



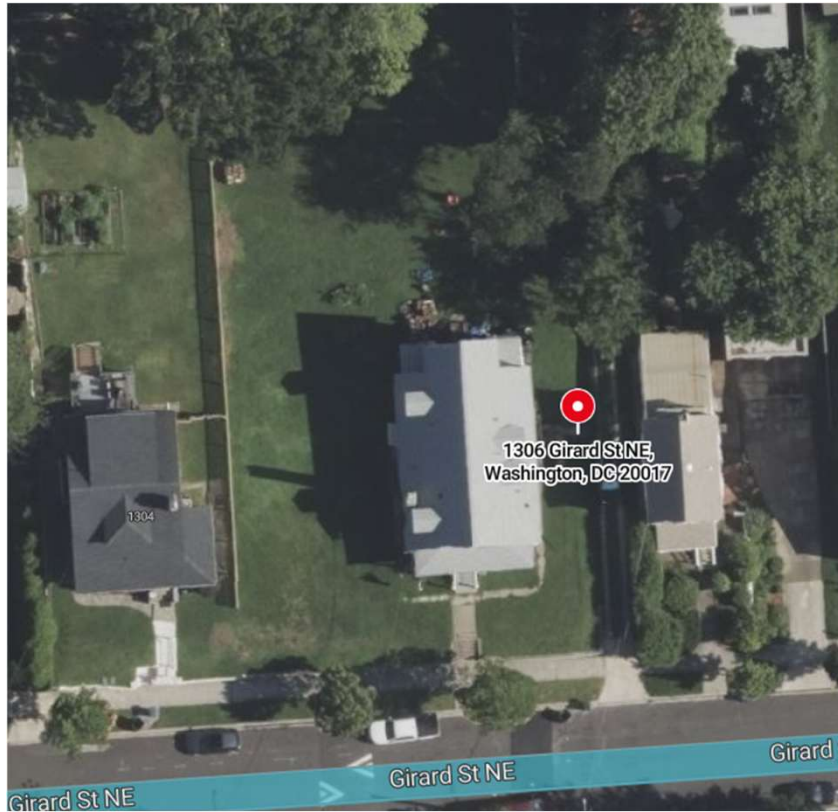
1306 Girard St NE

Sq 3958 // Lots 0008 & 0009

BZA # 21298

Board of Zoning Adjustment
District of Columbia
CASE NO. 21298
EXHIBIT NO. 39

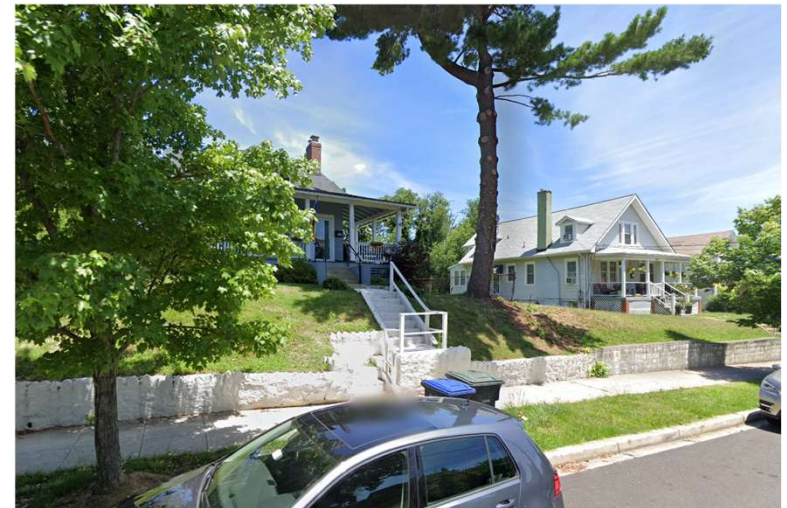
Existing Site



Aerial View



Street View – Right (East) of Subject Property



Street View – Left (West) of Subject Property

Existing Photos



Existing Structure on Property Line



Existing Backyard and Accessory Building



Lot B Looking West at Proposed property line

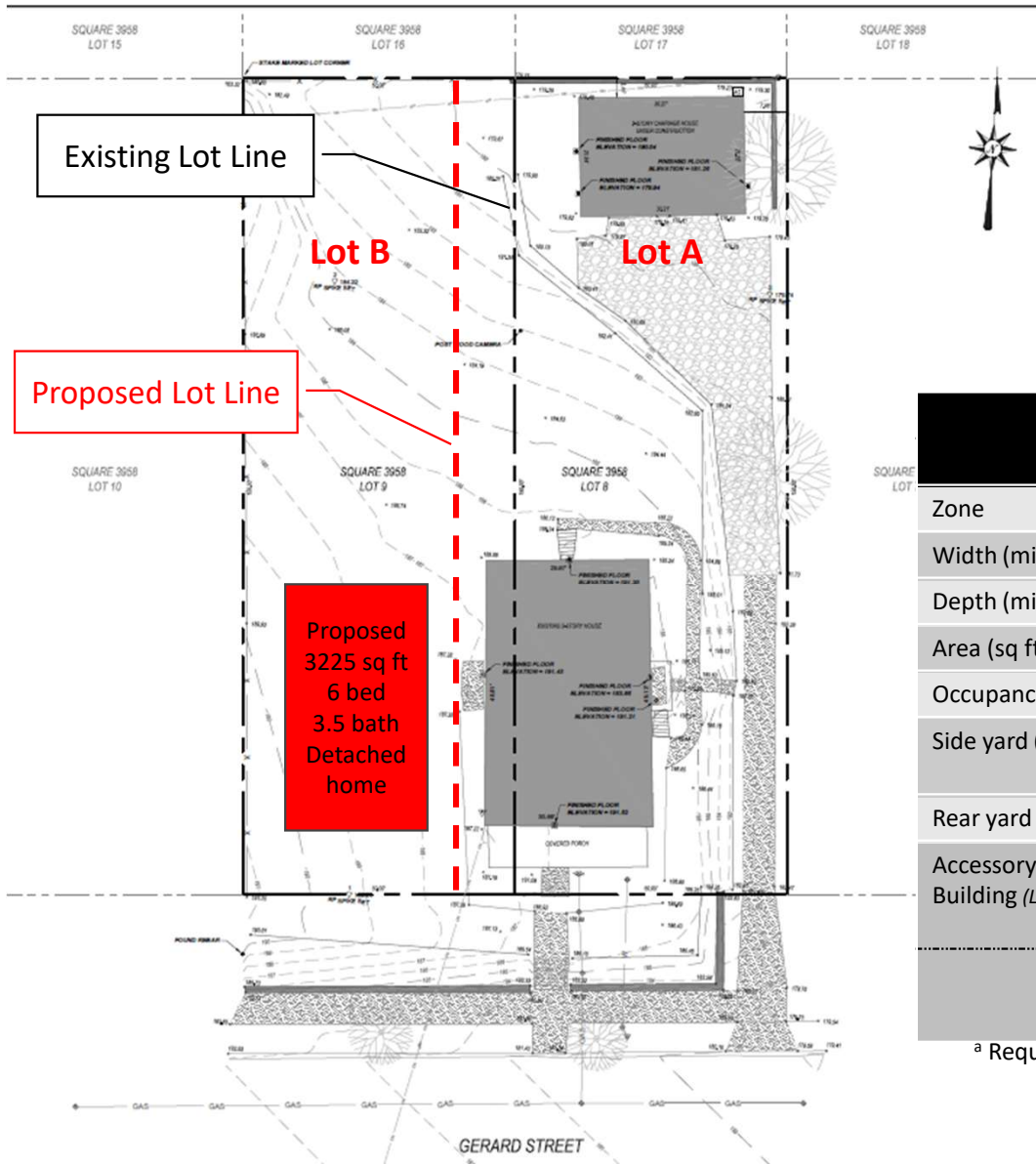
Overall Project

Existing Conditions

- Lot area / width: Large, underutilized lot for the zone (15,000 sq ft combined).
- Building massing / configuration: current lot line goes through existing detached home 5.5 feet from western face.
- Side yards: Underutilized western side; eastern side with driveway.

Developmental Objectives

- Lot area / width: provide 2 medium size rectangular lots, consistent with neighborhood.
- Building massing / configuration: No change to existing structures; provide new home with massing and configuration consistent with other detached homes in the neighborhood.
- Side yards: maintain driveway access to existing garage; standard side yards for both lots while not diminishing proposed house.

