

OP Staff Report

TO: District of Columbia Board of Zoning Adjustment
FROM: Crystal Myers, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: October 12, 2018

SUBJECT: BZA Case 19830- 3902 1st SE- Variance relief to construct a rowhouse

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **Approval** of the following variance relief:
 Subtitle D§ 307.4, pursuant to Subtitle X § 1000 (Common Division wall required; None proposed).

II. LOCATION AND SITE DESCRIPTION

Address	3902 1 st SE
Applicant	Mohammed Sikder on behalf of Yasmine Sikder
Legal Description	Square 6128, lot 834
Ward, ANC	Ward 8; ANC 8C
Zone	R-3, which permits detached, semi-detached, or attached single-family dwellings
Historic District	None
Lot Characteristics and Existing Development	Vacant tax lot between two single-family houses. The tax lot conforms to the minimum lot area requirements for the zone and the proposed use, so can be converted to a record lot by-right.
Adjacent Properties and Surrounding Neighborhood Character	The square is composed of mostly single-family detached houses. The adjacent properties are single-family detached. The subject property is not the only vacant property in the square.
Proposed Development	This proposal would allow for the construction of a rowhouse without a common division wall on either side.

III. LOCATION MAP



Location Map for 3902 1st SE

IV. PROPOSAL and ZONING REQUIREMENT

The applicant would develop a vacant property with a 25-foot-wide rowhouse, which is a permitted use in this zone. The house would be built to the side lot lines without attaching to another house on the adjacent lots, so the Applicant is requesting variance relief from D§ 307.4, which requires that a single dwelling have a common division wall if it does not have a side yard.

Zoning Table¹

R-3 Zone	Regulation	Existing	Proposed	Relief
Height D§ 303	40 ft. max.	n/a	25 ft.	None Required
Lot Width D§ 302	20 ft. min	25 ft.	unchanged	None Required
Lot Area D§ 302	2,000 sq.ft. min. for a rowhouse	3,000 sq.ft.	3,000 sq.ft.	None Required
Lot Occupancy D § 304	60 % max.	n/a	38.9%	None Required
Rear Yard D§ 306	20 ft. min.	n/a	56'10"	None Required
Side Yard D § 307	None required if there is a or common division wall	n/a	0 ft., no common division wall	Variance Relief Requested

¹ The Existing and Proposed information were provided in the Applicant’s Self Certification form. The Applicant provided two forms. The table uses the Applicant’s updated form (Exhibit 30)

V. OFFICE OF PLANNING ANALYSIS

Variance Relief from Subtitle D § 307.4

Exceptional Situation Resulting in a Practical Difficulty

The subject property is located between two developed lots, each containing a single family detached house. Both lots have side yards adjacent to the subject property, so they are unable to share a common division wall with the proposed rowhouse. Therefore, as there is no opportunity to share a common division wall with the adjacent houses, requiring this would result in a practical difficulty to the Applicant.

No Substantial Detriment to the Public Good

The proposed dwelling would infill a vacant lot on this street with a compatible dwelling. The proposal would not substantially impact the adjacent neighbors' light and air or privacy. The proposal includes one parking spot, exceeds zoning requirements for rear yard, and is well under permitted height at 25 feet. As such, granting this variance relief should not result in substantial detriment to the public good.

No Substantial Harm to the Zoning Regulations

Granting this variance relief would not substantially harm the intent of the zoning regulations. Variance relief for the proposed lot would allow the Applicant to construct a new, infill single family row dwelling, which is an anticipated use in the R-3 zone, and the most appropriate form of development on this lot.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of the writing of this report, no comments have been submitted from the other District agencies.

VIII. COMMUNITY COMMENTS TO DATE

As of the writing of this report, no community comments have been filed to the record, and ANC 8C has not filed a report to the record.