
Application of Ms. Ana B. Reyes

3613 13th St. NW
Washington, DC 20010
ANC 1A

STATEMENT OF THE APPLICANT

I. Nature of the Application:

This application is presented by Ms. Ana B. Reyes, the owner of Tax Lot 0139, Square 2829, street address 3613 13th St. NW (“Property”) and zoned as an RF-1 row dwelling. This application requests a use variance from the requirements of 11 DCMR U § 301.1 to allow for the property to be used as a 3 unit apartment house.

II. Description of the Property and the Surrounding Area:

The property has a land area of approximately 2556 square feet and is located on the east side of 13th St. NW. The property is located in zone RF-1. The property has a basement plus two floors.

III. Description of the Relief Requested:

The Applicant requests a use variance from the requirements of 11 DCMR U § 301.1 to allow for the property to be used as a 3 unit apartment house. Under the current regulations, the Property is limited to two dwelling units as a matter of right, and does not satisfy the minimum lot-area threshold for a third unit through special exception review, which is 2700 square feet. The existing condition of the property is a Two-family flat. However, the property had previously been configured physically for a dwelling unit on each of its three floors. The basement, first floor, and second floor each have a separate mechanical system and a separate kitchen.

IV. Project Meets Standard for Use Variance:

As per 11 DCMR X § 1002.1:

An applicant for a use 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 exceptional and undue hardship upon the owner of the property.

As per 11 DCMR X § 1000.1:

With respect to variances, the Board of Zoning Adjustment has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3) (formerly codified at D.C. Official Code § 5-424(g)(3) (2012 Repl.)), “[w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations,

or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."

The relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map:

The RF-1 district is intended to preserve rowhouse neighborhoods while allowing compatible residential use. Here, the building would remain a residential row dwelling with no expansion in bulk or visible change in form. The requested relief is particularly modest because the Property misses the special-exception lot-area threshold by only approximately 5.3%. Under these circumstances, allowing three units in an already-configured building is consistent with orderly neighborhood development and the District's broader housing goals.

The strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property

Strict application of the two-unit limitation would impose exceptional and undue hardship on the Owner by preventing reasonable use of the building's existing improvements. Without relief, the Owner would be forced either to:

1. leave a complete residential level functionally underutilized;
2. incur substantial and unnecessary expense to dismantle or merge existing kitchens, systems, and layouts already integrated into the building; or
3. maintain an inefficient building arrangement inconsistent with the structure's actual physical design.

This hardship is not based merely on a desire for increased economic return. Rather, it arises from the Property's unique built condition and the inefficiency created when the Zoning Regulations prohibit reasonable use of a structure already suited for three residential units. The requested relief therefore alleviates a property-specific hardship rather than conferring a speculative financial advantage.

The Property is located on a residential block in the Columbia Heights / Park View area where attached row dwellings and multi-unit residential buildings are common features of

neighborhood development. A third unit within the existing structure would be compatible with the established urban residential character of the area. The relief would also modestly increase housing opportunity in an already transit-accessible neighborhood without demolition or new construction.

V. Conclusion:

For the reasons stated above, the applicant believes the appropriate standards for variance relief under the Zoning Regulations have been met. Accordingly, the Applicant respectfully requests that the Board grant the application.



(MATTHEW DOUVANERTY)

Authorized Agent