

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: April 19, 2019

SUBJECT: BZA #19983 – 2028 Jasper Street, SE – 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 § 206.2 Side Yard (8 feet required, 3 feet proposed on each side).

OP’s recommendation is based on the proposal being revised to incorporate 3’ side yards on each side, rather than 2.5’ side yards. OP has discussed that revision with the applicant, who was amenable to the change, but has not yet had the opportunity to revise the drawings.

The applicant has also requested relief from Lot Area and Lot Width, but because the property is an existing record lot those areas of relief are not necessary pursuant to Subtitle C §301.1.

II. LOCATION AND SITE DESCRIPTION

Address	2028 Jasper Street, SE
Applicant	District Properties, Inc.
Legal Description	Square 5848, Lot 4
Ward / ANC	Ward 8, ANC 8E
Zone	R-2 (Single family semi-detached housing; detached housing permitted as a matter-of-right)
Historic District or Resource	None
Lot Characteristics	Rectangular lot with a paper alley at the rear; Property slopes from south down to north.
Existing Development	Vacant
Adjacent Properties and Neighborhood Character	Immediate surroundings consist of wooded land and detached houses, as well as a church. Further to the west are rowhouses. Some commercial uses front on Alabama Avenue to the south of the site.
Proposal	Construct a new, single family detached house.

III. ZONING REQUIREMENTS AND RELIEF REQUESTED

The application requires relief for side yard in order to construct a new single family detached house.

R-2	Requirement	Existing	Proposed	Relief
Lot Area D 302	4,000 sf	2,511 sf	No change	Requested – Not required
Lot Width D 302	40'	23'11"	No change	Requested – Not required
Lot Depth	n/a	105'	No change	Conforming
Height D 303	40' 3 stories	n/a	27' 2 stories	Conforming
Lot Occupancy D 304	40%	n/a	31.4%	Conforming
Front Setback D 305	Within range of existing street	n/a	Not provided	Assumed conforming
Rear Yard D 306	20'	n/a	57'9"	Conforming
Side Yard D 206.2	8'	n/a	2.5'	Requested

IV. ANALYSIS

In order to construct as proposed, the applicant requests relief from the side yard requirement of the R-2 zone. 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 § 206.2, Side Yard

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property is exceptional in that it is an undeveloped lot with lots under separate ownership on each side, and an existing single family house to the east. The applicant's written statement indicates that they attempted to contact the owner of the vacant lot to the west but received no response. Given that the width of the lot cannot be expanded, the applicant faces a practical difficulty in building a house of a useable width. An approximately 24 foot wide lot providing eight foot side

yards on both sides would result in a house eight 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. The subject streetscape has a varied character, so the proposed dwelling, including narrow side yards, should not intrude on the pattern of houses on the street. Granting the relief should not have an impact on light and air available to adjacent properties. The subject site would be well below the permitted lot occupancy and would provide a rear yard much deeper than required, allowing a general open feeling for its relationship to its neighbors. In addition, this site backs up to the right of way for Suitland Parkway, which will remain as open space.

In cases such as these, however, applicants have typically provided three-foot side yards, while the initial proposal here shows two-and-a-half-foot side yards. In order to ensure a useable width for servicing the side yard of the proposed house, OP recommended to the applicant that the side yards be increased to three feet in width. The applicant agreed to make that change, but as of this writing has not had the opportunity to revise the plans.

iii. No Substantial Harm to the Zoning Regulations

While the Regulations provide a normally-required size of side yards for new development, they do not intend to prevent appropriate infill development. 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 and rear yard. Granting the variance would allow the development of a vacant lot with an appropriately scaled one-family dwelling, a use permitted within the R-2 zone.

V. COMMENTS OF OTHER DISTRICT AGENCIES

As of this writing no other District agencies have submitted comments to the record.

VI. COMMUNITY COMMENTS

As of this writing the record contains no comments from the community.

VII. VICINITY MAP

