

## **BZA Application No. 21149**

**1801 D Street, NE  
James B. Briley Sr., Trustee, & Dila Construction, LLC  
January 22, 2025**

## Overview and Requested Relief

- The Property, located in the RF-1 zone, is currently unimproved.
- The Applicant is proposing to subdivide the property into two lots (“Lot 1”- north lot, “Lot 2”- south lot). Lot 1 will be improved with a three-story, semi-detached single-family home (“Building 1”). Lot 2 will be improved with a three-story, row dwelling used as a single-family home (“Building 2”).
- There is an existing DC Water Easement which is 50 ft. in width and occupies the majority of the lot. This leaves little room for the buildings. This condition is further exacerbated by the front setback regulations:

### Subtitle E

206.1 Except as provided elsewhere in this title, the front setback requirements shall be as set forth in this section.

206.2 For all residential buildings, a front setback shall be provided within the range of existing front setbacks of all residential buildings on the same side of the street in the block where the building is proposed.

- The row dwellings along D Street have relatively large setbacks, nearly 15 feet, and the Applicant cannot feasibly conform to the range of setbacks on the block, without practical difficulties. Accordingly, the Applicant is requesting area variance relief for the front setback requirements of E-206.2.

## Community & Agency Support

- The Office of Planning recommends approval.
- DDOT has no objection.
- ANC 7D voted unanimously in support.
- The Applicant has received letters of support from the adjacent neighbor to the south and the neighbor across the street.

MU-3A

**Subj. Property**  
1801 D St., NE

D St NE

RF-1

**Board of Zoning Adjustment**  
District of Columbia  
CASE NO.21149  
EXHIBIT NO.5

### Rosedale Flats

## Economy Market

**Tbs Facility Services**

### Stadium Road Condominiums

Subj. Property  
4004 D.C. N.E.

t NE

17th Pl NE

17th Pl NE

18th St NE

18th 1/2 St NE

18th Pl NE



**Subj. Property**  
1801 D St., NE





1811 D St., NE

**Subj. Property**  
1801 D St., NE

339 18th St., NE



**Subj. Property**  
1801 D St., NE

339 18th St., NE

337 18th St., NE





1811 D St., NE

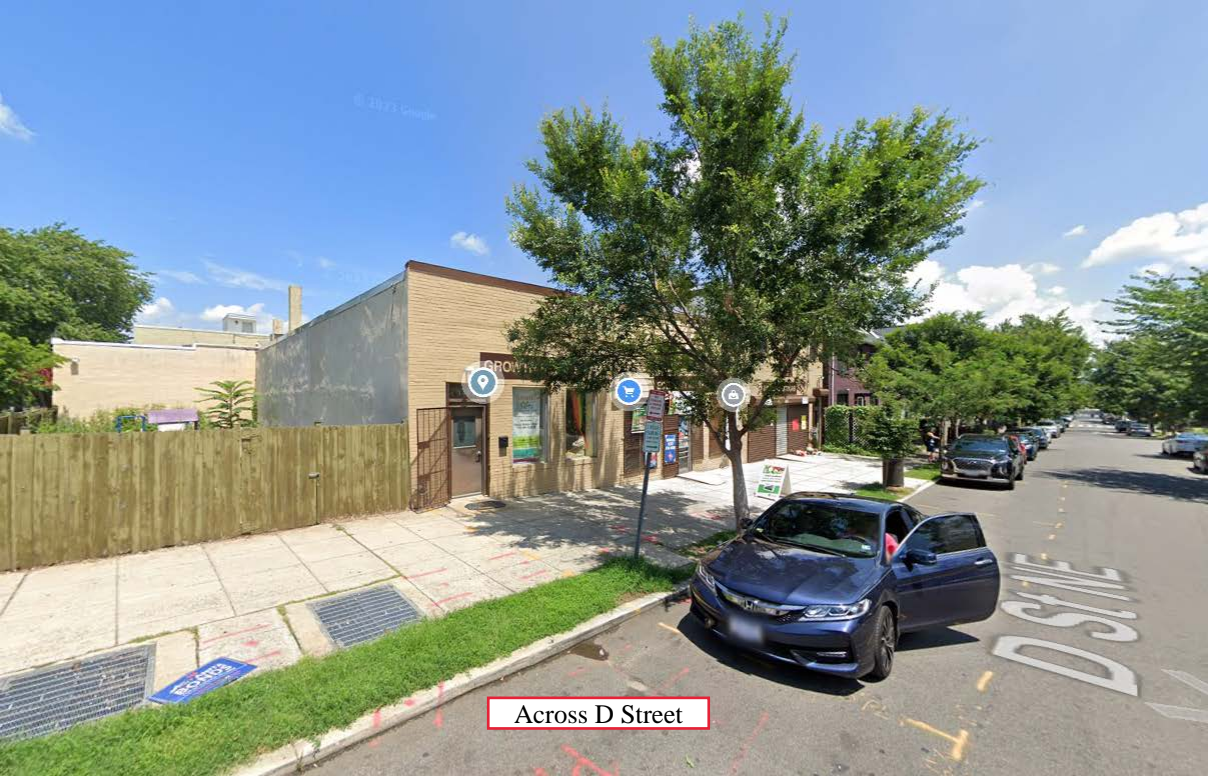
Subj. Property  
1801 D St., NE



1811 D St., NE

**Subj. Property**  
1801 D St., NE





Across D Street



SQUARE	LOT	ZONE	LOT AREA	# DWELLINGS EXISTING	# DWELLINGS PROPOSED
4560	0152	RF-1	4,947 SF	0	2

	ALLOWABLE	PROPOSED	PAGE
LOT OCCUPANCY	60% ( 2968.2 SF)	25% ( 1,248 SF)	020
FAR	N/A	N/A	020
BUILDING HEIGHT	35'-0"	35'	020
REAR YARD SETBACK	20'-0"	20'-0" PROVIDED	020
PENTHOUSE FAR	N/A	N/A	020
PENTHOUSE HEIGHT SUB F 303.2	N/A	N/A	020
PARKING SUB C 701.5	N/A	N/A	A200
BICYCLE STORAGE SUB C 802.1	N/A	N/A	A200
GAR	N/A	N/A0	CIVIL
IZ	N/A	N/A	020

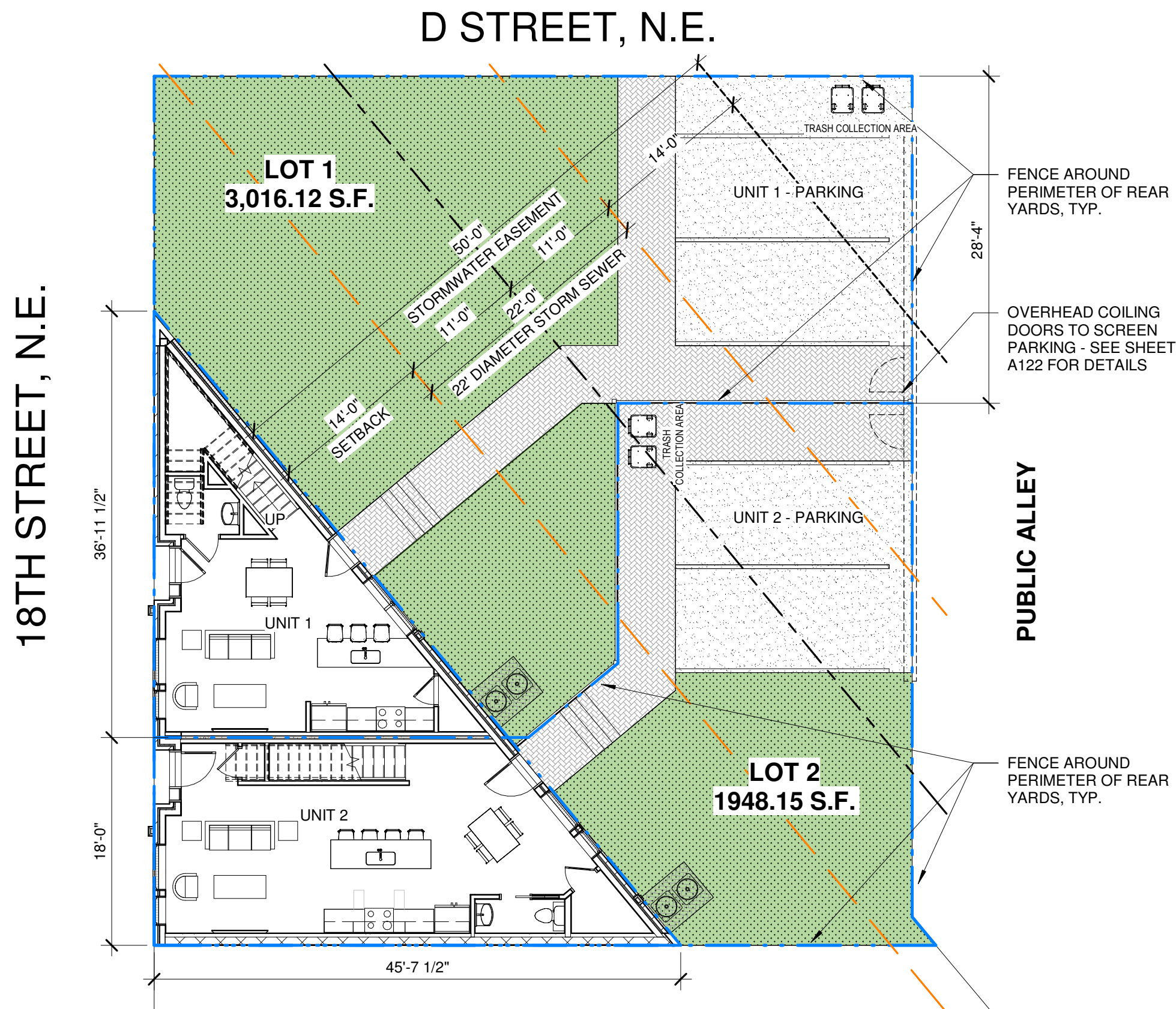
24007

1801 D ST NE  
WASHINGTON, DC 20002

1801 D STREET RESIDENCES

07/03/24  
SCALE: 1 1/2" = 1'-0"





