

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Ron Barron, Case Manager
 **Joel Lawson, Associate Director Development Review**

DATE: January 22, 2025

SUBJECT: BZA Case **21218**, new, detached, two-story with penthouse and cellar, 9-unit apartment house at 3319 12th Street, NE

I. OFFICE OF PLANNING RECOMMENDATION

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

- Subtitle C § 701, minimum vehicle parking requirements (1 required, 1 existing, 0 proposed)

II. LOCATION AND SITE DESCRIPTION

Address	3319 12th Street, NE
Applicant	BORS Properties, LLC
Legal Description	Square 3930, Lot 29
Ward, ANC	Ward 5; ANC 5B
Zone	MU-3A
Historic District	None
Lot Characteristics	Regular lot with front and rear lot lines measuring 35 ft. and side lot lines measuring 100 ft.
Existing Development	The site is improved with a detached two-story single-family home.
Adjacent Properties	To the north, the site abuts 3321 12 th St. NE, a detached single-family home. To the east, a detached single-family home at 1211 Lawrence St. NW. To the south, a detached single-family home at 3317 12 th St NE. To the west it abuts 12 th St. NE.
Surrounding Neighborhood Character	The neighborhood is a mix of detached single-family homes, one and two-story commercial and a few multi-family buildings.
Proposed Development	The applicant proposes to raze an existing two-story single-family home and replace it with a new two-story with penthouse and cellar level 9-unit apartment building.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone-	Regulation	Existing	Proposed	Relief
Density G § 201	1.0 (1.2 (IZ)) FAR	Not provided	1.0	None Requested
Height G § 203	50 ft. max.	Not provided	31 ft.	None Requested
Rear Yard G § 207.5	20 ft. min.	Not provided	25.5 ft.	None Requested
Side Yard G § 208	None, or if provided, 2 in. for each ft. in height, or 5 ft. min.	Not provided	9 ft. (left), 0 ft. (right)	None Requested
Lot Occupancy G § 210	60 % max.	Not provided	51.6 %	None Requested
Parking C § 701	1 per 3 dwelling units in excess of 4 units	Not provided	0 spaces	Sp. Ex. Relief Requested

IV. OFFICE OF PLANNING ANALYSIS

The subject property would be required under Subtitle C § 701 to provide 1 off-street parking space. The standard for the proposed use is 1 per 3 dwelling units in excess of 4 units or 2 spaces. This requirement is further reduced to 1 space pursuant to Subtitle C § 702.1(a), owing to the subject property's proximity to the CUA/Brookland Metro, which is 0.3 mi. away. The relevant sections of the zoning code have been highlighted in bold in our analysis below:

703.1 *This section provides flexibility from the minimum required number of parking spaces when providing the required number of spaces would be:*

- (a) *Impractical due to the shape or configuration of the site;*
- (b) *Unnecessary due to a lack of demand for parking, or the site's proximity to transit options; or*
- (c) *Contrary to other District of Columbia regulations.*

703.2 *The Board of Zoning Adjustment may grant a full or partial reduction in the number of required parking spaces, as a special exception pursuant to Subtitle X, Chapter 9, and subject to the applicant's demonstration to the Board's satisfaction of at least one (1) of the following:*

- (a) *Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;*

The subject property lacks alley access, and DDOT has determined that a curb cut would not be permitted. This constraint, coupled with the property's limited frontage, precludes the construction of a driveway and/or garage without a substantial and detrimental impact on the building envelope.

It is further noted that all parking facilities within a 600-foot radius are dedicated to the exclusive use of established residential and commercial entities.

- (b) *The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;*
- (c) *Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;*

The site and neighborhood are well served by mass transit which minimize the need for required parking spaces. The site is within 0.3 miles of the Brookland CUA, and has access to numerous amenities within easy walking distance.

Sections (d) through (h) are not applicable.

703.3 *Any reduction in the required number of parking spaces granted under Subtitle C § 703.2 shall be:*

- (a) *Proportionate to the reduction in parking demand demonstrated by the applicant;*

Owing to its proximity to a Metro station, the site is required to provide only one space. The applicant has adequately demonstrated that approval of the requested special exception would be proportionate to the reasonably anticipated parking demand.

- (b) *Limited to the number of spaces that the applicant demonstrates cannot reasonably be provided on the site as proposed to be developed in the application; and*

The applicant has sufficiently demonstrated the single parking space could not be provided given the physical constraints of the property.

- (c) *Limited to relief from the minimum number of parking spaces required by this section and shall not provide relief from the location, access, size or layout, screening, or other requirements of this chapter.*

Relief would be limited to the single space otherwise required by this chapter.

Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS

901.2 *The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:*

- (a) *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

Approval of the requested special exception relief would be in harmony with the general purpose and intent of the MU-3 zone. Low density multi-family buildings are a matter-of-right use in this zone and the purpose and intent section specifically envisions “multiple dwelling residential development at varying densities.”

(b) *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

The existing structure already does not have an off-street parking space. The applicant is required to provide only one single space. Approval of the requested special exception from the one required space would be unlikely to adversely affect the neighboring properties. Requiring the on-site parking space would necessitate a curb cut from the street, which would reduce available street parking.

(c) *Subject in specific cases to the special conditions specified in this title.*

No special conditions are specified in this title for the requested relief.

V. OTHER DISTRICT AGENCIES

No other District Agencies have submitted comments to the record as of this writing.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 5B had not submitted comments to the record as of this writing.

VII. COMMUNITY COMMENTS TO DATE

No community comments have been submitted to the record as of this writing.

VIII. LOCATION MAP

