

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Jonathan Kirschenbaum, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: July 12, 2019

SUBJECT: BZA Case 20073 (2637 4th Street, NE) to permit the subdivision of two record lots into three record lots to construct three row flats for a total of six dwelling units, including one Inclusionary Zoning unit.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Inclusionary Zoning (IZ) Opt-In, Subtitle C § 1001.2(e), pursuant to Subtitle X § 901.2 (development sites with 10 dwelling units may opt-into the IZ program to provide an IZ unit); and
- IZ Minimum Lot Width, Subtitle E § 201.1, pursuant to Subtitle X § 901.2 (18 ft. minimum permitted per record lot; 16 ft. proposed per record lot).

II. LOCATION AND SITE DESCRIPTION

Address	2637 4 th Street, NE
Applicant	Oxbridge Development QOZB at Fourth Street NE LLC
Legal Description	Square 3634, Lot 803
Ward, ANC	5/5E
Zone	RF-1
Lot Characteristics	Rectangular interior lot measuring 50 ft. by 115 ft. The lot is bounded by 4 th Street, NE to the west, a 15-foot public alley to the east, and multiple dwelling buildings to the north and south.
Existing Development	Detached single household dwelling.
Adjacent Properties	Multiple dwelling buildings.
Surrounding Neighborhood Character	Detached, row, and multiple dwelling residential buildings.
Proposed Development	The applicant proposes to subdivide two lots of record into three lots of record, and to construct three residential flat row buildings, so a total of six units. There would be three cellar units with two bedrooms and one bathroom, with one unit designated as an IZ unit. There would also be three units on floors one through three, each with three bedrooms and three bathrooms.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed	Relief:
Height E § 303	35 ft. max.	Not provided by applicant	35 ft.	None required
IZ Lot Width C § 1002.2	18 ft. min./ 16 ft. min. with special exception	50 ft. each per record lot	16 ft. 8 in. per record lot	Special exception relief: 1 ft. 4 in.
IZ Lot Area C § 1002.2	1,500 sq. ft. min.	2,875 sq. ft. per record lot	1,917 sq. ft. per record lot	None required
Lot Occupancy E § 304	60% max.	Not provided by applicant	47% per record lot	None required
Front Setback E § 305	Must be in range of existing front setbacks	Not provided by applicant	Within range of existing front setbacks	None required
Rear Yard E § 306	20 ft. min.	Not provided by applicant	28 ft. 6 in.	None required
Side Yard E § 207.1	No side yards required for row buildings	n/a	n/a	None required

IV. OFFICE OF PLANNING ANALYSIS

Special Exception Relief Under Subtitle C § 1001.2(e), IZ Opt-In and Subtitle E § 201.1, Minimum Lot Width:

The applicant does not have an IZ set-aside requirement but has elected to opt-in to IZ as a special exception. This allows the applicant to use the modified dimensional regulations for lot area and lot width pursuant to Subtitle E § 201.1, which are a matter-of-right minimum lot area of 1,500 square feet and lot width of 18 feet in an RF-1 zone. However, the minimum lot width requirement may be reduced to 16 feet, by special exception, subject to the general special exception relief standards of Subtitle X.

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal to reduce the minimum lot width is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps because this reduction is directly related to the provision of an inclusionary housing unit. Without this reduction, it would not be possible to subdivide the existing development site into three record lots to construct three residential flat row buildings each with two dwelling units, a building form and use anticipated by this zone. The type of row building infill development that is proposed would directly support the general purpose of the RF-1 zoning regulations.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The requested special exception would not appear to adversely impact the use of neighboring property given that the proposed row buildings would conform to the height, lot occupancy, and

yards development standards. The property located on lot 81 to the south is a multiple dwelling building built to common lot line shared with the subject site, and does not contain functioning windows along this frontage.

The property located on lot 80 to the north is also a multiple dwelling building that is set back from the northern side property shared with the subject property. This building does contain functioning windows along this frontage but it is set back from the side property and the proposed row building development would not have any windows along the side property lines.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No agency comments were received at the time this report was drafted.

VI. COMMUNITY COMMENTS TO DATE

At its regularly scheduled meeting on June 18, 2019, ANC 5E voted to recommend approval of the requested relief (Exhibit 26).