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WASHINGTON, DC 20002

**1801 D STREET RESIDENCES**

07/12/24

SCALE: 1" = 10'-0"

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404.375.0733

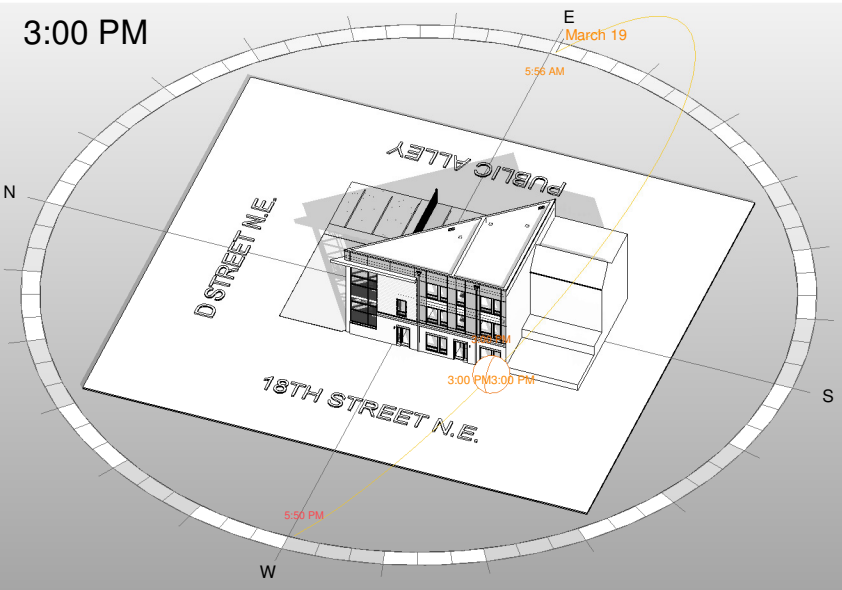
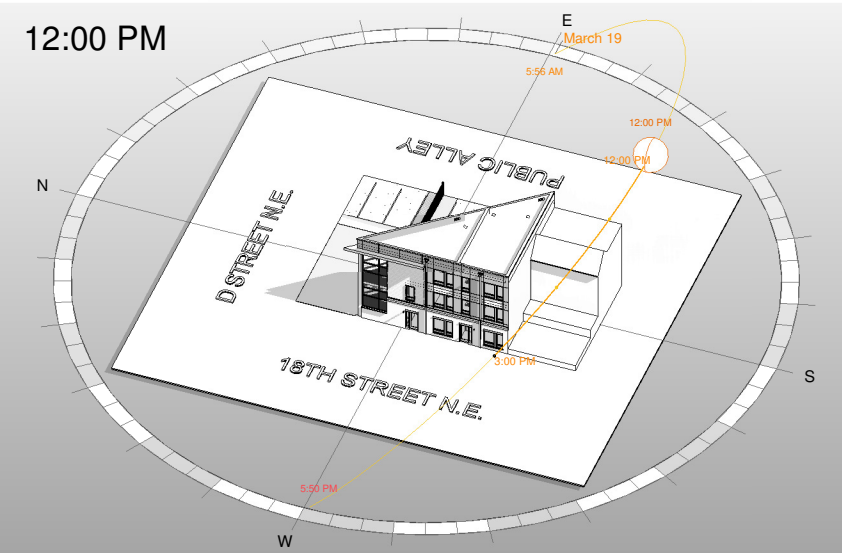
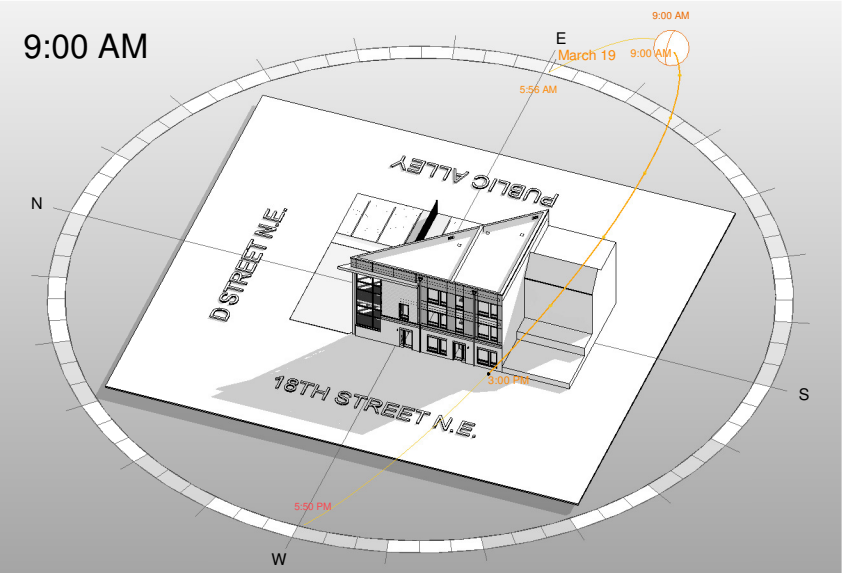
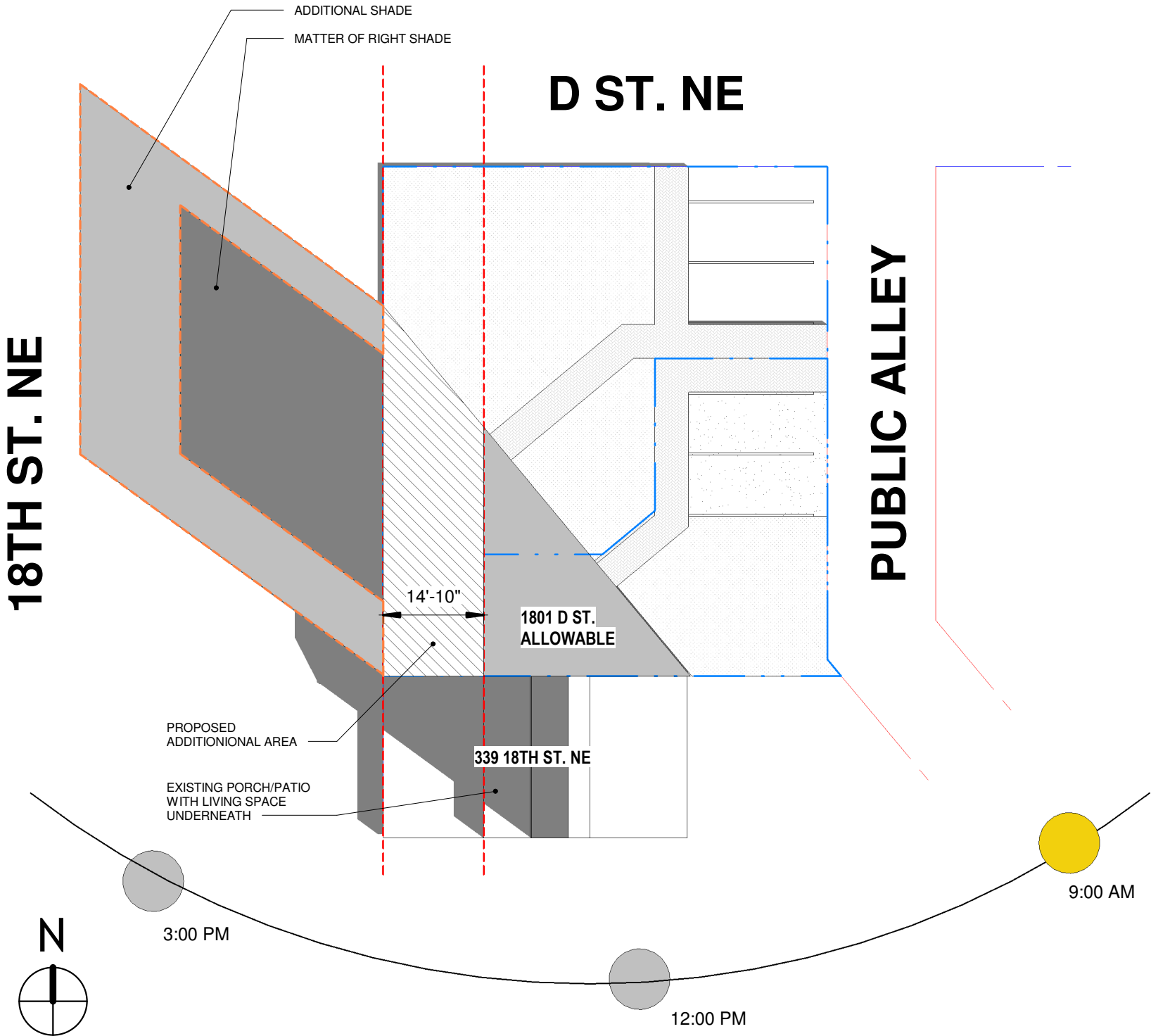
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SOLAR STUDY - MARCH

