

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement in Support of Area Variance Relief from Section 2101.1

30 Florida Avenue N.W.; Square 0614, Lot 115

I. Introduction.

This Statement is submitted on behalf of S2 Florida Ave LLC (the “Applicant”), owner of the property and improvements located at 30 Florida Avenue, N.W., Square 0614, Lot 115 (the “Property”). The Property is currently unimproved. The Property is located in the C-2-A zone district, and fronts on Florida Avenue to the northeast and is bordered by an alley to the northwest. The Property is an odd-shaped, small, wide, and shallow lot, with a land area of 2,822 square feet. The Property shares a common lot line with the commercial property to the southeast. Adjacent to the south are residential properties, zoned R-4.

The Applicant is proposing to construct a four (4) story building plus cellar with nine (9) residential units. Section 2101.1 requires that the Applicant provide one parking space for every two residential units, for a total of five (5) parking spaces. The Applicant is proposing to provide one (1) parking space. Because of the size, shape, and unique conditions associated with the Property, the Applicant is unable to provide the required parking and is therefore requesting relief from the parking requirements of 2101.1.

II. Burden of Proof

The burden of proof for an area variance is well established. The Applicant must demonstrate three elements: (1) unique physical aspect or other extraordinary or exceptional situation or condition of the property; (2) practical difficulty from strict application of the Zoning Regulations; and (3) no substantial detriment to the public good or the zone plan. *Gilmartin v. D.C. Board of Zoning Adjustment*, 579 A.2d 1164, 1167 (D.C. 1990).

As set forth below, the Applicant meets the three-part test for the requested variance from parking.

A. The Property is Uniquely Affected by an Exceptional Situation/Condition and Strict Application of the Zoning Regulations Would Result in a Practical Difficulty to the Owner.

The Property is impacted by several unique and exceptional conditions, including location, size and the odd-shape of the lot. The lot is extremely shallow and wide, with 68 feet of street frontage on Florida Avenue. A strict application of the parking space requirements in this case would result in a practical difficulty to the Applicant because the unique conditions make it difficult to provide five (5) parking spaces and a viable project.

B. No Substantial Detriment to the Public Good Nor Substantial Impairment to the Intent, Purpose and Integrity of the Zone Plan.

Granting an area variance from the strict requirements of 2101.1 would result in no substantial detriment to the public good, nor substantial impairment to the intent, purpose and integrity of the Zone Plan. The Applicant is providing nine new quality residential units which will assist in revitalizing the area. Additionally the Applicant is providing one (1) parking space.

III. Conclusion.

For the above reasons, as will be explained in more detail in the prehearing statement, the Application meets the three-prong test for variance relief.

Respectfully Submitted,



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