

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Project Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** December 19, 2017  
**SUBJECT:** BZA Case 19665- Special Exception review to allow construction six row dwellings at 18-28 Brandywine Street, SE in the RA-1 zone.

**I. OFFICE OF PLANNING RECOMMENDATION**

District Properties.Com, Inc.(applicant) requests a special exception for six new row dwellings residential at 18 to 28 Brandywine Street, SE. The application was subsequently amended to request a variance from the side yard requirement on Lot 58 (18 Brandywine Street, SE.)

The Office of Planning (OP) recommends **approval** of the following variance:

- Subtitle F § 306.3, Side Yard (Lot 58) (8 feet required, 0 feet provided) (pursuant to Subtitle X § 900.

The Office of Planning (OP) recommends **approval** of the following special exception:

- Subtitle U § 421, New Residential Developments (RA-1).

**II. LOCATION AND SITE DESCRIPTION**

Address	18 to 28 Brandywine Street, SE (See Attachment 1)
Legal Description	Square 6170 Lots 58-63
Ward / ANC	8, 8D
Zone	RA-1
Lot Characteristics	6 rectangular, flat lots.
Existing Development	All the lots are currently undeveloped.
Adjacent Properties	To the north is a single-family detached home; to the east, across First Street, are two, two-story garden apartments; to the south, across Brandywine Street, is the Southwest Tabernacle Baptist Church; and to the west is a 15-foot wide, unpaved alley and a 2-story, single family residence; all within the RA-1 zone.
Surrounding Neighborhood Character	The surrounding neighborhood is comprised of mostly two and three-story garden apartments interspersed with a few single-family detached residences as well as churches and Fire Station #33 one block northeast of the subject property.

**III. ZONING REQUIREMENTS AND RELIEF REQUESTED<sup>1</sup>**

<b>RA-1 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Lot Area (sq. ft.) F § 201.4	As specified by BZA	18,830 sq. ft.	18,830 sq. ft.	None
Lot Width (ft.) F § 201.4	As specified by BZA	N/A	N/A	None
FAR F § 302	0.9	N/A	0.81 (each dwelling)	None
Height (ft.) F § 303	40 ft./3 stories	N/A	32 ft.	None
Lot Occupancy F § 304	40%	N/A	32%	None
Rear Yard (ft.) F § 305	20 ft.	N/A	40 ft.	None
Side Yard (ft.) F § 306.3	1 side yard shall be provided unless the building contains 3 or more dwelling units/floor, in which case 2 side yards shall be provided, each with the minimum distance equal to 3"/ft. height but not less than 8 ft.	N/A	0 ft. on Lot 58	Variance (Lot 58)
GAR F § 307	40%	N/A	43%	None
Parking C § 701	1 space/dwelling units	N/A	1 space/dwelling unit	None
New Residential Development in RA-1 zone, U § 421		Undeveloped	6 row dwellings	Special Exception

**IV. PROPOSAL**

The applicant is proposing to construct a single-family, row dwelling on each of the six lots.

**V. OFFICE OF PLANNING ANALYSIS**

**Variance for Side Yard**

Variance Relief from Subtitle E § 306.3, Side Yard pursuant to Subtitle X § 1000:

*i. Exceptional Situation Resulting in a Practical Difficulty*

The lots would each be developed with a single-family, row dwelling with each meeting the development standards except for Lot 58, which would not meet the required 8-foot side yard requirement. Unlike the other dwellings which would be 20-feet wide and consistent with the required lot width, an eight-foot side yard for Lot 58, also 20-foot wide, would result in a

<sup>1</sup> Information provided by Applicant.

significantly reduced building of 12 feet, creating an exceptional situation. This exceptional situation would result in a practical difficulty to the applicant as the resultant 12-foot wide house would have an inefficient and impractical layout affecting the size of the rooms, circulation and enjoyment of the house.