SS-001

PLAN VIEW - SPRING EQUINOX 03/19



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1801 D ST NE  
WASHINGTON, DC 20002

1801 D STREET MULTI-UNIT

07/03/24

SCALE: 1" = 20'-0"

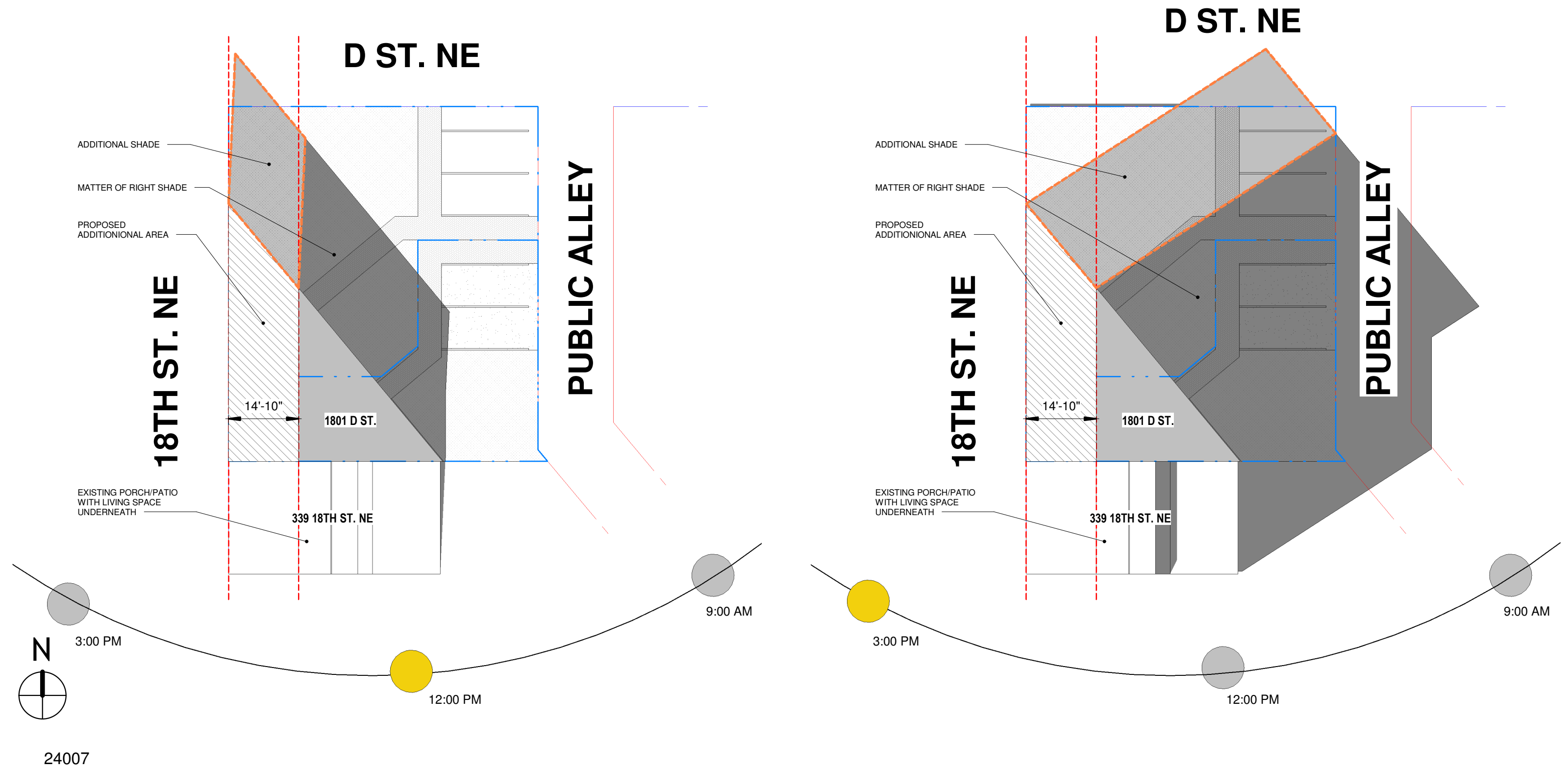
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PLAN VIEW - SPRING EQUINOX 03/19

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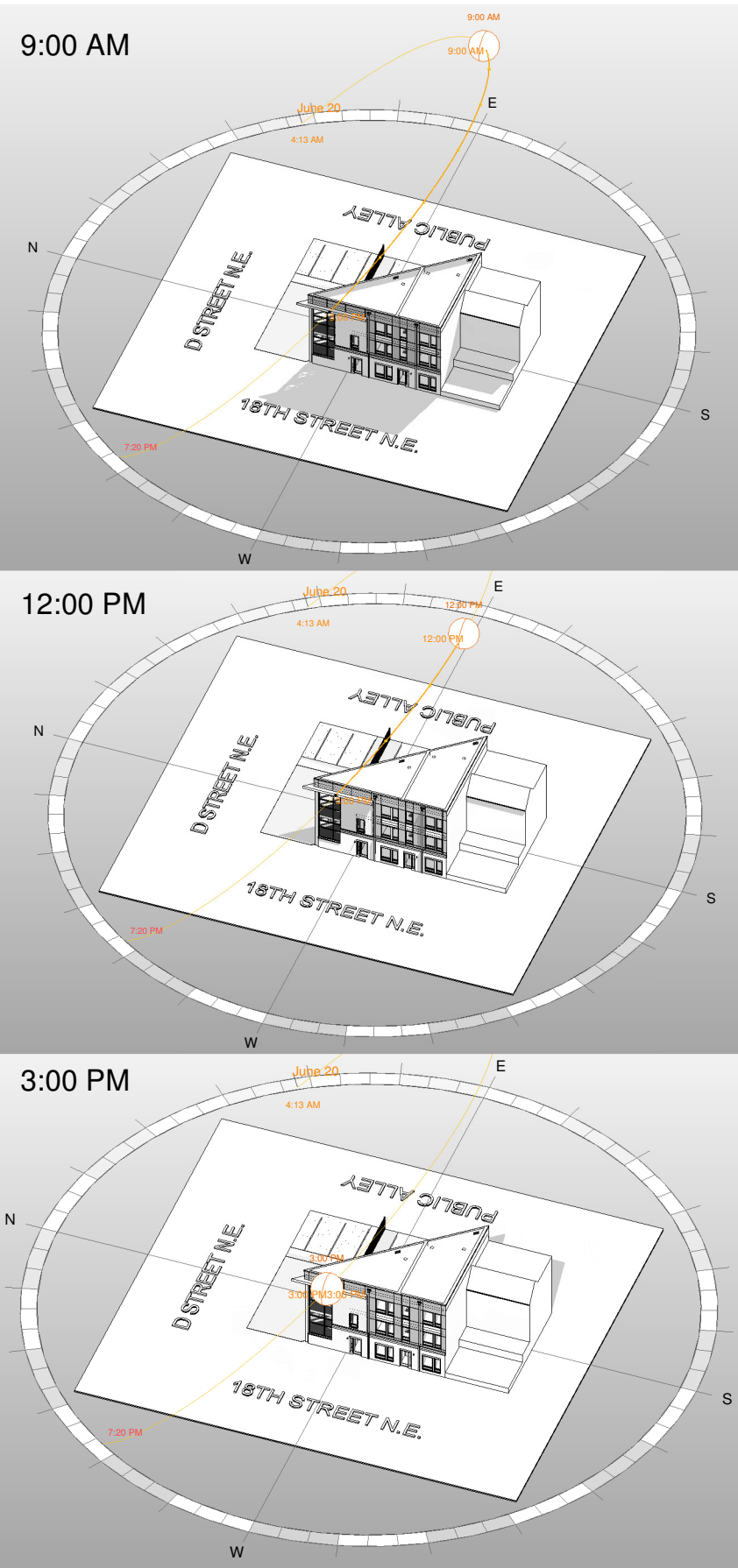
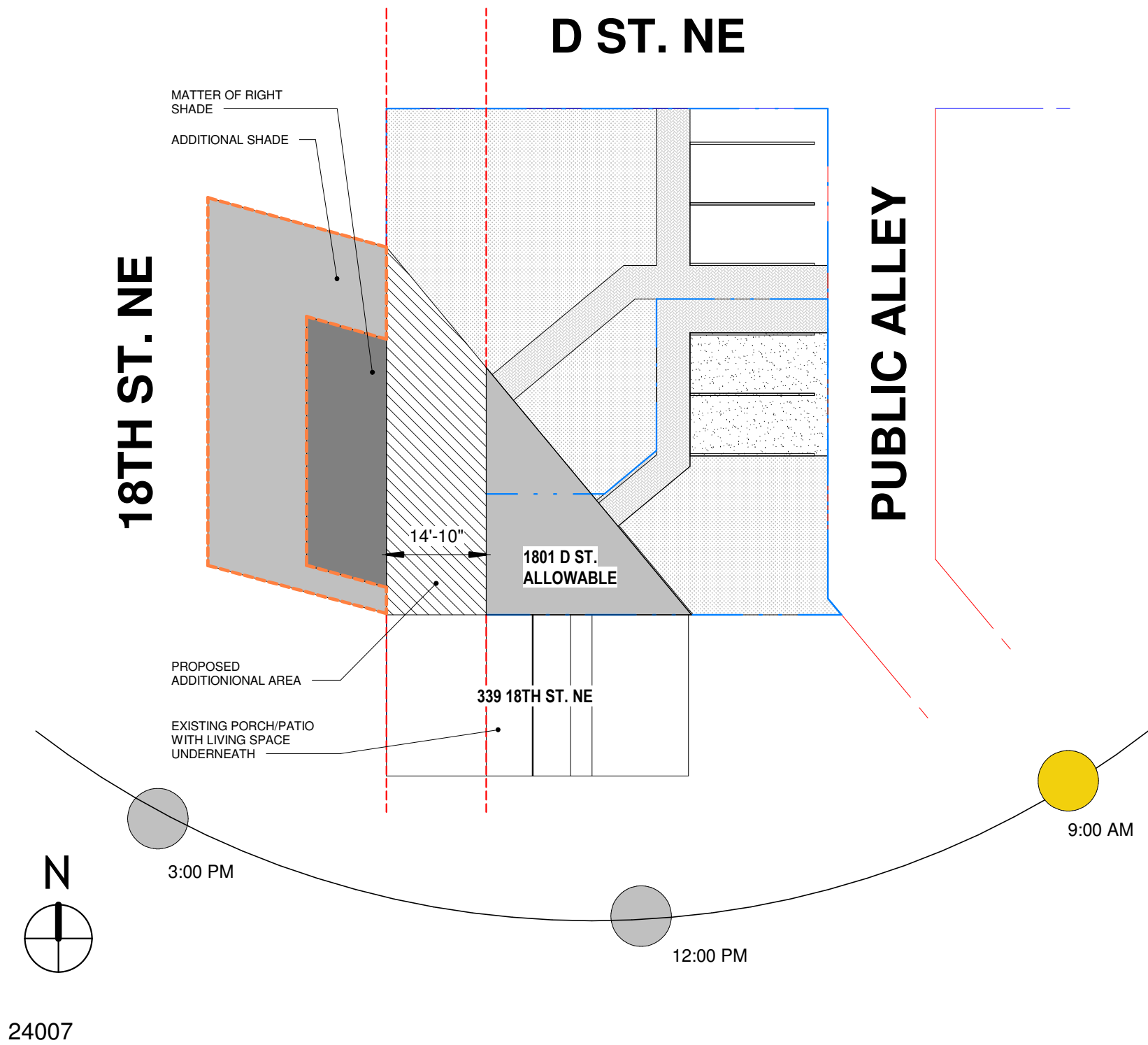
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SOLAR STUDY - JUNE

