GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17387
EXHIBIT NO. 37

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Memorandum

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy, Director
Office of Planning

DATE: November 1, 2005

SUBJECT: BZA Application #17387 (Gtown 32nd Street, LLC and Strategic Georgetown, LLC) 1517 and 1521 32nd Street, NW (Square 1270 Lots, 19, 20 and 74)

APPLICATION

The application by Gtown 32nd Street, LLC and Strategic Georgetown, LLC (Applicant) requests, pursuant to 11 DCMR 3103.2, a variance from Section 404.1, rear yard requirement, for 1517 32nd Street, N.W. and 1512 32nd Street, N.W.

SUMMARY RECOMMENDATION

The Office of Planning (OP) supports the development of the proposed rowhouses on the subject sites and recommends that the requested variances be **APPROVED** with the requested flexibility to change the windows in accordance with the recommendation of the Old Georgetown Board. The granting of the variance to allow reduced rear yards will not be detrimental to the health and welfare of the residents of the area and will make the proposed houses consistent with the Georgetown Historic District and the Bowie-Sevier historic landmark.

SITE AND AREA DESCRIPTION

The subject properties, 1517 32nd Street, NW (Square 1270, Lot 74) and 1521 32nd Street, N.W. (Square 1270, Lots 19 and 20) are located in the Georgetown area and are currently undeveloped. The square is bounded by Q Street, N.W. to the north, 31st Street, N.W. to the west, P Street, N.W. to the south and 32nd Street, N.W. to the east. The area is in the R-3 zone district and is generally developed with rowhouses and the Bowie-Sevier historic mansion.

HISTORIC PRESERVATION

The subject properties are within the Georgetown Historic District and are a part of the Bowie-Sevier historic landmark property. The Bowie-Sevier property originally consumed the entire square but over the years it has been subdivided into individual lots and developed with rowhouses. The subject properties are separated both physically and visually from the historic house by a concrete retaining

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wall. The vacant area to the north of the subject properties will be extensively landscaped to conceal the retaining wall and provide an open space area for community use and enhancement.

PROPOSAL

The applicant proposes to develop the sites with two rowhouses one on Lots 19 and 20 (to be subdivided into one lot) and a second on Lot 24. The applicant originally submitted plans to DCRA for a by-right development that met all the Zoning Requirements which had the houses located closer to 32nd Street since the R-3 district does not have a front yard setback requirement. A group of neighbors submitted an appeal to the Court of Appeals to require a greater front yard setback. The applicant, neighbors, the ANC-2E, and Councilmember Jack Evans began negotiations to resolve the disagreements. As a result, a Settlement Agreement was agreed up on which had among other things a front yard setback and a reduced rear yard setback.

The plan that resulted as part of the Settlement Agreement has reviewed by the Old Georgetown Board on October 7, 2005 and they submitted a report on October 20, 2005 recommending concept approval of the new construction with further studies relating to windows and the treatment of the retaining wall. The application is scheduled for review by the Historic Preservation Review Board (HPRB) on October 27, 2005. The Historic Preservation Staff recommends approval of the new construction and setbacks.

ZONING REQUIREMENTS

The subject sites are in the R-3 zone district. The R-3 District is designed essentially for rowhouses but may be intermingled with one family detached, one family semi-detached and groups of three or more rowhouses. The proposed development meets all the requirement of the R-3 district, except for rear yard as shown on Tables 1 and 2.

Table 1 – Lots 19 and 20

Item	Required/Allowed	Provided	Variance
Lot Area	2,000 sq. ft.	3,146 sq. ft	N/A
Lot Width	20.0 ft.	38.5 ft.	N/A
Lot Occupancy	60%	58.3%	N/A
Height	33 ft.	26.3 ft.	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	20 ft.	11.9 ft. - 25.3 ft. or a average of 18.2 ft.	8.2 ft. - 0.9 ft.
Parking Spaces	0	1	N/A

Table 2 – Lot 74

Item	Required/Allowed	Provided	Variance
Lot Area	2,000 sq. ft.	2,005 sq. ft	N/A
Lot Width	20.0 ft.	24.4 ft.	N/A
Lot Occupancy	60%	60%	N/A
Height	33 ft.	33 ft.	N/A
Side Yard	N/A	N/A	N/A
Rear Yard	20 ft.	18.8 ft.	8.2 ft. or 6%
Parking Spaces	0	1	N/A

ANALYSIS

Section 404.1 of the Zoning Regulations requires a minimum rear yard of twenty feet for developments in the R-3 district. The rear yard setback proposed for Lots 19/20 range from 11.8 feet to 25.33 feet or an average of 18.2 feet due to a slanted rear property line. Lot 74 will have a rear yard setback of 18.8 feet. 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:

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

The subject lots are unique because of exceptional situations. The lots are within the Georgetown Historic District as well as being part of the Bowie-Sevier historic landmark and the proposed house and the property must conform and be compatible to development in the area. The uniqueness is represented in the Settlement Agreement to provide an extended front yard setback that is not required by the Zoning Regulations.

> **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 diagonal front and rear property line dictate houses with an unusual shape that would not be consistent with other houses in the historic district. If the applicant were to provide the front yard setback that is in the Settlement Agreement and also provide the required rear yard setback the footprint of the house would be disproportionate with the required historic character and the rear wall of the house at on Lots 19/20 would be oddly diagonal.

