

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



d. Policy, Planning, and Sustainability Administration

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Samuel Zimbabwe 
Associate Director

DATE: July 5, 2016

SUBJECT: Supplemental Report: BZA Case No. 19101 – 2112-2126 3rd Street, NE

APPLICATION

(Darryl) O.A. Sulekoiki (the “Applicant”) requests additional zoning relief since their initial zoning hearings on November 10, 2015 and March 8, 2016 for a variance from the off-street parking requirement for Lot 42. The project consists of eight row houses, with two units per row house, and 14 parking spaces on eight record lots in the R-4 District at premises 2112-2126 3rd Street, NE (Square 3561, Lots 42-49).

RECOMMENDATION

The Applicant completed unpermitted work related to the requested zoning relief resulting in the use of public space that is not consistent with District Department of Transportation’s (DDOT) standards. DDOT has notified the Applicant multiple times that the project is not in compliance with District of Columbia Public Space Regulations. DDOT is working with the Applicant to rectify this illegal construction activity and bring the final public space plans into compliance. Board of Zoning Adjustment approval for zoning relief does not override compliance with other applicable regulations, including Public Space Regulations.

The Applicant’s pre-hearing submission submitted on June 30, 2016 describes relief of one parking space for Lot 42; however, the site plan submitted as part of that submission (see Figure 1) shows two parking spaces on Lot 43 – one for Lot 42 and one for Lot 43. DDOT is not likely to permit additional driveway access in public space, and all spaces must be accessed from the existing 15’ public alley at the rear of the site. It appears that a portion of the second parking space on Lot 43, shown as “Lot 42 Parking Space” on the site plan, may be located on public space. This use of public space is not consistent with DDOT standards and will not likely be permitted. As such, the Applicant may not be able to legally access the second parking space behind Lot 43.

Board of Zoning Adjustment
District of Columbia

RHODE ISLAND AVENUE

ALLEY

PUBLIC

R. STREET, N.E.

LOT 42 PARKING SPACE

CONCRETE EASEMENT

PRIVACY FENCE

NEW STAIR

NEW STAIR RET. WALL

AREAWAY

FOUNDATION WALL

AREAWAY

NEW STAIR

NEW STAIR

6-3/8" ORIEL

NEW STAIR

6-3/8" ORIEL

NEW STAIR

EXIST NEIGHBORING BUILDING (2.5 STORY TOWNHOUSE) LOT 5, 3RD STREET, NE

DO NOT REMOVE OR ALTER ANY OF THE EXISTING BUILDING OR STRUCTURE

WITH PERMITS OF THE BOARD OF ZONING AND PLANNING

10-26-13

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Figure 2: Photo of Curb Cut and Public Space on Rhode Island Avenue for Lots 42 and 43 (Source: Google Maps)

Furthermore, the steps, areaways, lead walks, mailboxes, Verizon and Comcast boxes, yellow bollards, and removal of street and special trees in public space for these eight lots have not been permitted. DDOT expects the Applicant to pursue a public space permit through DDOT's permitting process for these and any other elements in public space requiring approval. Failure to comply will result in enforcement action taken on the Applicant's property.

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