PLAN VIEW - SUMMER SOLTICE 06/20

SS-003



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WASHINGTON, DC 20002

1801 D STREET MULTI-UNIT

07/03/24

SCALE: 1" = 20'-0"

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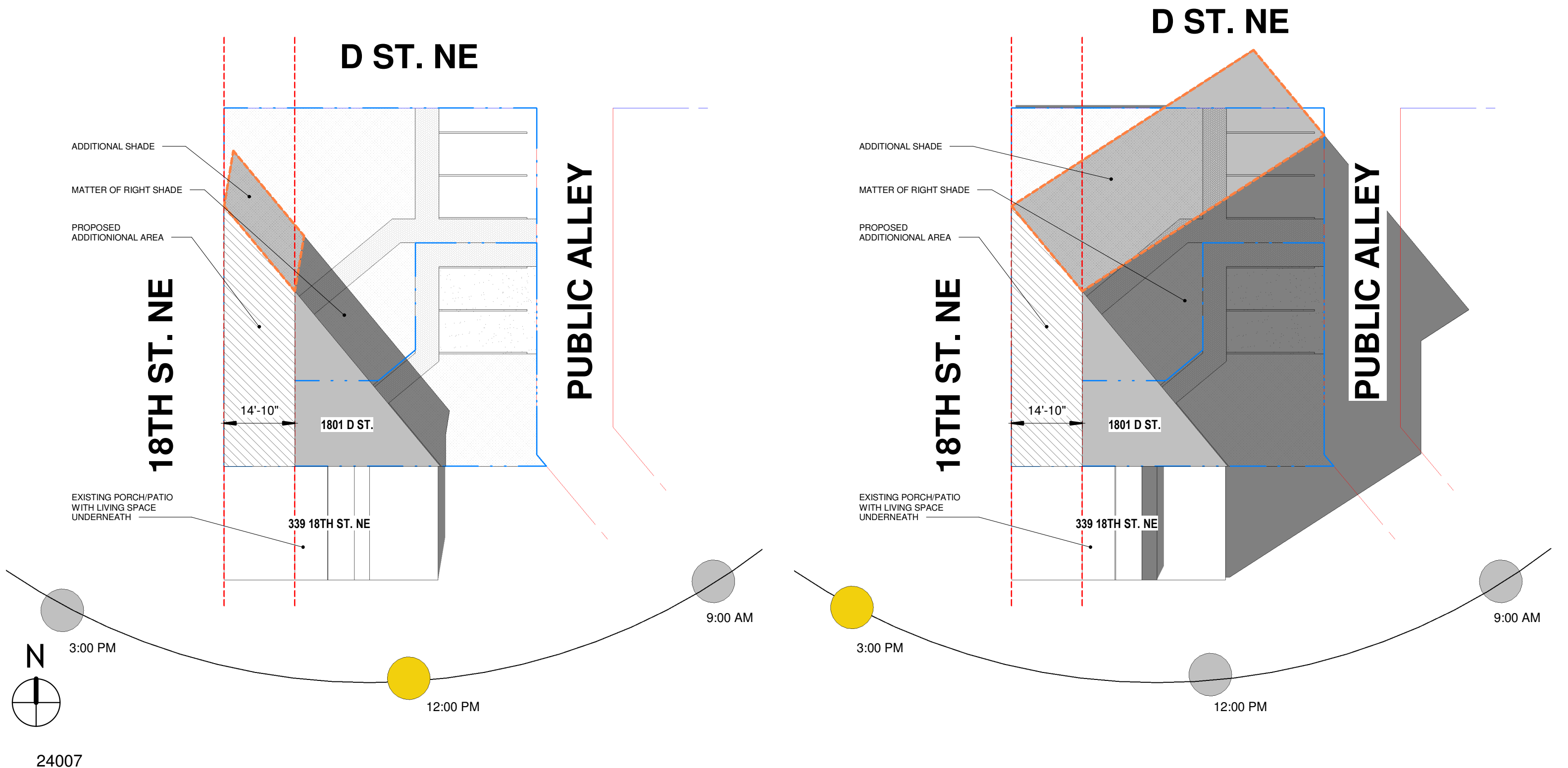
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PLAN VIEW - SUMMER SOLTICE 06/20

