as well as to introduce new low density zones (R-3 and R-4) in order to provide:

1. for more restrictive residential areas, and thus, preserve existing neighborhoods from the intrusion of any adverse uses; and,

2. provide for a wider range of housing types within the Ward for future developments.

The record of the hearing, and the extensive reports and testimony submitted by both the petitioners and the Municipal Planning Office, reveals on a block-by-block basis, the way in which the policies and objectives were applied to the subject area. The Commission believes that such testimony supports, without question, the rezoning in this case and that this rezoning would protect the character of the Historic District, encourage the rehabilitation of the single-family residential community, discourage the development of higher density residential uses, stimulate the revitalization of the commercial districts, and stabilize the Anacostia area.

The Commission finds that the policies and objectives can best be carried out by use of R-3 zoning in the major part of the subject area with some R-4 zoning to serve as a transitional buffer between the heart of the Historic District and the higher density residential district to the south and the medium bulk density commercial to the west.

The proposed map amendments were referred to the National Capital Planning Commission under the terms of the District of Columbia Self Government and Governmental Reorganization Act. The National Capital Planning Commission reported that the proposed amendments will not have a negative impact on the interests or functions of the Federal Establishment within the National Capital, will not have an adverse impact on the Anacostia Historic District, and will result in a lesser density than that proposed in the "General Land Use Objectives: 1970/1985" element of the NCPC plan.

The Commission finds that the proposed amendments are in the best interests of the District of Columbia and are consistent with the intent and purpose of the Zoning Regulations and Zoning Act. The Commission, therefore, hereby orders ADOPTION of the following amendments to the Zoning Map:

1. C-3-A to R-3
   SQ. 5800 lots 859, 233, 234, and 846

2. C-3-A to R-4
   SQ. 5769 lots 844, 845, 17-23, and 37

   SQ. 5773 lots 60-67, 962-966, 973-979, and that portion of lot 835 presently zoned C-3-A (known previously as lot 59)

   SQ. 5782 lots 82, 83, 807, 808, 821, 88, 89, 105, 104, 814, 813, and 98- 101.

   SQ. 5791 lots 15-24, 805-809, 800-803, 32, 822, 823, 818, 115,27-29, 816, and 33.

3. R-5-A to R-4

   SQ. 5805 lots 805-808, 810,812,306-312, 202-204, 801,292,293, 290, 291, and 208-212.

   SQ. 5807 (All lots)

   SQ. 5808 lots 801,74,47,48,802-807, 809-817,823,77-80, and 82-90.

SQ. 5869 lots 43,1052-1074,976,978-980,887, 886,1014, that portion of 977 and 1012 presently known as lot 1094, and those portions of lots 1047,930, 802,803,900, and parcel 237/5 that are to the east of a line 175 feet from and parallel to Martin Luther King, Jr., Avenue, S.E.

SQ. 5806 lots 274,275,252,253,286-288, 805,806,807, and 808.

SQ. 5809 (all lots except 817,36,37 41-45,48-53, and parcel 226/32)

SQ. 5870 lots 842,816,818,819,852,811, 832-836,35-44,849-851, and 846.

SQ. 5872 lots 916-920

4. C-2-A to R-3

SQ. 5768 lot 808

5. R-5-A to R-3

SQ. 5769 lots 32-36, and 806

SQ. 5773 lots 823,822,803-806, and that portion of lot 835 presently zoned R-5-A (known previously as lots 56-58)

SQ. 5782 lots 90,91,679-684,818,852,694, and 810-812.

SQ. 5791 lots 820,821,927, and 34-37.

SQ. 5800 lots 847,239,801,860,861,241,901, 870,813,805,806,812,and 811.

SQ. 5802 lots 904, 905, and 10-14

SQ. 5808 lots 23-29, 800, 2, 3, 50, 69, 819-822, and 53-60

SQ. 5809 lots 817, 36, 37, 41-45, 48-53 and parcel 226/32

SQ. 5869 (that portion of lots 977 and 1012 presently known as lots 1092 and 1093)

SQ. 5870 lots 56-63, 840, 854, 855, 826, and 822

SQ. 5768 lots 802-807, 272-279, 265-269, 928, 929, and 800

SQ. 5767 lots 333-335, 804-806, 339, 340, 811, 343-345, 808, 812 and that portion of lot 807 presently zoned R-5-A

SQ. 5766 lots 820, 800-803, 811-816, 818, 810, 987 and 988

SQ. 5765 lots 848-855, 857-861, 863, 865, 867-869, 871-879, 881 and 883

SQ. 5764 lots 39-50

SQ. 5777 lots 922-926, 701, 702, 808, 807, 803, 801, 880, 879, 878, 813-815, 951, 950, 616, 617, 535-539, 812, 811, 541, 542, 530-532, and 692-697

SQ. 5776 (all)

SQ. 5775 (all)

SQ. 5774 (all)

SQ. 5781 (all)

SQ. 5780 (all)

SQ. 5779 (all)

SQ. 5778 lots 113-117, 135, 140-143, 131, 111, 112, 35, 36, and 144-150

SQ. 5755 lots 1, 819, 820, 4-9, 119, 120, 13, 14, 814, 812, 101, 809, 810, and 103-110

SQ. 5793 (all)

SQ. 5792 (all)

SQ. 5801 (all)

SQ. 5803 (all)

SQ. 5804 (all)

SQ. 5799 (all)

SQ. 5810 (all)

SQ. 5811 lots 69, 18-20, and 31-47

SQ. 5812 lots 1-6, 39-44, 77, 104, and parcel 226/48

SQ. 5827 (all)

SQ. 5877 (all)

SQ. 5873 lots 879-883, 895-902, 866, 868, 48, 49, 893, 894, 888, 889, 905, 907, 871, 891, 872, 886, and portions of lots 860, 858, 885, 851, 850, and 874

SQ. 5874 lots 849-854, 856, 859, 941, 927, 931, 943, 921, 929, 869, 870, 871, 945, 923, 914, 915, 954, and portions of 955 and 925

SQ. 5830 (all)

SQ. 5822 lots 28-40, and 66-72

NOTE: 1. All lots and squares as shown are marked on Exhibit #23 in the record and referenced in volume IV, plats 18, 20, 21, and 22 of the Baist Real Estate Atlas.

