

**DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**

**Applicant's Statement of Dilan Investments LLC**

**1818 Rhode Island Avenue, NE (Square 4208, Lot 7).**

**I. INTRODUCTION.**

This Statement is submitted on behalf of Dilan Investments LLC (the “Applicant”), owner of the property located at 1818 Rhode Island Avenue, NE (Square 4208, Lot 7) (the “Subject Property”). The Subject Property is currently improved with a detached one-family dwelling. The Applicant is proposing to raze the existing building and construct a new building with ten (10) residential units.

According to the parking schedule in C § 701.5, multi-unit residential buildings are required to provide one (1) parking space for every three (3) units over four (4) units. As the Applicant is providing ten (10) residential units, it is required to provide two (2) parking spaces. As the Subject Property has no alley access, the Applicant is requesting special exception relief pursuant to C § 703.2 which permits exemptions from the minimum parking requirements of C § 701.5.

**II. BACKGROUND.**

**A. Description of the Subject Property and Proposed Project.**

The Subject Property is located in the MU-4 Zone. It is an interior lot measuring 2,910 square feet in land area. The Subject Property is currently improved with a detached one-family dwelling. The Applicant is proposing to demolish the existing building and construct a new building with ten (10) residential units.

**B. Surrounding Area.**

Within two blocks of the Subject Property are a wide variety of uses, including apartment buildings, transient uses, institutional uses, commercial uses, industrial uses, and one-family dwellings. To the south of the Subject Property is Rhode Island Avenue. On-street parking is available near the Subject Property on 18<sup>th</sup> Street and Hamlin Street.

**III. THE APPLICATION SATISFIES THE SPECIAL EXCEPTION REQUIREMENTS OF C § 703.2.**

**A. Overview.**

Pursuant to Subtitle X § 901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception 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 property; subject also, in this case, to the specific requirements for relief under Subtitle C § 703.2.

In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000).

According to the Zoning Regulations, the MU-4 Zone is intended to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core and be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers.

The Applicant is providing housing in an area outside of the central core and located in low- and moderate-density residential areas with access to main roadways, transit, and shopping

centers. The neighboring properties include a mix of uses, including commercial and of low to moderate density residential uses, and the Project will complement the surrounding character by providing new quality residential units. The location on Rhode Island Avenue will encourage walking and patronization of local business by foot and not by automobile. The convenient public transportation options, described below, will give residents alternatives to car ownership and mitigate any potential parking impacts.

**B. Requirements of Subtitle X § 901.2.**

The granting of a special exception in this case “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 property in accordance with the Zoning Regulations and Zoning Maps ...” (11 DCMR Subtitle X § 901.2). The Applicant is proposing to add quality residential units to a growing area of the city.

**C. Parking-Requirements of Subtitle C § 703.2.**

The Proposal in this Application satisfies the requirements of Subtitle C § 703.2 as follows:

**Section 703.2 “The Board of Zoning Adjustment may grant a full or partial reduction in number of required parking spaces, subject to the general special exception requirements of Subtitle X, and the applicant’s demonstration of at least one (1) of the following:**

As provided below, the Applicant can satisfy several of the considerations, even though only one (1) is required to grant the requested approval. The information below includes only the sections that safely apply to this Subject Property and Application.

- (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;**

Due to the fact that the Subject Property has no alley access, the required parking space cannot be provided on the Subject Property. The space cannot be provided within six hundred feet (600 ft.) of the Subject Property. From the Applicant's investigation, the only parking lots within six hundred feet (600 ft.) of the Subject Property are in use by commercial or religious establishments. Included with this Application is a map showing all properties within six hundred feet (600 ft.) of the Subject Property (see pg. 1 of "Proximity to Mass Transit" included with this Application).

**(b) The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;**

The Subject Property is particularly well served by mass transit, shared vehicle, and bike facilities. The Subject Property is only three hundred and seventy-one feet (371 ft.) from the Rhode Island Avenue & 18<sup>th</sup> Street, NE bus stop, one-tenth of a mile (0.1 mi.) from the nearest Capital BikeShare station, nine-tenths of a mile (0.9 mi.) from the nearest rental car location, and one point two miles (1.2 mi.) from the Rhode Island Avenue Metro Station (see "Proximity to Mass Transit" included with this Application).

**(c) Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;**

As described in detail above, the land use and transportation characteristics of the neighborhood minimize the need for required spaces.

**(d) Amount of traffic congestion existing or which the parking for the building or structure would reasonably be expected to create in the neighborhood;**

The additional residential units are unlikely to create additional traffic congestion in the neighborhood. According to WalkScore.com, the area has a walk score of 83 "Very Walkable-

most errands can be accomplished on foot” and states that there are “many nearby public transportation options.”

**Section 703.3 “Any reduction in the required number of parking spaces shall be only for the amount that the applicant is physically unable to provide and shall be proportionate to the reduction in parking demand demonstrated by the applicant.”**

As the Applicant does not have any access to the alley, the reduction in the number of parking spaces is only for the amount that the Applicant is unable to provide.

**Section 703.4 “Any request for a reduction in the minimum required parking shall include a transportation demand management plan approved by the District Department of Transportation, the implementation of which shall be a condition of the Board of Zoning Adjustment’s approval.”**

The Applicant will provide a transportation demand management plan.

#### IV. CONCLUSION.

For the reasons outlined in this Applicant’s Statement, the Applicant respectfully requests the special exception relief as detailed above.

Respectfully Submitted

*Martin P Sullivan*

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