PLAN VIEW - SUMMER SOLTICE 06/20



1801 D ST NE  
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1801 D STREET MULTI-UNIT

07/03/24  
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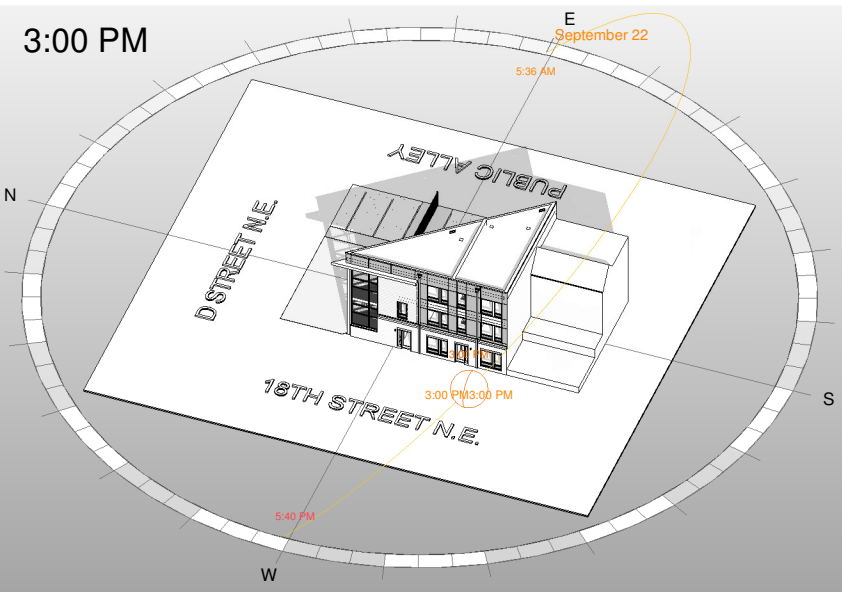
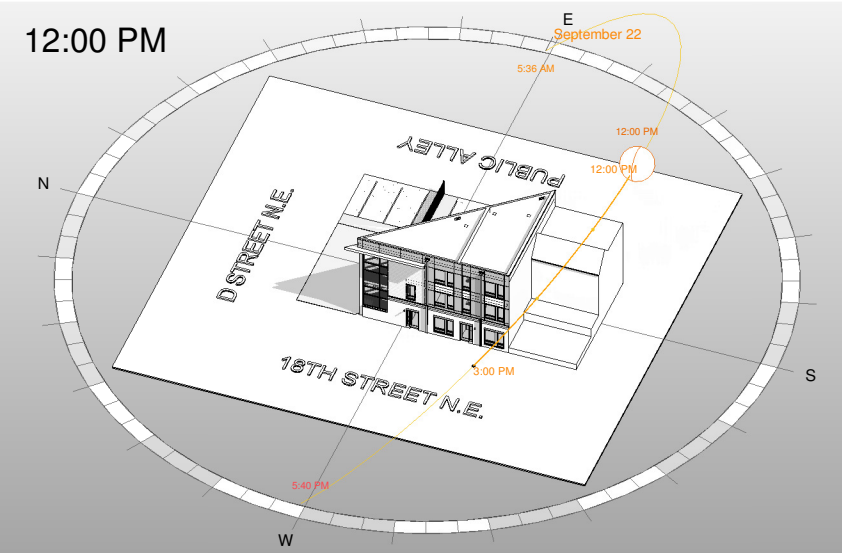
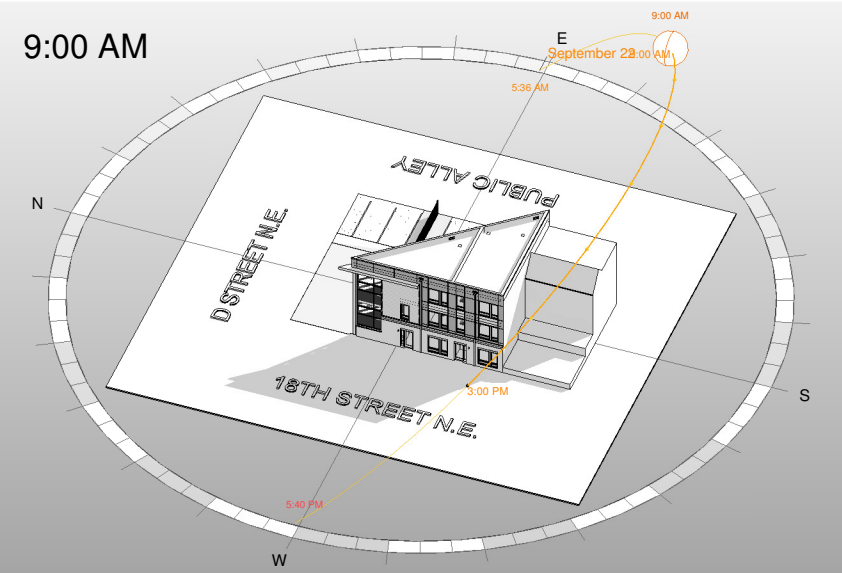
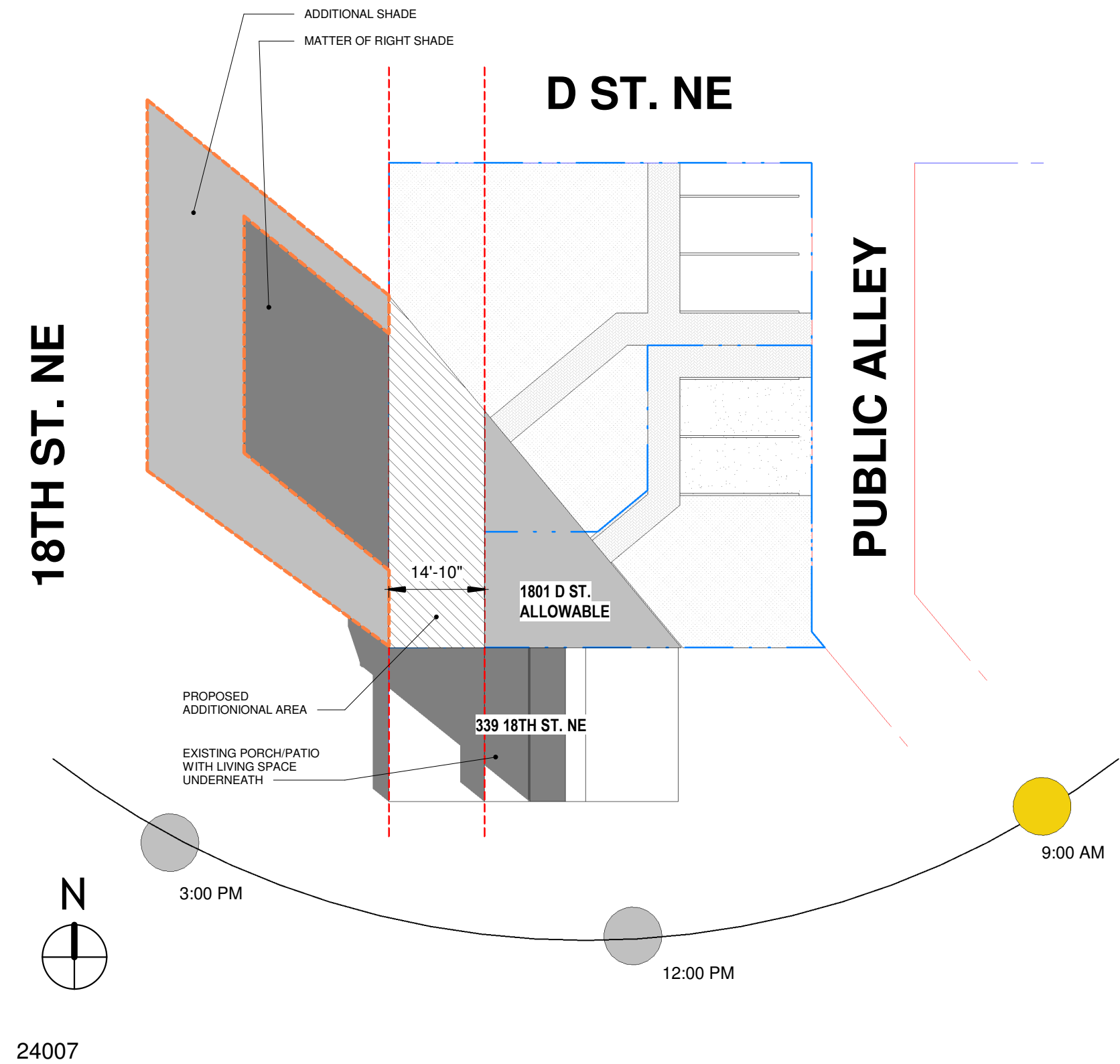
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SOLAR STUDY - SEPTEMBER

SS-005

PLAN VIEW - FALL EQUINOX 09/22



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1801 D STREET MULTI-UNIT

07/03/24  
SCALE: 1" = 20'-0"

