

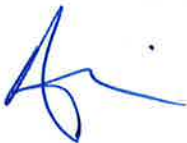
GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF TRANSPORTATION



d. Planning and Sustainability Division

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Anna Chamberlin  
Project Review Manager 

**DATE:** May 4, 2018

**SUBJECT:** BZA Case No. 19747 – 445 15th Street SE

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**APPLICATION**

Deborah Van Buskirk (the “Applicant”), pursuant to Title 11 (2016 Zoning Regulations) of the District of Columbia Municipal Regulations (DCMR), Subtitle X, Chapter 9, requests special exceptions under Subtitle E § 5201 from the accessory building gross floor area limitations of Subtitle E § 5004.2(b), and from the accessory building rear setback requirements of Subtitle E § 5004.1. Pursuant to Subtitle X, Chapter 10, the Applicant requests a variance from the lot occupancy requirements of Subtitle E § 304.1 to permit an existing one-story accessory building in the RF-1 zone. The Applicant currently provides one (1) vehicle parking space in the nonconforming accessory building being used as a garage, which is the subject of this application. The site is located at 445 15th Street SE (Square 1062, Lot 52).

**SUMMARY OF DDOT REVIEW**

The District Department of Transportation (DDOT) is committed to achieve an exceptional quality of life in the nation’s capital by encouraging sustainable travel practices, safer streets, and outstanding access to goods and services. The purpose of DDOT’s review is to assess the potential safety and capacity impacts of the proposed action on the District’s transportation network and, as necessary, propose mitigations that are commensurate with the action. After an extensive review of the case materials submitted by the Applicant, DDOT finds:

- The Applicant applied for a new curb cut permit to obtain legal vehicular access to the existing nonconforming garage. The request was heard by the District’s Public Space Committee (PSC) on August 24, 2017 (permit tracking number 205490);
- At the hearing, the PSC conditionally approved an alternate access design for the garage that would widen the existing alley curb cut to be 16 feet, allowing front-in, back-out movements across the sidewalk;

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- In order to obtain a public space permit, the PSC approval requires the Applicant to provide evidence of the Department of Consumer and Regulatory Affairs (DCRA) approval for the nonconforming structure; and
- Had the structure been proposed as a garage prior to its construction, DDOT would have required a design that accommodates vehicle entrance from the alley rather than an irregularly wide curb cut on 15th Street SE. DDOT would not have concerns with the structure if it were used as additional storage or accessory space.

## RECOMMENDATION

DDOT has reviewed the Applicant's request and has no objection to the approval of the requested special exceptions and variance. DDOT qualifies this recommendation emphasizing that, while the requested relief has limited transportation impacts, the widened alley curb cut conditionally approved by the PSC is not ideal and should not be understood as a desirable or typical condition in future cases.

### Public Space

When purchasing the property, the Applicant was not aware that the existing hardscape and garage, which extend into public space, were not permitted (see figure 1).



**Figure 1 – 445 15th Street SE Accessory Structure  
(Source: Google Map Streetview, dated June 2017)**

As such, the Applicant applied for a permit and was heard by the PSC on August 24, 2017 (permit tracking number 205490). Rather than permit a new curb cut or allow the Applicant to drive over the sidewalk, the PSC directed the Applicant to widen the existing alley curb cut to 16-feet. At the hearing, the PSC also discussed relocating the garage door to accommodate front-in access from the existing alley, however, the alley is too narrow to accommodate vehicle turns.

Per the PSC's decision, the Applicant will not be issued a public space permit to proceed with the work until it can provide proof of a previous or new building permit issued by DCRA, which has necessitated the Applicant's request for zoning relief. If the BZA chooses not to approve the accessory structure, a public space permit will not be granted to the Applicant and the structure will need to be removed.

The Applicant may refer to Titles 11, 12A, and 24 of the DCMR and DDOT's recently released 2017 Design and Engineering Manual (DEM) for specific controls of public space. A summary can also be found in DDOT's Public Realm Design Manual.

AC:pr