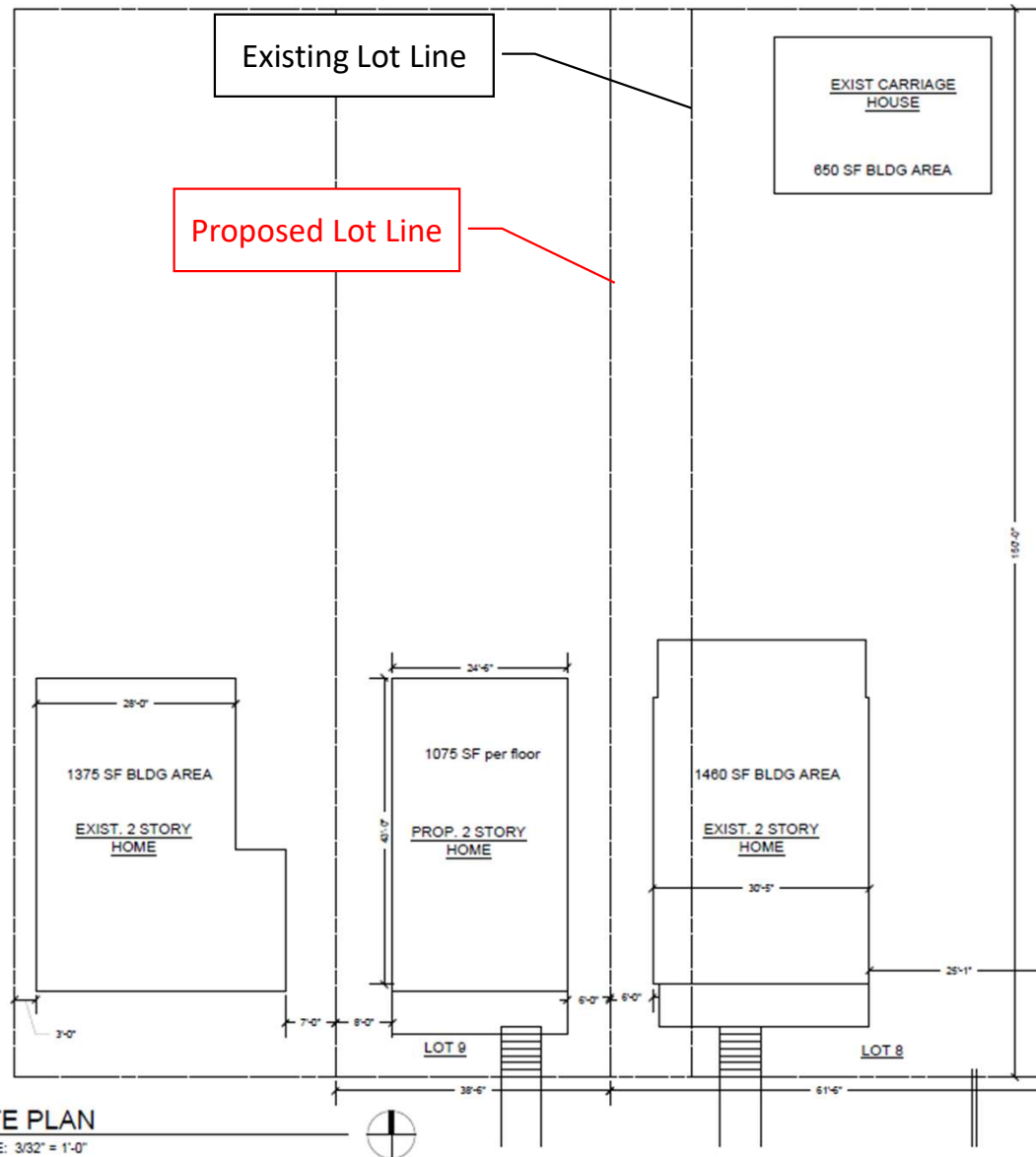


Move lot line 11.5 feet West to create two useable lots. Current lot line goes through existing structure 5.5 feet from the western face.

- Lot B will have less than required width.
- Side yards will be less than required minimum.
- Lot A accessory building (existing condition) will exceed maximum accessory building area.