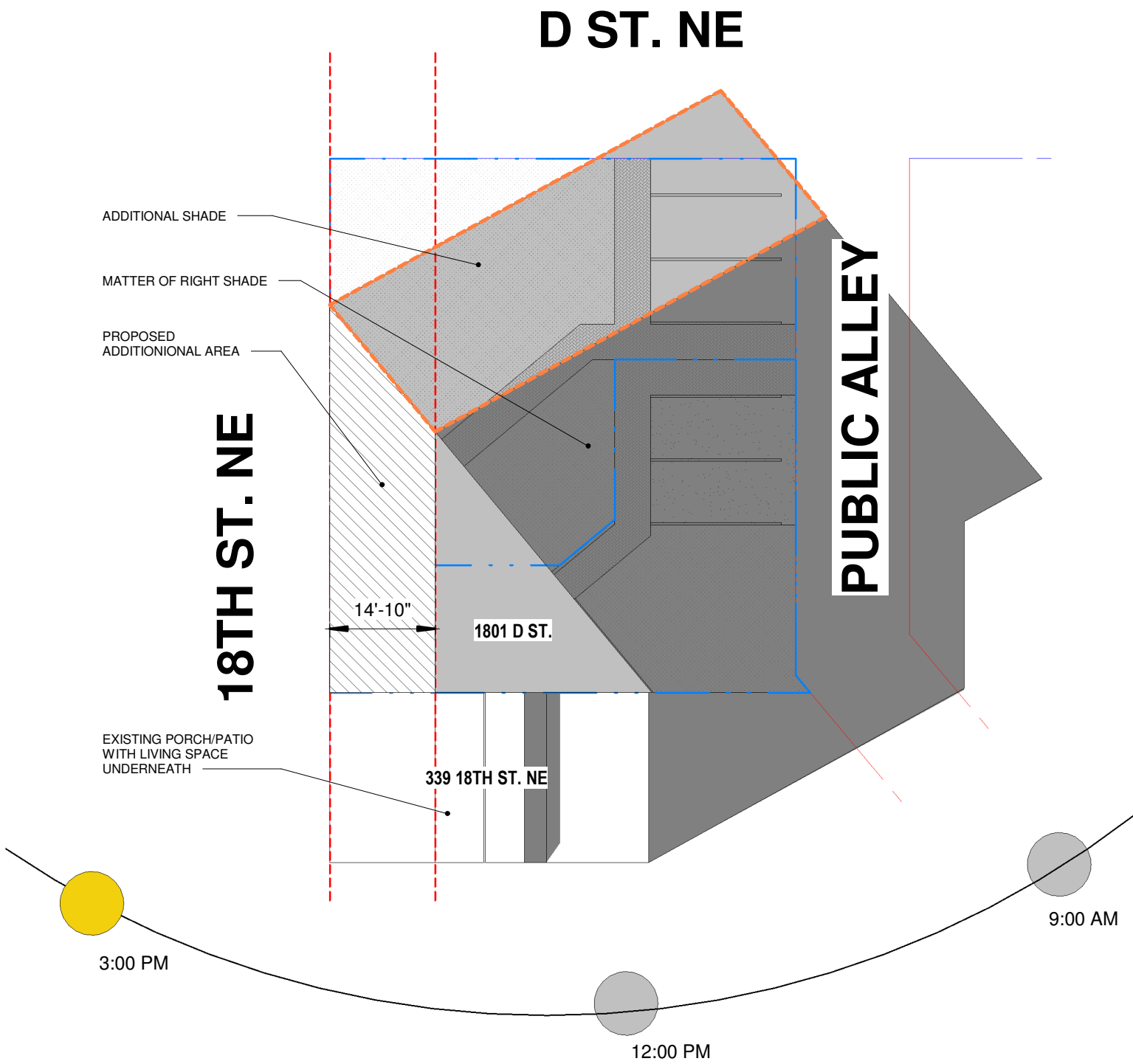
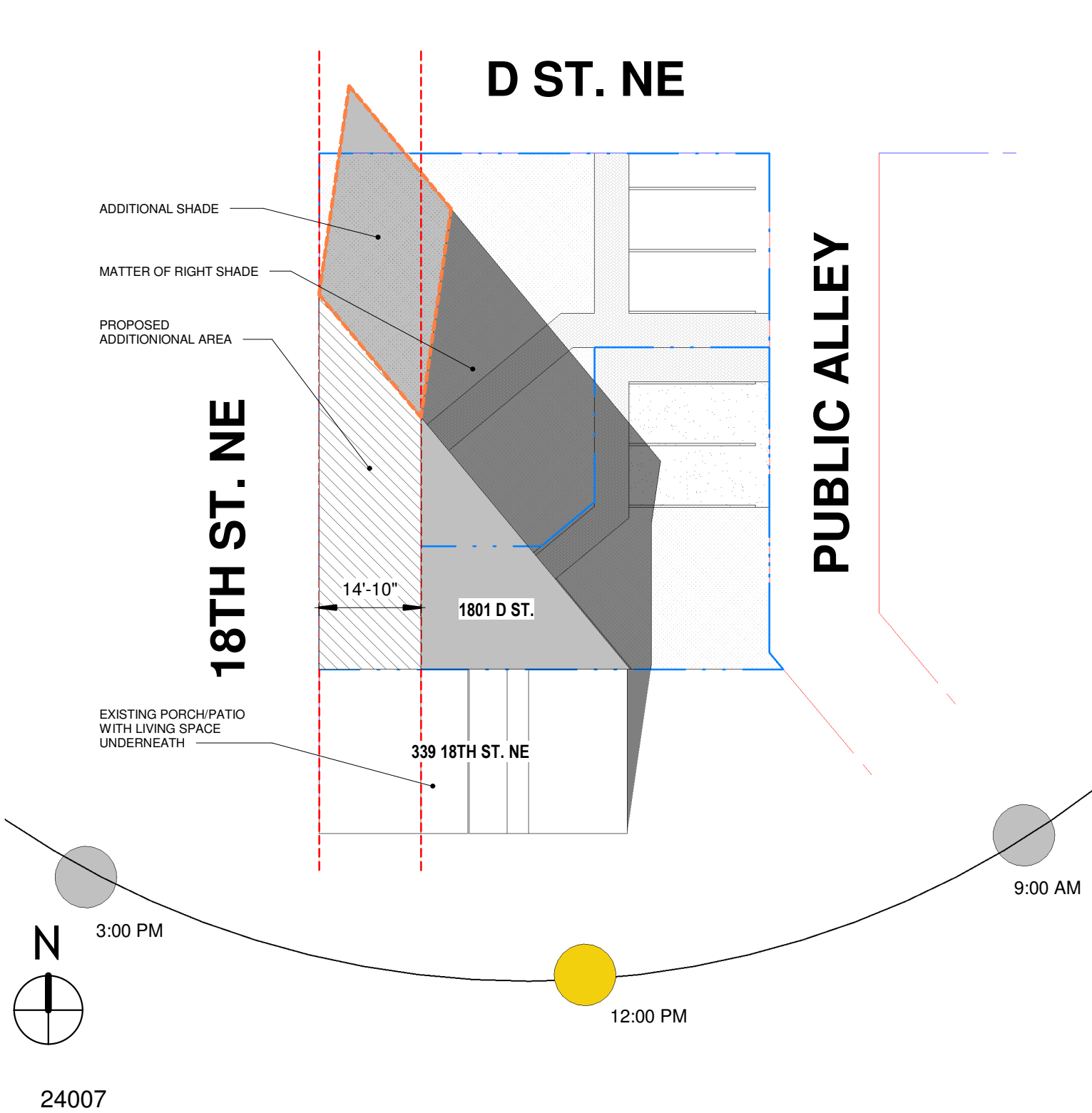
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PLAN VIEW - FALL EQUINOX 09/22

PLAN VIEW - FALL EQUINOX 09/22



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1801 D STREET MULTI-UNIT

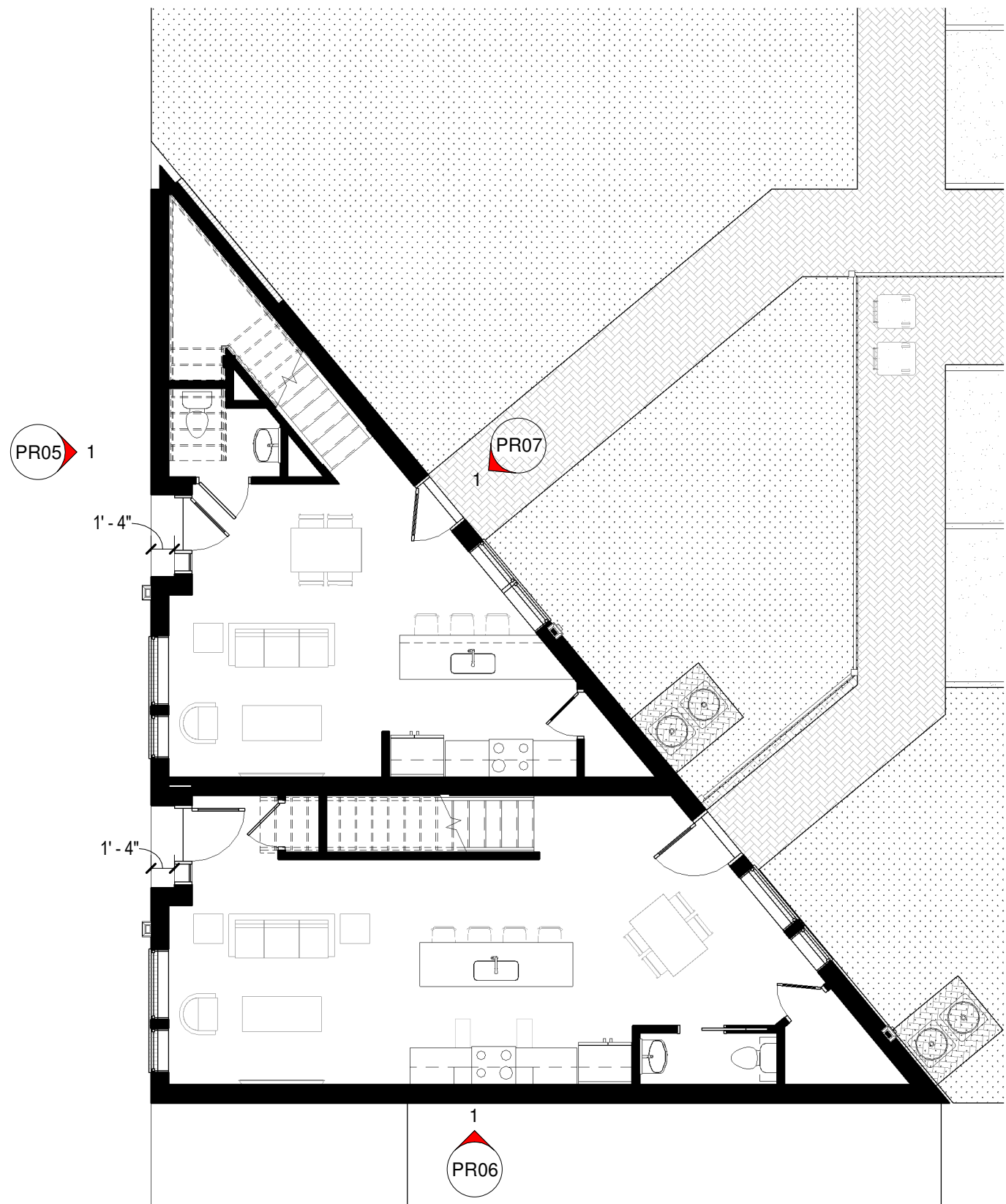
07/03/24

SCALE: 1" = 20'-0"