> **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.**

Granting the variance will not be detrimental to the public good as the provision of an extended front yard setback was a request from the community. The front yard setbacks provided will be compatible with the development of the other lots that were originally part of the Bowie-Sevier property, meet historic preservation goals and will enhance the aesthetic character of the neighborhood. The front yard setback will add to the open space provided on the adjacent property and the applicant is preserving trees and providing a sidewalk along the front of their building. The reduced rear yard will not affect the light and air of the adjacent property because the property to the rear has an expansive rear yard with a high wall, landscaping and a change in topography that allows for significant screening.

COMMUNITY COMMENTS

On October 4, 2005, ANC-2E voted to recommend approval of the requested variances.

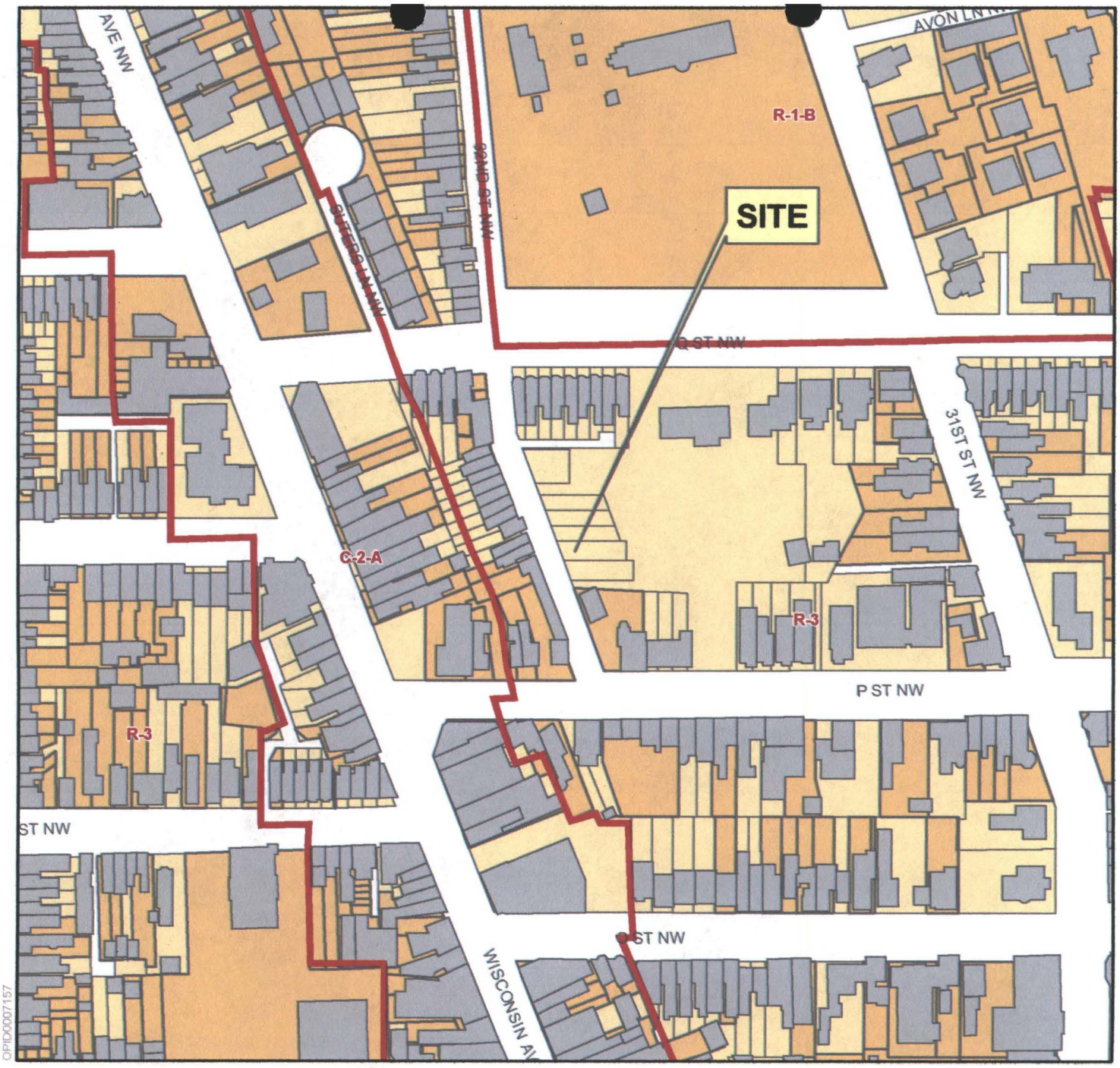
SUMMARY AND RECOMMENDATION

The requested variances will allow for the development of properties that are currently vacant. The development will be compatible with exiting houses in the area and is consistent with the design and character of the Georgetown Historic District and the Bowie-Sevier historic landmark. The proposed development meets the intent of the Zoning Regulations and therefore the Office of Planning recommends **approval** of the requested variances and supports the request to allow some flexibility to change the windows in accordance with the Old Georgetown Board's recommendation.

Attachment

1. Site and Surrounding Area

EM/mbr



BZA No. 17387
Gtown 32nd Street, LLC and Strategic Georgetown, LLC
1517 and 1521 32nd Street, NW

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

Office of Planning ~ November 1, 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 should be verified with them where appropriate. Oblique imagery ©2003 Pictometry International

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Zoning Districts
Buildings

Feet
0 100 200 300

Attachment 1