

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
JL Joel Lawson, Associate Director for Development Review

DATE: March 29, 2019

SUBJECT: BZA #19967 – 2429 Girard Place, NE – Request for variance relief to construct a new single family detached home

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following requested variances pursuant to Subtitle X § 1000:

- D § 302 Lot Width (50 feet required to create a new record lot, 25 feet existing);
- D § 302 Lot Area (5,000 sq.ft. required to create a new record lot, 3,750 sq.ft. existing);
- D § 307 Side Yard (8 feet required, 3 feet proposed on each side).

In this case, the lot is a tax lot, so relief from lot area and width is required to allow its conversion to a record lot.

II. LOCATION AND SITE DESCRIPTION

Address	2429 Girard Place, NE
Applicant	District Properties, Inc.
Legal Description	Parcel 155 / 9
Ward / ANC	Ward 5, ANC 5C
Zone	R-1-B (Single family detached housing)
Historic District or Resource	None
Lot Characteristics	Rectangular lot with no alley access. Not a record lot or tax lot, but one of six adjacent parcels. Lot slopes down from north to south.
Existing Development	Vacant
Adjacent Properties and Neighborhood Character	Neighborhood is primarily detached housing; Langdon Park to the east; church and apartment building to the south; Immediate neighbors on the same block face are single family detached homes on 25 foot wide parcels. Many lots in the neighborhood, including immediate neighbors, are actually parcels.
Proposal	Construct a new, single family, 19 foot wide detached house that reflects the width of houses and the width of side yards on the block.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

The applicant requests relief for lot area, lot width and side yard in order to construct a new single family detached house.

R-1-B	Requirement	Existing	Proposed	Relief
Lot Area D 301	5,000 sf	3,750 sf	No change	Requested to change to a record lot
Lot Width D 302	50'	25'	No change	Requested to change to a record lot
Lot Depth	n/a	150'	No change	Conforming
Height D 303	40' 3 stories	n/a	28' 2 stories	Conforming
Lot Occupancy D 304	40%	n/a	21%	Conforming
Front Setback D 305	Within range of existing street	n/a	Not provided	Assumed conforming
Rear Yard D 306	25'	n/a	79'	Conforming
Side Yard D 307	8'	n/a	3'	Variance Requested

IV. ANALYSIS

The applicant requests relief from lot dimensions in order to convert the existing parcel to a record lot, and also from side yard. In order to grant the variances, the Board must find that the relief would meet the three part test of Subtitle X § 1000, which is analyzed below.

a. Variance Relief from Subtitle D §§ 302 and 307, Lot Width and Lot Area, and Side Yard

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property is exceptional in that it is a parcel and not an existing record lot, and in that the lot is only 25 feet wide and cannot be expanded. While the fact that the property is a parcel is not unique, in most cases such as this the lot in question is already a record or tax lot. In order to obtain building permits, the owner must first convert the property to a record lot. Because adjacent properties are developed and under separate ownership, there is no opportunity for this lot to be

expanded in width or area. This is a practical difficulty for the owner because the lot would be unbuildable if it were not converted to a record lot.

Similarly, given that the width of the lot cannot be expanded, the applicant faces a practical difficulty in building a house of a useable width. A 25 foot wide lot providing eight foot side yards on both sides would result in a house nine feet wide on its exterior, which would not be a practical size for a dwelling.

ii. No Substantial Detriment to the Public Good

Granting the requested variances should have no substantial impact on the public good. A house on the vacant lot would replicate the built character of the rest of the block. Also, the three foot wide side yards should allow for maintenance for the future homeowner, and the yards would be similar to the yards around other similar houses. Construction on the vacant lot could improve the streetscape by filling in a gap in the urban fabric.

In order to most closely match the character of the existing street, OP asked the applicant to use siding on the front, include a full front porch, and have a centered front gable. The house should also be in line with the other houses. The applicant was amenable to those changes and indicated to OP that revised plans will be submitted to the record. These items are not recommended as conditions of approval, as they are not directly related to the nature of the relief, but OP encourages their incorporation by the applicant.

iii. No Substantial Harm to the Zoning Regulations

While the Regulations provide a typical size for a new lot in the low density residential zones, they do not intend to prevent appropriate infill development. Granting the variances would allow the creation of a record lot and its development with an appropriately scaled one-family dwelling, a use permitted within the R-1-B zone.

The Regulations also generally intend to provide for opportunities for “family-sized” housing and for the provision of sufficient open space to address light, air, and privacy. The proposed dwelling would comply with all other development standards for the lot, including lot occupancy, rear yard, and front setback, so the relief would allow the obtaining of buildings permits for a house of a usable width.

V. COMMENTS OF OTHER DISTRICT AGENCIES

A report from DDOT indicating no objection to the proposal is in the record at Exhibit 30. As of this writing, the record contains no other comments from other District agencies.

VI. COMMUNITY COMMENTS

At Exhibit 28 and 29 is a submission to the record from ANC 5C in opposition to the application.

VII. VICINITY MAP