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1801 D STREET RESIDENCES

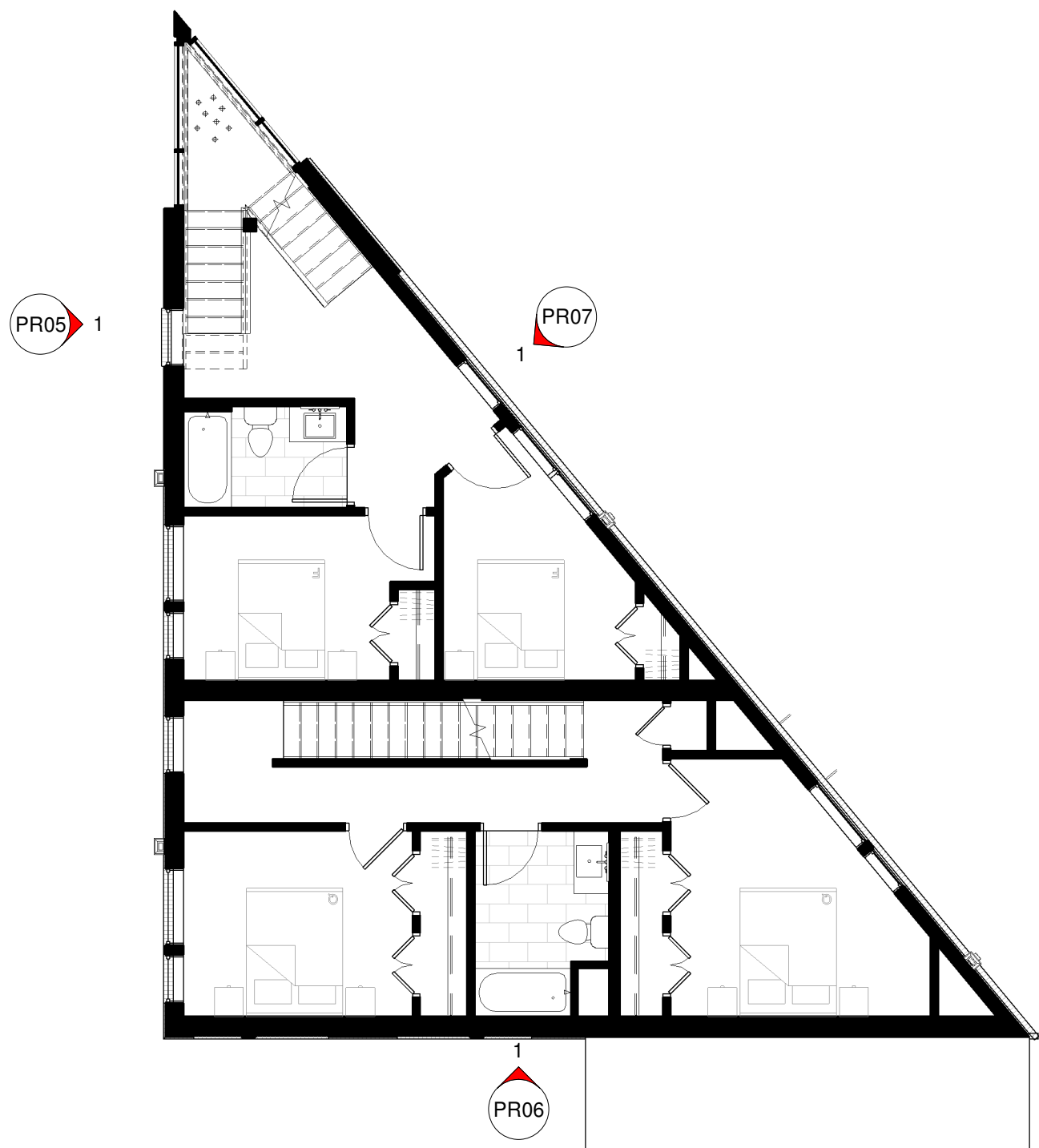
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SCALE: 1/8" = 1'-0"

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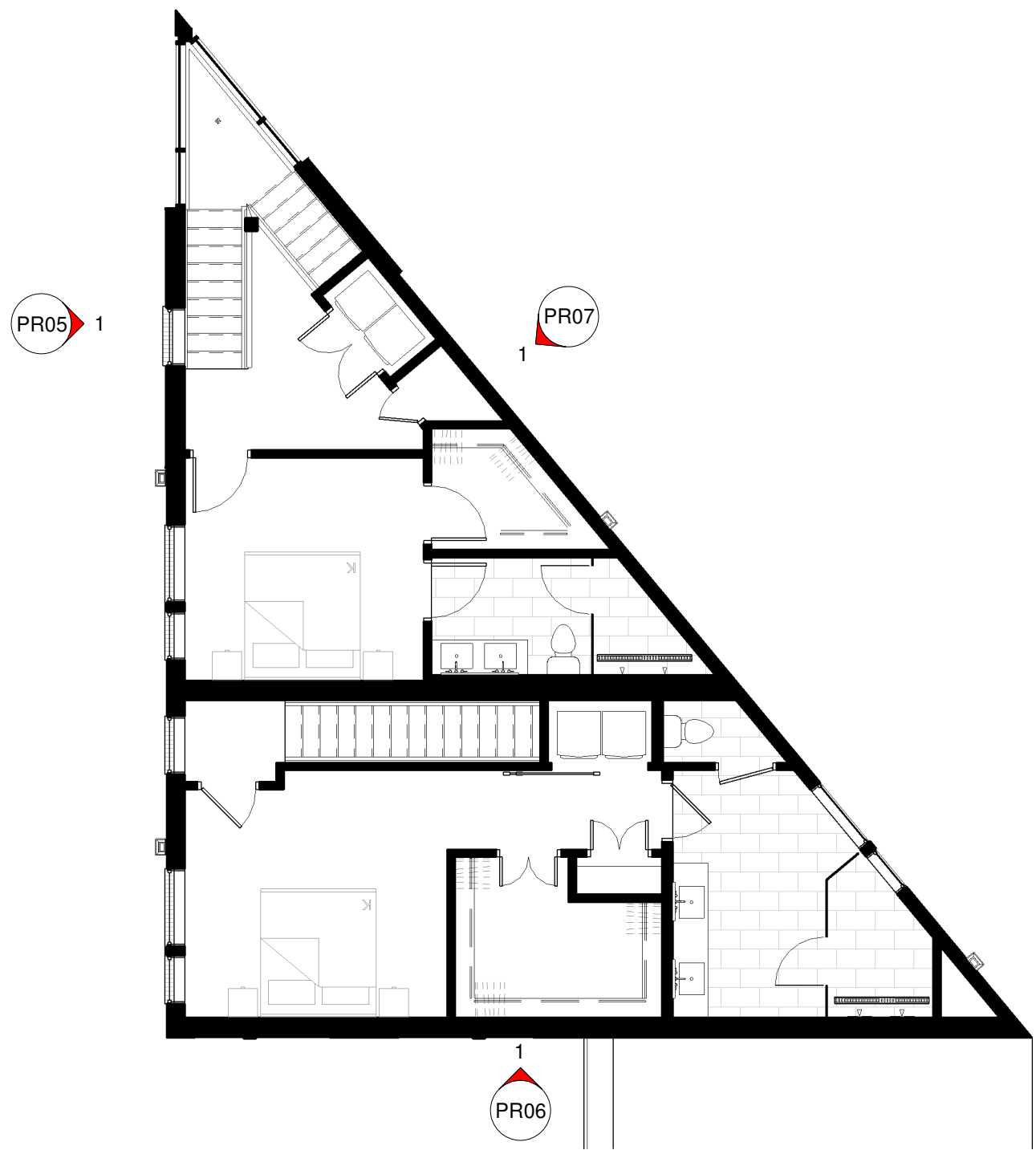
07/03/24

SCALE: 1/8" = 1'-0"

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SCALE: 1/8" = 1'-0"

