

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: January 18, 2019
SUBJECT: BZA Case 19902, 2514 West Street SE, to permit the construction of two new dwellings in the R-3 zone.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the requested variance relief, pursuant to Subtitle X § 1000, from the Side Yard requirements of Subtitle D § 307.4, which requires a side yard on the resulting free-standing side that does not share a common division wall.

II. LOCATION AND SITE DESCRIPTION

Address	2514 West Street SE
Applicant	ARCHI-TEXTUAL, PLLC, agent, for HIP West St. Partners LLC, owner.
Legal Description	Square 5809, Lots 43 and 44
Ward, ANC	Ward 8, ANC 8A
Zone	R-3, which allows row dwellings, while also allowing detached dwellings and semi-detached dwellings.
Historic District	Not applicable.
Lot Characteristics	The subject property consists of two existing lots each measuring 20 feet in width and 104.72 feet in depth. The properties are bound by West Street SE to the west, adjoining lots to the north and south, and an unimproved 12-foot wide public alley to the east.
Existing Development	The properties are currently vacant.
Adjacent Properties	The adjoining lots, to the north and south of the subject property, are unimproved and in separate ownership.
Surrounding Neighborhood Character	The surrounding neighborhood character is predominantly low density residential, consisting primarily of attached, semi-detached, and detached dwellings. In addition, there are existing nonconforming apartment houses throughout the neighborhood.

Proposed Development	<p>The subject lots were purchased through the DC Housing Finance Agency’s (DCHFA) Housing Investment Platform (HIP), which is an investment fund that provides developers with private capital to construct infill dwellings in underserved communities in the District where traditional capital is limited. By participating in this program, the developer is required to deliver workforce housing to households earning between 60-120% median family income (MFI); these are not Inclusionary Zoning units. The affordability of the dwellings would be subsidized by funding from DCHFA.</p> <p>The applicant proposes to construct two attached buildings on the existing lots.</p>
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III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – R-3	Regulation	Proposed	Relief
Lot Width § 302	20 ft. (attached)	B1 – 20 ft. (attached) B2 – 20 ft. (attached)	None required
Lot Area § 302	2,000 sq. ft. min. (attached)	B1 – 2,094.4 sq. ft. (attached) B2 – 2,094.4 sq. ft. (attached)	None required
Height § 303	40 ft. max./3 stories	29 ft./2 stories	None required
Lot Occupancy § 304	60 % max. (attached)	B1 – not provided B2 – not provided	Not requested
Front Setback § 305	Within range of existing front setbacks of all structures on the same side of the street in the block. (0-22 feet)	5 feet	None required
Rear Yard § 306	20 ft. min.	B1 – 20 ft. B2 – 20 ft.	None required
Side Yard § 307	None required, but no less than 5 feet if provided	B1 – 0 ft. B2 – 0 ft.	Common division wall relief required¹
Parking C § 701	1 space per dwelling	B1 – 1 space B2 – 1 space	None required

IV. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from Subtitle D § 307, Side Yard

i. Exceptional Situation Resulting in a Practical Difficulty

The Applicant has requested relief that would allow the construction of two attached buildings, providing no side yards, on the existing 20-foot wide lots. The two adjoining lots in the Square, Lot

¹ Under Zoning Commission Case 17-23, OP has proposed that this requirement be eliminated. The Zoning Commission is scheduled to take Final Action on this proposal at its January 28, 2019 public meeting. If the proposal to remove this requirement is eliminated by the Commission, the requested relief would no longer be required.

45 to the north and Lot 821 to the south, are unimproved and in separate ownership. Therefore, the Applicant is unable to construct buildings that would share a common division wall with buildings on the adjoining lots.

To comply with the side yard regulations, the Applicant would have to provide a five-foot (5 ft.) side yard of the resulting free-standing north and south sides. This would result in a 15-foot wide semi-detached building envelope for Lots 43 and 44.

The inability to connect to an existing building on the adjoining lots is an exceptional situation that would result in a practical difficulty to the Applicant.

ii. No Substantial Detriment to the Public Good

The proposed development would comply with the front setback, rear yard, height, and lot occupancy development standards. In addition, the adjoining properties to the north and south of the subject property are currently vacant. As such, the development should not unduly impact light and air to neighboring properties and should not significantly impact privacy to neighbors.

Square 5809 is developed with various housing typologies, including detached, semi-detached, and attached dwellings. The proposed attached dwellings are consistent with the neighborhood character and should not cause substantial detriment to the public good.

iii. No Substantial Harm to the Zoning Regulations

Attached or row buildings are permitted in the R-3 zone. Therefore, granting the requested side yard relief should not result in substantial harm to the Zoning Regulations.

V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District Agencies had not been received at the time this report was drafted.

VI. COMMUNITY COMMENTS TO DATE

At Exhibit 33, ANC 8A submitted the comments it provided in Zoning Commission Case 17-23, which requested the Commission to reject any language that would eliminate side yard requirements.

Attachment: Location Map

Attachment 1



Location: 2514 West Street SE