

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Cochran, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: January 18, 2019
SUBJECT: BZA Case 19891 1657-1661 Gales Street, N.E. - request for area variance relief from the lot area requirements of Subtitle E § 201.1 to allow the construction of two new flats in the RF-1 zone (Square 4540, Lots 184–186)

I. BACKGROUND

The applicant filed revised plans on January 8, 2019 (Exhibits 44 and 45). These updated the proposed rowhouse plans to remove projections that would likely not be permitted in public space. The revisions do not affect the type or degree of relief requested.

II. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following area variance from the lot area requirements for the construction of rowhouses on lots in the RF-1 zone:

- E § 201.1, Lot area (1,800 SF required for each lot, 1,170 SF proposed for each lot).

III. LOCATION AND SITE DESCRIPTION¹

Address	1657-1661 Gales Street, N.E.
Applicant	1651-1661 Gales Street, LLC
Legal Description	Square 4540, Lots 184–186
Ward, ANC	Ward 6, ANC 6A
Zone	RF-1
Lot Characteristics	Three level 12-foot wide, 884 SF lots, each with rear alley access
Existing Development	None. Lots are vacant.
Adjacent Properties	Rowhouse to west. Rowhouse, or semi-detached house, under construction to east.
Neighborhood Character	Primarily rowhouse neighborhood in Rosedale, two blocks south and two blocks east of the intersection of Benning Road and Maryland Ave, NE
Proposed Development	Two flats targeted to households earning 60% to 120% of the Area Median Income under the D.C. Housing Authority’s “Vacant to Vibrant” Program

¹ See Figure 1

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Required / Permitted	Proposed	Relief
Lot Area	E- 201.1 (rowhouse construction)	884 SF for each of 3 lots	At least 1800 sf for each lot	1170 sf for each of 2 lots	Requested (630 SF variance)
Lot Width	E- 201.1 (rowhouse construction)	13.66' width for each lot.	At least 18 ft. width for each lot.	18 ft. for each of 2 lots	Conforming
Lot Occ.	E-304.1	0	60 % max. for attached or semi-detached	60%	Conforming
Front Setback	E-305.1	--	In line with row	In line with row	Conforming
Height	E-303.1	--	35 ft., 3 stories max.	35 ft. 3 stories + cellar	Conforming
Parking	C-701.5	--	1 per 2 principal units with alley	1 per 2 units. Rear alley	Conforming
Rear Yard	E-306.1	--	20 ft.	25.9'	Conforming
Relationship to Adjacent Rear Walls	1206.3	--	≤10'	≤10'	Conforming
Side Yard	E-307.1	n/a	Not required for row dwelling. 5 ft. required for semi-detached.	0	Conforming. Attached to existing side wall on west and to side wall of under-construction house on east
Pervious Surface	E-204.1	--	20%	Not provided	tbd

V. ANALYSIS OF VARIENCE RELIEF FROM E § 201.1, LOT DIMENSIONS (AREA)

Exceptional Situation Resulting in a Practical Difficulty

At 12 feet wide and with an area of 884 square feet, each of the three existing lots is non-conforming to the standards of the zoning regulations. They are approximately 2/3 as wide as, and 1/2 the area of, conforming lots. The applicant proposes to subdivide the three lots into two lots that would bring the lots closer to conforming with the dimensional requirements for rowhouse lots in the RF-1 zone. Each proposed lot would meet width requirements and would have about 66% of the required lot area.

The development of each of the lots with flats is to be undertaken in partnership with the DC Housing Finance Agency (DCHFA) and the Single Family Investment Fund. The applicant states that without the requested relief development within the dimensional constraints of the existing lots would preclude compliance with DCHFA's project goals for number of bedrooms, overall square

footage and quality standards for dwellings reserved for households earning between 60% and 120% of the area’s median family income. Even without consideration of the Vacant to Vibrant standards, the small lot size creates a practical difficulty for their reasonable development.

No Substantial Detriment to the Public Good

Granting of the requested variance would not likely pose a substantial detriment to the public good. Although there are other 12-foot wide lots in the neighborhood, the proposed lots and the proposed development would be more consistent with lot sizes in the area, and with the general pattern of development in the neighborhood

No Substantial Detriment to the Zoning Regulations

Granting of the requested variance would not pose a detriment to the zoning regulations. The proposed lots would be in greater conformance with the zoning regulations’ dimensional requirements than the existing lots. The granting of the requested variances would allow for the form of rowhouse development anticipated in the RF-1 zone without additional area relief and would enable construction of workforce housing under the “Vacant to Vibrant” program.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

No comments had been filed by other District agencies at the time OP completed this report.

VII. COMMUNITY COMMENTS

ANC 6A voted unanimously to support the requested relief (Exhibit 22). A petition-in-support is on-file, signed by 5 residents of the 1600 block of Gales Street, N.E. (Exhibit 13). No other community comments were received.

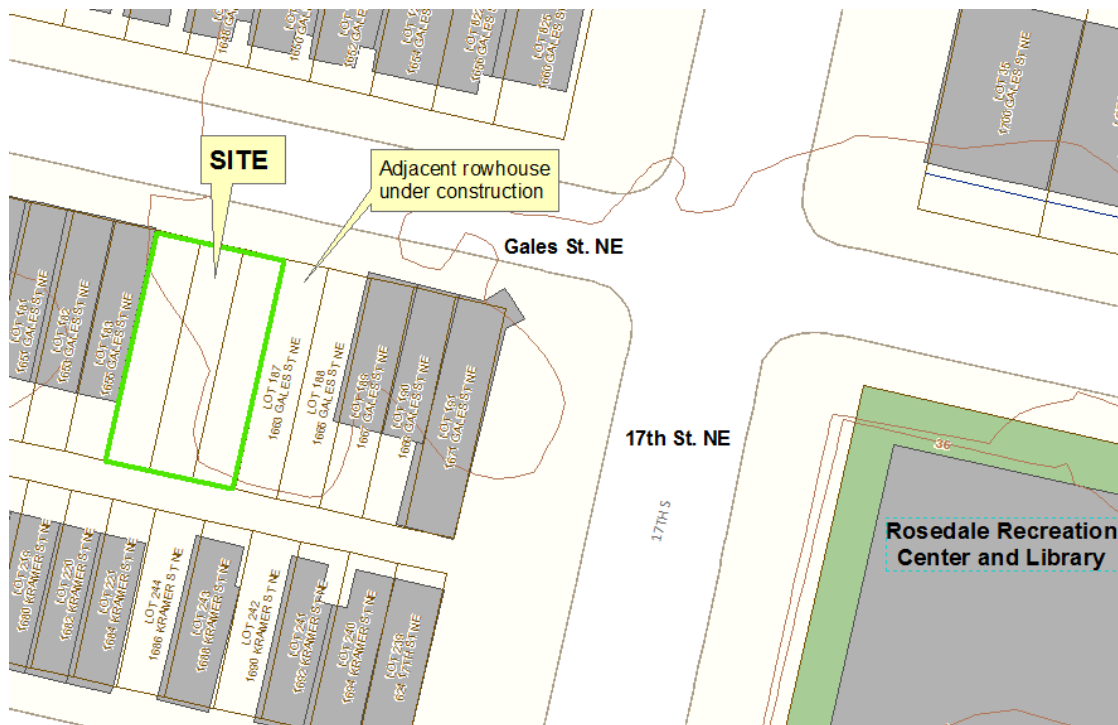


Figure 1. Location Map