



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
 Joel Lawson, Associate Director for Development Review

DATE: February 23, 2016

SUBJECT: BZA #19193 – 1620-1622 E Street, SE

I. RECOMMENDATION

With regard to this proposal to construct three new single family row dwellings, the Office of Planning (OP) **cannot recommend approval** of the following variance relief:

- § 401 Lot Width (18 feet required, 16 feet proposed); and
- § 401 Lot Area (1,800 square feet required, 1,440 square feet proposed).

The application originally proposed three new flats. Exhibit 30, however, now indicates that the applicant proposes three single family dwellings. OP has received updated plans from the applicant, but which are not yet in the record. OP's analysis is not significantly impacted by the change in plans, and is primarily based on original written statement (Exhibit 5) and plans (Exhibit 17).

II. LOCATION AND SITE DESCRIPTION

Address	1620-1622 E Street, SE
Legal Description	Square 1090, Lots 813 and 814
Zoning	R-4
Ward and ANC	6, 6B
Historic District	none
Lot Characteristics and Existing Development	Rectangular site, 48' wide by 90' deep; Alley access at the rear; Existing development is two 2-story semi-detached structures, likely pre-dating the other existing houses on the block.
Adjacent Properties and Neighborhood Character	The surrounding neighborhood is almost exclusively rowhouses, with a small number of scattered apartment buildings. Rowhouses on this square and across the street tend to be 16' wide or smaller.

III. PROJECT DESCRIPTION IN BRIEF

According to Exhibit 30, the applicant proposes to construct three single family rowhouses on three new lots.



IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The subject site is zoned R-4. The application seeks zoning relief as noted in the table below.

R-4	Permitted / Required	Proposed per Plans Received by OP	Relief
§ 400 Height	40', 3 stories	35' 5.5", 3 stories	Conforming
§ 401 Lot Area	1,800 sf	1,440 sf	Requested
§ 401 Lot Width	18'	14'	Requested
§ 403 Lot Occupancy	60% 1,080 sf	60% 864 sf	Conforming
§ 404 Rear Yard	20'	36'	Conforming
§ 405 Side Yard	None required	None provided	Conforming

V. ANALYSIS

In order to be granted a variance, the applicant must show that they meet the three part test described in § 3103.

1. Exceptional Situation Resulting in a Practical Difficulty

The subject site does not exhibit any unique or exceptional conditions. There are no conditions that would prevent the use of the site for two conforming lots. Two identical conforming lots would be 24 feet wide and have an area of 2,160 square feet. The applicant has provided to OP pro-formas that state that the proposed development scheme would be financially feasible, while a project on two conforming lots would not. While OP is supportive of new infill development, zoning is not intended to make any potential project financially feasible. Because there is no exceptional condition, there also can be no practical difficulty in meeting the Regulations.

2. No Substantial Detriment to the Public Good

Granting relief would not likely substantially impair the public good. Allowing construction would provide infill buildings on a site with a dilapidated existing building. The streetscape may be improved and the new buildings would match the width of adjacent and nearby buildings. Granting relief to lot area or lot width should not impair light and air available to nearby homes, nor negatively impact privacy. The project would meet all other zoning regulations such as height, lot occupancy, rear yard and parking.

3. No Substantial Harm to the Zoning Regulations

The requested lot width and area relief would result in harm to the Zoning Regulations. The requested width of 16 feet and area of 1,440 square feet are less than the requirements established for this zone. The Regulations intend that new lots provide the prescribed lot standards, not replicate existing nonconforming development.

VI. COMMUNITY COMMENTS

As of this writing OP has received no comments from the community. The ANC has voted unanimously to support the application.