



DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of M & Potomac Streets Associates
For Prospect Street NW Washington DC 20007 Square 1206 Lot 0832

I. Introduction and Nature of Relief Sought

This application is submitted on behalf of M & Potomac Streets Associates (the Applicant), owner of the property located at Prospect Street NW Washington DC 20007 Square 1206 Lot 0832. The property is located in a R-3/GT zone district. This is a vacant property of 1,437sf. The Applicant is proposing improvements for a new, detached, single-family residence. The application includes relief for the following variances: Lot Area (64% deviation), Lot Occupancy (30% deviation), Rear Yard Setback (8'-2 1/4" deviation), and west Side Yard Setback (4.25' deviation).

II. Jurisdiction of the Board

The Board has jurisdiction to grant the variances for relief requested pursuant to X-1000.1.

III. Proposed Project

The property is an interior vacant lot located in a R-3/GT zone district and is 1,437sf in land area. To the north of the property is Prospect Street NW. Adjoining the property to the east is 3260 Prospect Street, a three story, single-family, semi-detached row-dwelling. Also adjoining the the property to the east is 1220 Potomac Street NW, a two story, single-family, semi-detached row-dwelling. Adjoining the property to the west are three two-story row-dwellings, 1223, 1225, and 1227 33rd Street NW. To the south are the Eton Condominiums. This block of Prospect Street NW is primarily made up of single-family, row dwellings.

The Applicant is proposing improvements to the existing lot to include a two-story single-family residence, with cellar. The application includes relief for the following variances: Lot Area (64% deviation), Lot Occupancy (30% deviation), Rear Yard Setback (8'-2 1/4" deviation), and west Side Yard Setback (4.25' deviation).

IV. The Application Meets the Variance Review Standards for an Area Variance

Variance Requirements of Subtitle X-1000.1, for D-202.1, D-210.1, D-207.1 and D-1104.1

1002.1: An applicant for an area variance must prove that, as a result of the attributes of a specific piece of property described in Subtitle X § 1000.1, the strict application of a zoning regulation would result in peculiar and exceptional practical difficulties to the owner of property.

1002.2; The applicant for a variance shall have the burden of proof to justify the granting of the application according to these standards and shall demonstrate such through evidence in the public record. If no evidence is presented in opposition to the case, the applicant shall not be relieved of this responsibility.

The property located on Prospect Street, Square 1206, Lot 0832, is 1,437sf. The property is irregular in shape (rear saw-tooth property line), and the depth of the property varies from 34.82' to 28.31'. The physical dimensions and shape of the property result in particular and exceptional practical difficulties to the owner of the property. A strict application of the zoning regulations would not allow for a house to be built on this property, though the property was subdivided and intended for a single family residence. OGB/CFA have approved (concept) the proposed house and by their approval have communicated that the proposed single family home fits into the context of its surroundings and that a single family home is the best and only use for this property.

Though a property is required to be 4,000sf for the creation of a new record lot for a detached single-family residence, the lot size for the creation of a new record lot for a row-dwelling is just 2,000sf. We are not proposing a row dwelling as to not block access to Eton Condos at the east side yard and the adjoining neighbors along 33rd Street to the west. Though we would still need BZA relief if we were proposing a row dwelling, the deviation for Lot Area would be 28%, rather than 64%.

The property is 1,437sf, which is consistent with the sizes of the adjoining and adjacent properties along, Prospect Street NW, 33rd Street NW, and Potomac Street NW. We documented the 22 properties in the R-3-GT zone district closest to our property and the average size of these 22 properties is 1,380sf. This is less than the subject property by 57sf. These are small lots. See uploaded zoning map with lot areas. Per DC zoning regulations D-101.9, R-3 zone districts are intended for intended to permit attached row houses on small lots and that is consistent with our proposed project.

The granting of the variances will not tend to affect adversely the use of the neighboring properties in accordance with the Zoning Regulations and Zoning Maps.

1. ***The light and air available to neighboring properties shall not be unduly affected;***
The new single family residence will not unduly affect the light and air available to the adjacent properties. The proposed height is 22', 13' less than what is allowed (35') and we are setting back at the side yards as to allow for continued use for neighbor access. The shadow study shows a negligible impact of the proposed single family residence.
2. ***The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*** The proposed residence shall not unduly compromise the privacy of the use and enjoyment of the neighboring properties, as the Applicant is proposing limited windows adjacent to the neighboring properties and will create side yards so as to maintain privacy to the adjoining properties.

The applicant has provided all graphic representations, plans and elevations, photographs, sections, sun studies, and renderings to represent the relationship of the proposed single family residence to the neighboring row dwellings.

Furthermore, the proposed single family home will be in harmony with the general purpose and

intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring properties.

(a) The light and air available to neighboring properties shall not be unduly affected;

The addition will not unduly affect the light and air available to the adjacent properties. See Applicant provided shadow study showing a negligible impact of the proposed addition.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

The proposed addition shall not unduly compromise the privacy of the use and enjoyment of the neighboring properties.

VI. Conclusion

For the reasons stated above, this Application meets the requirements for Variance relief by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Sincerely,



Gregory Kearley, AIA, LEED AP