

October 1, 2018

To: Mr. Clifford Moy

Office of Zoning - BZA

441 4th Street, NW, Suite 200S
Washington, DC 20001

Burden of Proof

Project Description

HIP West St Partners, LLC, owners of 2514 West SE and adjacent lot to the North, seek Area Variance for the subdivision of lots at such property, for construction of a two unit Workforce Housing Row Dwelling Development. Lots are located on the South side of West St SE, lots number 0043, 0044. Intent is to combine the lots and subdivide the larger lot into two individual lots of different dimensions in order to make them optimal for development and as compliant as possible with the Zoning Regulations.

Relief Sought

Lots are in the R-3 Zone, which is subject to the following regulations per DCMR 11:

Subtitle D Section 302.1

TABLE D § 302.1: MINIMUM LOT WIDTH AND MINIMUM LOT AREA REQUIREMENTS

Zone	Minimum Lot Width (ft.) for building type; applicable to all zones in left column	Minimum Lot Area (sq. ft.)
R-1-A	75	7,500
R-1-B	50	5,000
R-2	40 (detached) 32 (IZ detached) 30 (semi-detached) 25 (IZ semi-detached) 40 (all other structures)	4,000 (detached) 3,200 (IZ detached) 3,000 (semi-detached) 2,500 (IZ semi-detached) 4,000 (all other structures)
R-3	40 (detached) 30 (semi-detached) 20 (attached) 16 (IZ attached) 40 (all other structures)	4,000 (detached) 3,000 (semi-detached) 2,000 (attached) 1,600 (IZ attached) 4,000 (all other structures)

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

Relief sought from lot area requirements. Relief is sought from lot area and width at both lots proposed. Proposed easternmost end of row lot is 22'-6" wide (instead of the 30' required) by 104'-6" deep, and 2,351.25 sq ft instead of the required 3,000 sq ft minimum. Proposed westernmost lot is 17'-6" wide (instead of 20' required) by 104'-6" deep, and 1,828.75 sq ft instead of the required 2,000 sq ft.

Subtitle D Section 307.4

- 307.4 In the R-2 and R-3 zones, when a single dwelling unit, flat, or multiple dwelling unit development is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side.

Relief sought from side setback requirement at easternmost end of row lot, where property abuts an existing vacant 20' wide lot.

Variance Test

To obtain an area variance, "an applicant must show that

- (1) there is an extraordinary or exceptional condition affecting the property;
- (2) practical difficulties will occur if the zoning regulations are strictly enforced; and
- (3) the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan."

We address each factor in turn below.

1. Exceptional Condition/"Uniqueness"

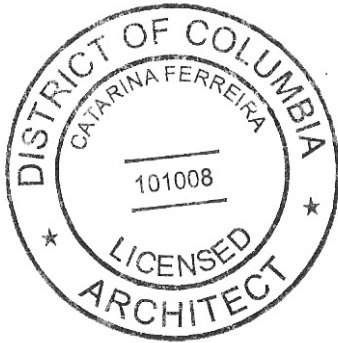
Variance is required due to particular physical characteristics of the lots in question and attempts to respond to varying conditions along the block. Single family detached dwellings exist to the West, and undeveloped lots to the East.

We propose a side yard along the westernmost lot, as that side of the block consists of existing single family detached dwellings with side yards.

We propose eliminating the five foot side yard along the East end of the 17'-6" wide lot proposed, as the adjacent lot is only 20' wide and will likely have to be developed as an

We believe the proposed developments will not tend to affect adversely the Public Good, for reasons mentioned above, and due to the fact that it will bring 2 much needed Work Force Housing units to the neighborhood. Off-street parking will be provided for all units.

Please do not hesitate to contact me with any questions or concerns.



Sincerely,

Catarina Ferreira, AIA
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