	Standard	Lot A (Currently 1306 Girard)		Lot B	
		Current	Proposed	Current	Proposed
Zone		R-1B	No Change	R-1B	No Change
Width (min)	50'	50'	61.5'	50'	38.5' ^a
Depth (min)	n.a.	150'	No Change	150'	No Change
Area (sq ft)	5,000	7,500	9,225	7,500	5,775
Occupancy (max)	40%	14%	23%	n.a.	19%
Side yard (min)	8'	(E) 23' (W) 46'	(E) 23' (W) 6' ^a	n.a.	(E) 6' ^a (W) 8'
Rear yard (min)	25'	88.7'	88.7'	n.a.	94'
Accessory Building (Larger of)	450 sq ft or 30% required rear yard	650 sq ft < 750 sq ft (combined)	650 sq ft > 461 sq ft ^a	n.a.	n.a.
	30% of actual rear yard	2,661 sq ft (30% x 88.7 ft x 100)	1,636 sq ft (30% x 88.7 ft x 61.5)		

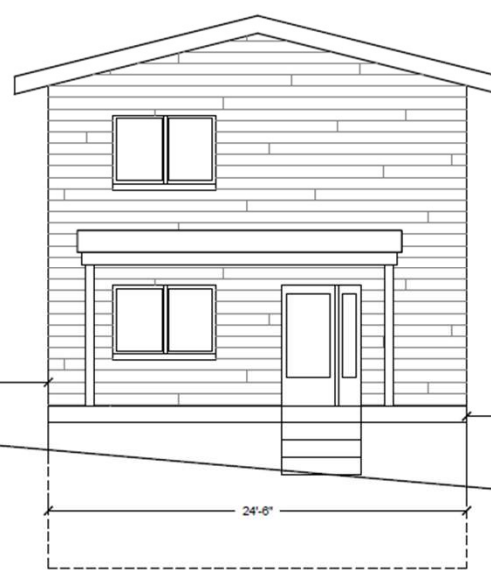
^a Requires variance



1 SITE PLAN
A01 SCALE: 3/32" = 1'-0"



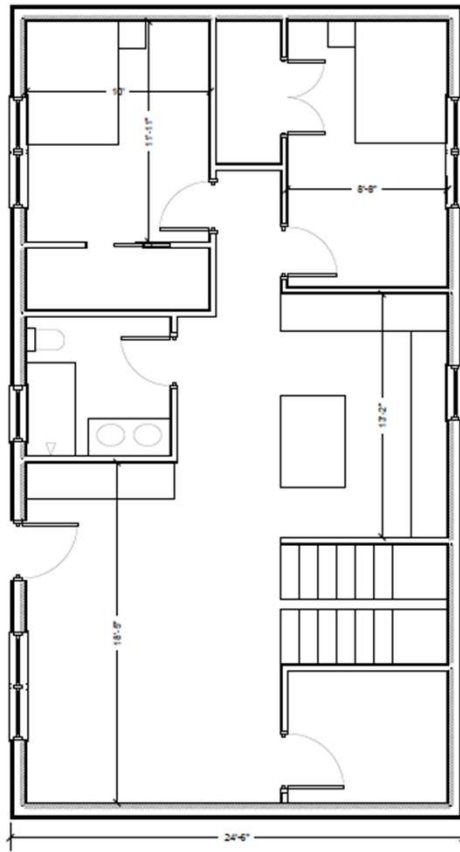
1304 Girard



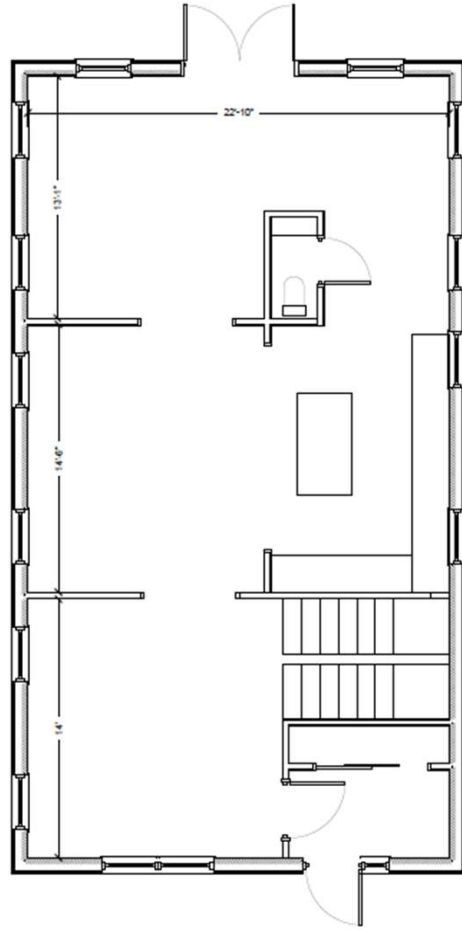
Proposed



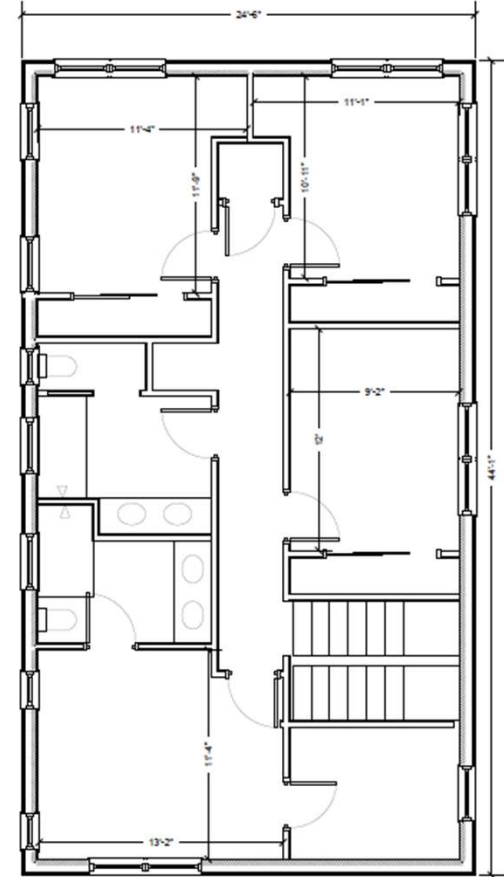
1306 Girard



1 LOWER LEVEL PROP
A02 SCALE: 1/4" = 1'-0"



2 FIRST FLOOR PROP
A02 SCALE: 1/4" = 1'-0"



3 SECOND FLOOR PROP
A02 SCALE: 1/4" = 1'-0"

Non-Conforming Lot Width in Neighborhood



Non-Conforming Side Yards in Neighborhood



1330 Girard St: 6' Side yard



2960 13th St: 6' Side yard



1262 Hamlin St: 5' Side yard

Many properties in the neighborhood have one conforming and one nonconforming side yard. Required side yard in R-1B is 8 feet. Relief requested for both lots to have 6 foot side yards on adjacent sides.

Community Outreach

- November 24, met with the immediate neighbor at 1304 Girard
- April 27, held meeting open to all neighbors within 200 feet
- May 19, presented to ANC's zoning committee
