

October 22, 2018

To: Mr. Clifford Moy

DC Office of Planning

Office of Zoning - BZA

441 4th Street, NW, Suite 200S
Washington, DC 20001

Burden of Proof – 1657-1661 Gales St NE

Project Overview:

The DC Housing Finance Agency's ("DCHFA" or the "Agency") Housing Investment Platform ("HIP") Single Family Investment Fund ("SFIF" or the "Fund") has partnered with 1657-1661 Gales Street LLC to develop the Gales Street Site, consisting of three vacant parcels located in the Rosedale neighborhood of Ward 6 in Washington, DC. Lot acquisition and development is part of the Vacant to Vibrant DC initiative for the development of housing affordable to families earning workforce incomes (60-120% of Median Family Income).

Site and Neighborhood description:

Gales Street is three continuous parcels with a total estimated lot size of 2,340 sq. ft. in the Rosedale neighborhood of Ward 6 in Washington, DC. The Site is adjacent to a residence to the west and to two vacant lots that are privately owned to the east.

The Site is situated two blocks away from Benning Road NE, a rapidly growing corridor that is experience significant residential and mixed-use development. There is a substantial amount of development that has occurred to the east of the Site along the H Street Corridor and a strong pipeline of future development in close proximity to the Site.

Site Specifications

Square/Lots: Sq.:4540 Lots: 0184, 0185, and 0186

ANC: 6A

Current Zoning: RF-1 (Residential Flats)

Estimated Lot Size: 2,340 sq. ft.

Existing Condition: Vacant



Map of Gales Street (1657-1661 Gales Street NE, Washington, DC)

Relief sought:

1657-1661 Gales Street LLC, owners of 1657-1661 Gales St NE, seek Area Variance for the subdivision of lots at such property, for construction of two side by side two-unit Workforce Housing Row Dwellings. A total of three lots exist on the site currently, and they are Lots: 0184, 0185, and 0186 in Square 450.

All the lots are zoned RF-1, but do not currently meet minimum lot width and lot area requirements for the RF-1 Zoning District. All three lots in question are 12 ft wide by 65 ft deep, and 780 sq ft in area. Min. lot width required in RF-1 district is 18 ft, and min. lot area is 1,800 sq ft for attached row dwellings, and 30 ft, 3,000 sq ft for semi-detached row dwellings.

Intent is to combine the three lots on the North side and subdivide the larger lot into two equal sized lots of width and area closer to the minimum required lot sizes in the RF-1 Zoning District.

Relief sought is as follows:

Per Sub-title E of the 2016 Zoning Regulations:

201 DENSITY – LOT DIMENSIONS

201.1 The minimum lot width and minimum lot area requirements for the creation of a record lot in an RF zone shall be as set forth in the following table:

TABLE E § 201.1: MINIMUM LOT AREA REQUIREMENTS

	Lot Width Minimum	Lot Area Minimum
Row Dwelling or Flat	18 ft.	1,800 sq. ft.
Row Dwelling or Flat Inclusionary Zoning	16 ft. as a special exception (IZ)	1,500 sq. ft. (IZ)
Semi Detached Dwelling	30 ft.	3,000 sq. ft.
All Other Structures	40 ft.	4,000 sq. ft.

- Subtitle E Section 201.1: Relief sought from lot area requirements for both new lots proposed. Proposed lot dimensions are 18 ft. wide by 65 ft deep. Proposed lot area is 1,170 sq ft., a 35% deviation from Minimum Lot Area required in RF Districts.

Justification for Relief Sought:

To obtain an area variance, “an applicant must show that

- (1) there is an extraordinary or exceptional condition affecting the property;
- (2) practical difficulties will occur if the zoning regulations are strictly enforced; and
- (3) the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan.”

We address each factor in turn below.

1. Exceptional Condition/“Uniqueness”

Variance is required due to particular physical characteristics of the lots in question and their surroundings. Gales St NE has several sub-standard lots already in existence, some of which are 12 ft wide, as are the existing lots being proposed for sub-division. Scale of row-dwellings surrounding lots in question is also smaller than what is typically found in the RF-1 district. Our proposal for additional attached row dwellings of similar scale as remainder of the block/street.

2. Practical Difficulty

Variance is also required due to the property owners’ inability to meet specific DCHFA project goals under which project has been developed, such as overall square footage and number of bedrooms, along with quality of housing provided, without said relief.

3. No substantial detriment to the public good or integrity of the zone plan.

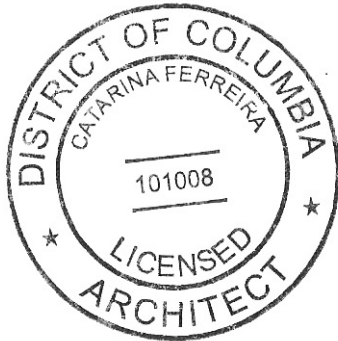
If a single lot were created, with a semi-detached row dwelling, the resultant lot would still not meet the requirements of Sub-title E Section 201.1 in terms of lot area. As described previously, our proposed lot width brings the lots into compliance with Sub-title E Section 201.1 requirements for attached row dwellings, in character with surrounding properties. A two unit attached row dwelling is currently under construction on unimproved lot to the East, an attached row dwelling already exists to the West.

The proposed development will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and proposed row dwellings will require no further relief. Care has been taken to evaluate surrounding property types, scale, and feasibility of development on adjacent, in order to request relief only where deemed most appropriate and least detrimental to adjacent properties.

We believe the proposed developments will not tend to affect adversely the Public Good, for reasons mentioned above, and due to the fact that it will bring 4 much needed Work Force Housing units to the neighborhood. In addition, off-street parking can be accommodated for two of the four units at the rear of the property, pending improvement of existing rear alley.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



Catarina Ferreira, AIA, NCARB

Principal

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