2. The following action is identified by study areas on Exhibit #89 in the record, as submitted by the Municipal Planning Office.

Vote of the Commission taken at the public meeting held on July 13, 1978:

1. For that portion of Ward 6 generally bounded by Martin Luther King, Jr. Ave., 13th, U, and Pleasant Streets, S.E.

   3-2 (Ruby B. McZier, George M. White, and Walter B. Lewis, to approve R-4 - Theodore F. Mariani and John G. Parsons, opposed)

2. For the remaining portion of Ward 6 of the subject area.

   4-1 (George M. White, John G. Parsons, Ruby B. McZier, and Walter B. Lewis, to approve R-3 - Theodore F. Mariani, opposed)

3. For MPO study area 2

   3-1 (Ruby B. McZier, George M. White, and Walter B. Lewis, to approve R-4 - John G. Parsons, opposed, and Theodore F. Mariani, present not voting)

4. For MPO study area 3

   4-1 (Walter B. Lewis, George M. White, John G. Parsons, and Ruby B. McZier, to approve R-3 - Theodore F. Mariani, opposed)

5. For MPO study area 4

   5-0 (Theodore F. Mariani, George M. White, John G. Parsons, Ruby B. McZier, and Walter B. Lewis, to approve R-4)

6. For MPO study areas 7 and 9

3-1 (George M. White, John G. Parsons, and Walter B. Lewis, to approve R-3 - Theodore F. Mariani, opposed and Ruby B. McZier, not present not voting)

Vote of the Commission taken at the public hearing held on July 17, 1978, to rezone lot 808 in Square 5768 for C-2-A to R-3: 3-0 (Ruby B. McZier, John G. Parsons and Walter B. Lewis to rezone, Theodore F. Mariani and George M. White not present, not voting).

WALTER B. LEWIS
Chairman
Zoning Commission

STEVEN E. SHER
Executive Director
Zoning Secretariat

This order was adopted by the Zoning Commission at its public meeting held on August 10, 1978 by a vote of 4-0 (Walter B. Lewis, George M. White and Theodore F. Mariani to adopt, Ruby B. McZier to adopt by proxy, John G. Parsons not present, not voting).

In accordance with Section 3.62 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, the amendments to the Zoning Map are effective on 11 AUG 1978.

the number of units will have less impact on the community as the number of residents. The buildings have been in disrepair for a long time and the renovation of the building will take away buildings that are an eyesore in this single-family residential area. Parking to serve the residents will be located at the rear of the buildings except for three handicapped spaces in front of the buildings. Therefore, the traffic generated by the residents will not be disruptive to the residents along High Street and Maple View Place.

Parking

Currently there are no parking spaces shown on the property but by BZA Appeal No. 8020 the applicant was granted permission to park in the circular drive. The record did not specify how many parking spaces were to be provided.

In calculating the required parking for the proposed use the applicant representatives based the requirement on the number of spaces required for apartments in the R-4 district. OP does not believe that this requirement is correct. Since the R-3 district does not allow apartments there is no requirement stated in the Regulations. Therefore, the requirement should be based on 1 space per 600 square feet of gross floor area and cellar space. The proposal would therefore require 54 spaces. The applicant has requested a reduction in the number of spaces and proposes to provide twenty-two 22 spaces and has therefore requested a variance from the requirement.

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

The property is unique because the topography from a high point along High street down towards the alley to the rear.

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 topography of the site and the fact that the site is already developed presents and exceptional practical difficulty to the applicant to provide additional parking spaces. The only area that can accommodate parking is to the rear of the buildings. To extend the parking along the entire western boundary would require extensive grading and retaining walls. It would also mean a loss of green space on 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.

The applicant has stated that many of their renters will not own cars and therefore the reduction in the required number of parking spaces will not negatively impact the neighborhood. Many of the residents will use public transportation that travels along Good Hope Road, two blocks, for the site and which connects to other bus routes and the Anacostia Metro Station. The granting of the variances will be consistent with the goals of the Zoning Regulations.

COMMUNITY COMMENTS

The applicant states that they have met with the ANC-8A on a number of occasions but to-date the ANC has not taken a vote on the application. The ANC has expressed some concerns regarding the reduction in parking and the proposal to house low-income residents.

SUMMARY AND RECOMMENDATION

The Office of supports the proposal to provide housing that will be affordable to persons with low incomes. The proposed increase in units will house less people that the current unit types can accommodate and will therefore have less impact on the surrounding community. It has been demonstrated that these requests will be consistent with the intent and purpose of the Zoning Regulations and will not be detrimental to the community. OP therefore recommends **approval** of the variances to allow the increase in units and a reduction in the number of parking spaces.

ATTACHMENT

1. Site and Surrounding Area

EM/mbr