- May 21, presented to full ANC

Only concerns during community engagement were the timing and duration of construction. No concerns about the proposed structure or requested relief.

Office of Planning Report

- Recommended approval of relief, except side yard relief for lot B.
- Analysis considered the development of lot B separate from the overall application.
- Lot line location—which necessitated the side yard relief for lot B—was chosen based on balancing all factors of the project.
- Denial of proposed side yard for lot B would result in a narrow structure for the neighborhood—second narrowest structure on the square.

Relief Sought

Type	Relief	Pursuant To
Area Variance	Lot subdivision requirements of Subtitle C § 302.1 to create a lot that does not meet the side yard requirements of Subtitle D § 208.2 and the lot width requirements under Subtitle D § 202.1.	Subtitle X § 1002
Area Variance	Lot dimension requirements under Subtitle D § 202.1.	Subtitle X § 1002
Area Variance	The maximum accessory building area of Subtitle D § 5003	Subtitle X § 1002
Area Variance	The side yard requirements of Subtitle D § 208.2	Subtitle X § 1002

Subdivision to Create Nonstandard Lot (Subtitle C § 302)

Side Yard (Subtitle D § 208) & Lot Width (Subtitle D § 202)

The proposed subdivision would create two nonconforming conditions:

1. The Side Yard for lot A would have a 6-foot side yard on the eastern side. Subtitle D § 208 requires two 8-foot side yards.
2. The proposed width for lot B would be less than the required minimum. The minimum width required in zone R-1B by DCMR subtitle D § 202.1 is 50 feet.