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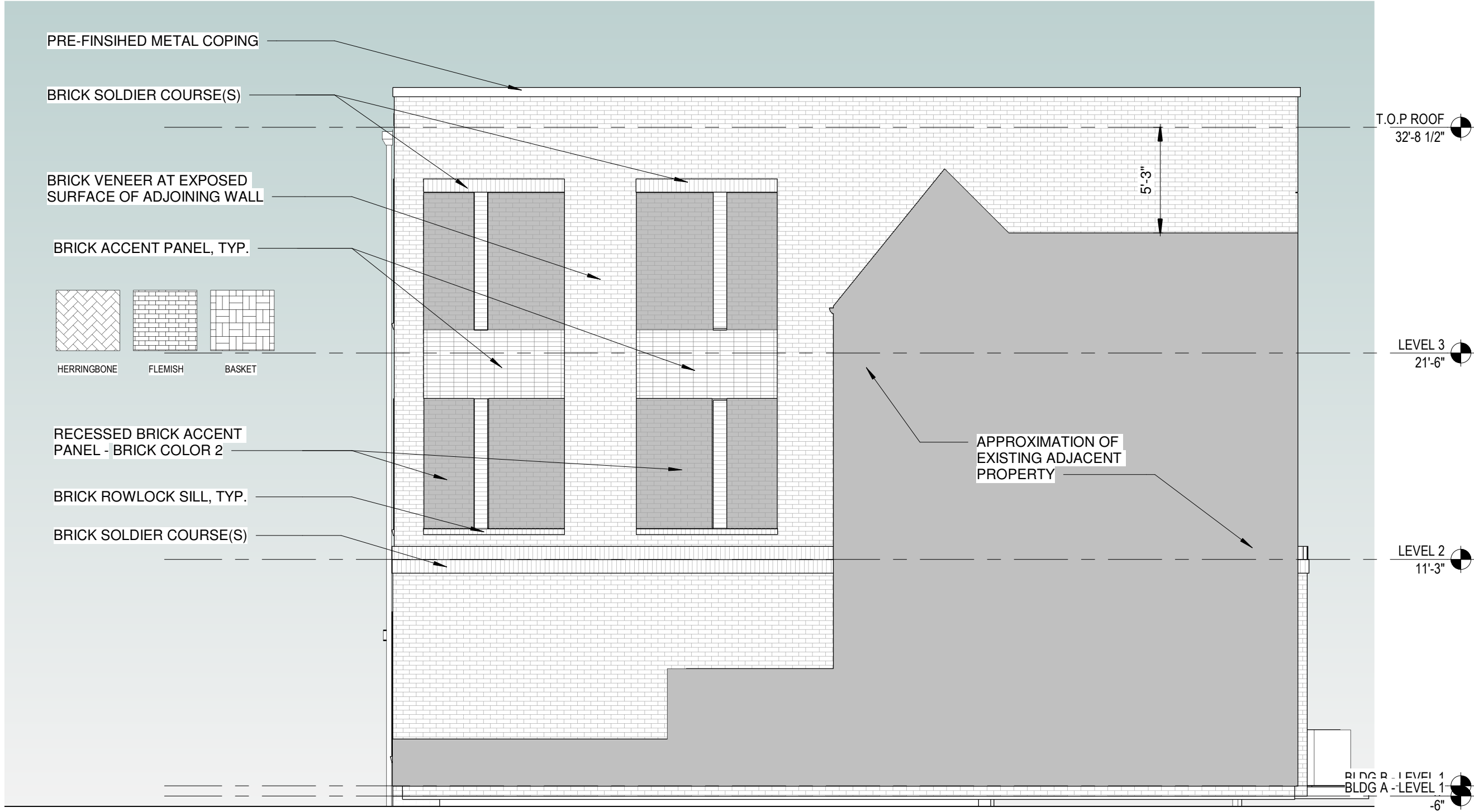
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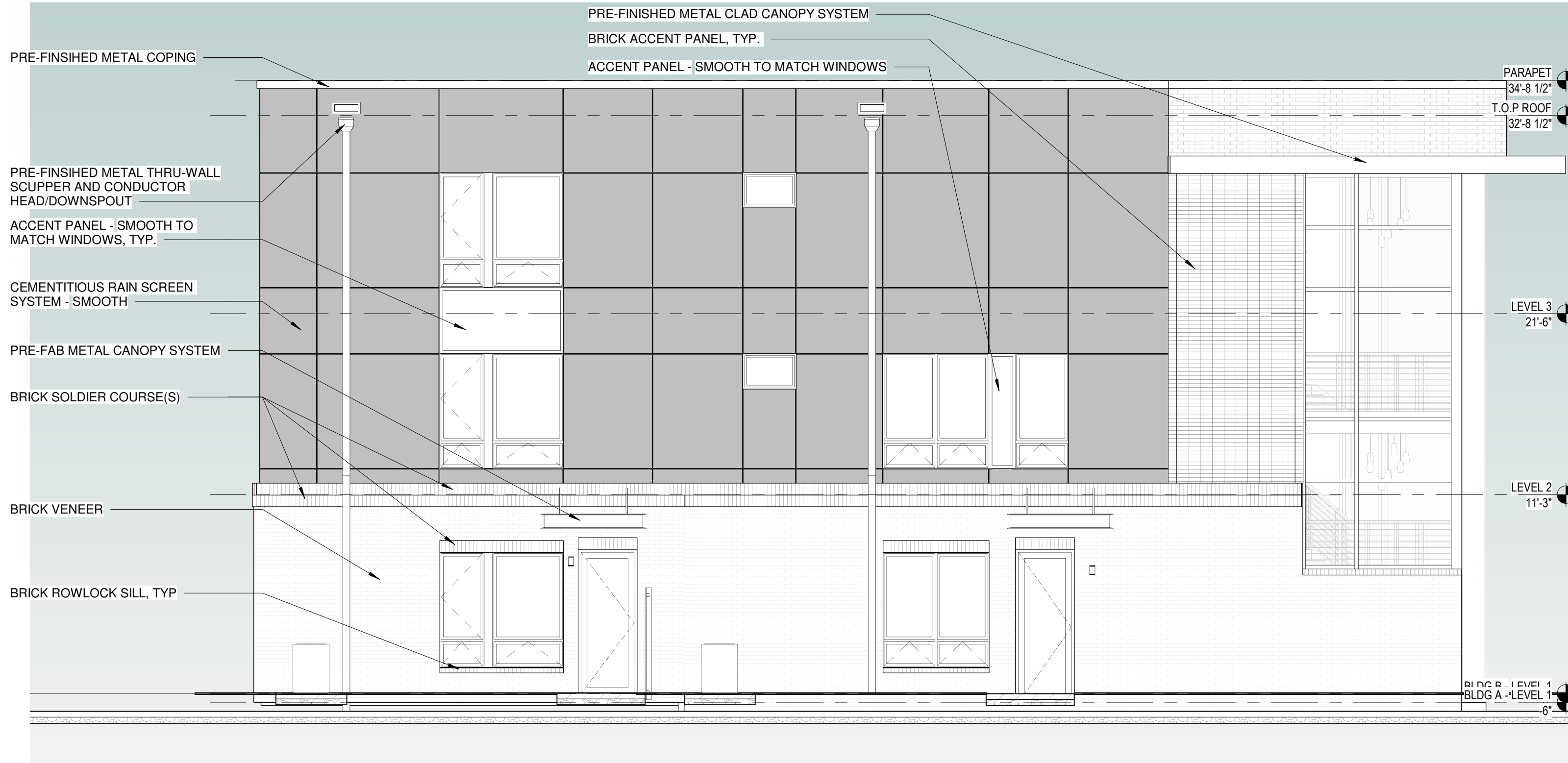
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SCALE: 3/16" = 1'-0"

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# The Applicant Meets the Standards for Area Variance Approval

Criteria	Easement and Existing Front Setbacks Lead to a Small Space
<b>Extraordinary or Exceptional Condition Affecting the Subject Property Resulting in a Practical Difficulty if the Zoning Regulations were Strictly Enforced</b>	<ul style="list-style-type: none"><li>• The Property is significantly impacted by a 50-foot DC Water and Sewer Easement which prevents any structures from being located on ~75% of the lot.</li><li>• Front setbacks limit building on front ~15ft of the lots.</li><li>• Matter-of-right buildable area is limited to only 147 square feet for Lot 1 (5% of Lot 1) and only ~415 square feet for Lot 2 (21%).</li><li>• While the limited footprints would render any project effectively infeasible, the way that the easement cuts off lot creates a triangular space for the potential buildable area.</li><li>• The largest buildable portion of the lot fronts on 18th Street, in the required front setback area.</li><li>• The Applicant is utilizing this wider space to balance the design challenges of creating a triangular shaped building.</li></ul>

# The Applicant Meets the Standards for Area Variance Approval

Criteria	Easement and Setbacks Limit Shape of Available Space
<b>Extraordinary or Exceptional Condition Affecting the Subject Property Resulting in a Practical Difficulty if the Zoning Regulations were Strictly Enforced</b>	<ul style="list-style-type: none"><li>• The site restrictions and setbacks impose a wedge or triangular shape on the building, creating significant design challenges for vertical circulation.</li><li>• The current design effectively transitions between floors while optimizing the available space within these constraints. Alternative configurations were thoroughly explored but proved to be less effective, leading to layouts that significantly compromised the functionality and livability of the units.</li><li>• For example, the Applicant did reduce a portion of the first floor to create an inset door, as requested by the Office of Planning and ANC. This change demonstrates how even a small 1–2-foot change along the front can severely impact the layout due to the shape as it required a redesign of the stairs and bathroom layout.</li><li>• The Applicant also investigated cantilevering the building over the pipe. While this was offered in another nearby project, the Applicant’s architect notes that cantilevering over a large pipe raises significant practical and structural concerns that would be ongoing for the life of the project. Instead, the proposed design incorporates removable awnings to maintain accessibility without encroaching on essential living space.</li></ul>

# The Applicant Meets the Standards for Area Variance Approval

Criteria	Just one Single Family Home?
<b>Extraordinary or Exceptional Condition Affecting the Subject Property Resulting in a Practical Difficulty if the Zoning Regulations were Strictly Enforced</b>	<ul style="list-style-type: none"><li>Without the relief, the Applicant will have to eliminate one of the single-family homes proposed in this project.</li><li>To demonstrate why only one single-family home is not feasible, the applicant submitted a report done by Fairfax Realty. The report lists the comps in this area and demonstrates that the maximum expected sales price would be \$500,000 less than the break-even point for a single-family home in this space. The Applicant would not do the project, and it would remain vacant as this would not be financially viable for any owner and requires BZA relief to develop more than 600 square feet of land area.</li><li>Financial feasibility aside, the lot is approximately 5,000 square feet and the matter of right land area is only 600 feet. So, without the relief, the house would only occupy 12% of the lot, the lower southwest corner. The rest of the lot would remain vacant along a relatively busy street and present potential safety and security issues for both future homeowners and neighbors.</li></ul>



## The Applicant Meets the Standards for Area Variance Approval

Criteria	Project
<b>Relief Can be Granted without Substantial Detriment to the Public Good and without Impairing the Intent, Purpose, and Integrity of the Zone Plan.</b>	<ul style="list-style-type: none"><li>• The Applicant is requesting relief based on the impact of the easement—which is more substantial relative to other lots in the area, and the front setback conditions on this specific block.</li><li>• The Property is currently vacant and used as a parking lot. The proposal is to construct two, single-family homes within the lot occupancy, rear yard, side yard, and height requirements of the zone, meeting the purpose and intent of the Zoning Regulations front setback requirements which promote open space— meeting the intent of the RF-1 zone which supports single-family homes and flats spanning lot line to lot line.</li><li>• The Applicant worked diligently with neighbors to obtain support from the community and ANC, and the only directly adjoining neighbor to the south. As the majority of the lot will be open and unoccupied, the proposed relief can be granted without substantial detriment to the public good and without impairing the intent, purpose, and integrity of the Zone Plan.</li></ul>