In BZA Case # 20389 & 20361, the board considered relief from the subdivision requirements of subtitle C § 302 as a single area variance for multiple nonconforming conditions caused by the proposed subdivision.

Area Variance Standards (Subtitle X § 1002)

Lot Subdivision to create nonstandard lot (Subtitle D § 302.1)

The Property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition.

- The existing primary structure is currently on both record lots. This non-conforming condition has existed since the subdivision of the square. The large unused side yard is in excess from the norm for the neighborhood.

The owner would encounter practical difficulties or undue hardship if the zoning regulations were strictly applied.

- Strict application of current lot dimension standard in zoning regulation cause practical difficulty and undue hardship for the current owner in two ways. First, as lot B is partially occupied with the structure from lot A, lot B is practically unusable and has been left vacant and underutilized given the current density of homes in the neighborhood. Second, in order to strictly apply the zoning regulations, the owner's home would have to be demolished and rebuilt.
- Compliance with lot A side yard requirements would cause the lot frontage required by subtitle C § 303 to be nonconforming.

The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

- The new lot width for lot (B) granted under this application would be consistent with the other lots in the neighborhood. The lot will still exceed minimum lot size and will not exceed lot occupation requirements.
- Will actually further the intent and purpose of the R-1B zone in the South Brookland neighborhood, rather than impair the regulation. The purpose of R-1B is to provide areas predominantly developed with detached houses on moderately sized lots. The detached single-family home proposed for lot B furthers that objective by providing an additional detached single-family dwelling. The current dimensions of the combined Lot A and B is much larger than a medium sized lot similar in the neighborhood.

Area Variance Standards (Subtitle X § 1002)

Maximum Building Area for an Existing Accessory Building

While the regulation allow for special exceptions to the maximum building area for new or enlarged accessory buildings (subtitle D § 5201.2), the accessory building is a pre-existing condition, therefore an area variance is required.

The Property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition.

- The existing primary structure is currently on both record lots. This non-conforming condition has existed since the subdivision of the square. The large unused side yard is in excess from the norm for the neighborhood.

The owner would encounter practical difficulties or undue hardship if the zoning regulations were strictly applied.

- The current accessory structure is an existing condition. Reducing the size of the building area is not possible. If the accessory building were new or being enlarged, the property owner would be able to seek relief as a special exception, rather than a variance. The higher burden of proof required by needing an area variance causes undo hardship on owners with pre-existing accessory buildings.

The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

- The intent of the maximum building area limitation in the regulation is to limit overall building density in certain zones. Granting this area variance is in keeping with that intent.

Area Variance Standards (Subtitle X § 1002)

Minimum Side Yard (Lot B)

The Property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition.

- Given the required lot width provided in the subdivision to allow for the maximum lot width while maintaining a reasonable side yard for lot A, modified lot B is affected by an exceptional condition of a smaller lot width, similar to other properties on the block.

The owner would encounter practical difficulties or undue hardship if the zoning regulations were strictly applied.

- Strict application of the zoning regulation to require two eight-foot side yards makes the construction of a contemporary dwelling practically difficult given the required thickness of exterior walls to meet current energy standards, the proportions of the lot, and home configuration to produce a dwelling that is typical for contemporary design.
- Strict application of the zoning regulations would limit the structure to be only 22.5 feet wide, causing undue hardship on not only the property owners, but the entire neighborhood that had to look at the street scape. At this width, this structure would be the second narrowest structure on the square. Most structures on the square are 24 to 30 feet wide.

The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

- The South Brookland neighborhood is mainly occupied with families with 2 or more children as the neighborhood has a substantial number of dwellings range from 4 to 6 bedrooms with 3 to 5 baths with 2,100 to 2,800 square feet above grade. Very few of this size of structure is available in the District as a majority of new housing stock is predominately 2 or 3 bedrooms with no more than 3 bathrooms in 1,500 to 2,000 square feet.
- While the area variance would permit the structure to be closer to the structure on lot A, the combined distance of the two side yards is proposed to be 12 feet, which is enough distance to ensure the light, air, and privacy of the eastern neighbor is also not impaired.