*ii. No Substantial Detriment to the Public Good*

Providing an eight-foot side yard would result in a building that would be significantly different from the other five houses as seen from the adjacent street and could result in the reduction of bedrooms in an area where 4-bedroom units are greatly needed. The proposed three-story building would not cast any significant shadows on the adjacent property to adversely affect its light and air as the buildings would be separated by a 15-foot alley in addition to an eight-foot side yard on the adjacent property. Privacy would also not be significantly affected due to the distances between the buildings, and the windows on the proposed building would be located so as not to allow direct views into the living areas of the adjacent building. Not providing the side yard would not affect pedestrian or vehicular use and movement along the alley.

*iii. No Substantial Harm to the Zoning Regulations*

The side yard requirement of the Regulations is to minimize any negative effect on the light, air and privacy of the adjacent residence. The reduction in the side yard would not substantially affect the light, air or privacy of the adjacent residence and therefore would not harm the Zoning Regulations.

**Special Exception for New Residential Development**

Special Exception Review pursuant to U § 421, New Residential Developments (RA-1) and Subtitle X § 900:

*421.1 In the RA-1 and RA-6 zones, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in this section.*

The applicant is proposing to construct six, single-family, row dwellings.

*421.2 The Board of Zoning Adjustment shall refer the application to the relevant District of Columbia agencies for comment and recommendation as to the adequacy of the following:*

*(a) Existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project; and*

The property is served by the W.B. Patterson Elementary, (0.30 mile to the south), Hart Middle School (0.86 mile to the north east), and Bullou STAY Senior High School (0.60 mile to the north). The proposed single-family homes would not generate a large number of students to negatively impact the capacity of these schools.

*(b) Public streets, recreation, and other services to accommodate the residents that can be expected to reside in the project.*

No new public streets or additional recreational facilities would be necessary to serve the proposed row dwellings. Each unit has a 45-foot rear yard for on-site recreation. The property is also in close proximity to the Oxon Run Park, the Southeast Tennis and Learning Center and the Ferebee Hope Recreation Center.

*421.3 The Board of Zoning Adjustment shall refer the application to the Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the surrounding neighborhood, and the relationship of the proposed project to public plans and projects.*

OP reviewed the site and floor plans submitted and notes that each of the units would be provided with adequate light and air. On the two end units, the applicant has added brick on the lower portion of the side facades, as well as windows that articulate an otherwise blank wall along the street. The units are located on the property so as not to affect the light, air and privacy of buildings on adjacent properties.

The property fronts on Brandywine and First Street, SE and access to parking would not be allowed from either street. Only Lot 58 is adjacent to a public alley. The applicant has therefore created a 10-foot wide easement along the rear of each lot to create a driveway which would give access to the alley from each lot.

Each lot would be fully landscaped, front and rear, using grasses and shrubs as shown on the Landscaping Plan (Exhibit 26). There are three trees existing on the site which would be removed to accommodate the development. The applicant has been advised to consult with the arborist a DDOT regarding the removal of these trees. The parking spaces and driveway would be made of gravel to reduce impervious pavement and limit runoff from the lots. The property is fairly flat so not much grading is proposed, as shown on the existing and proposed grading plans at Exhibits 12 and 13.

No major development near the property is proposed at this time. The property is not covered by a Small Area Plan.

*421.4 In addition to other filing requirements, the developer shall submit to the Board of Zoning Adjustment with the application a site plan and set of typical floor plans and elevations, grading plan (existing and final), landscaping plan, and plans for all new rights-of-way and easements.*

The applicant submitted site plans, elevations, and floor plans, grading plans (existing and final), landscape plan, and shows the proposed easement across all the lots.

Special Exception, Subtitle X § 900:

*a. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?*

OP supports the proposed development, as row dwellings would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map, and with overall neighborhood character.

- b. *Would the proposal appear to tend to affect adversely, the use of neighboring property?*

The proposed row dwelling would not affect the use of adjoining properties as, except for Lot 58, they all meet the development standards. As demonstrated in the variance for the side yard on Lot 58, the uses and privacy of the property across the alley and other development on the surrounding properties would not be adversely impacted.

## **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

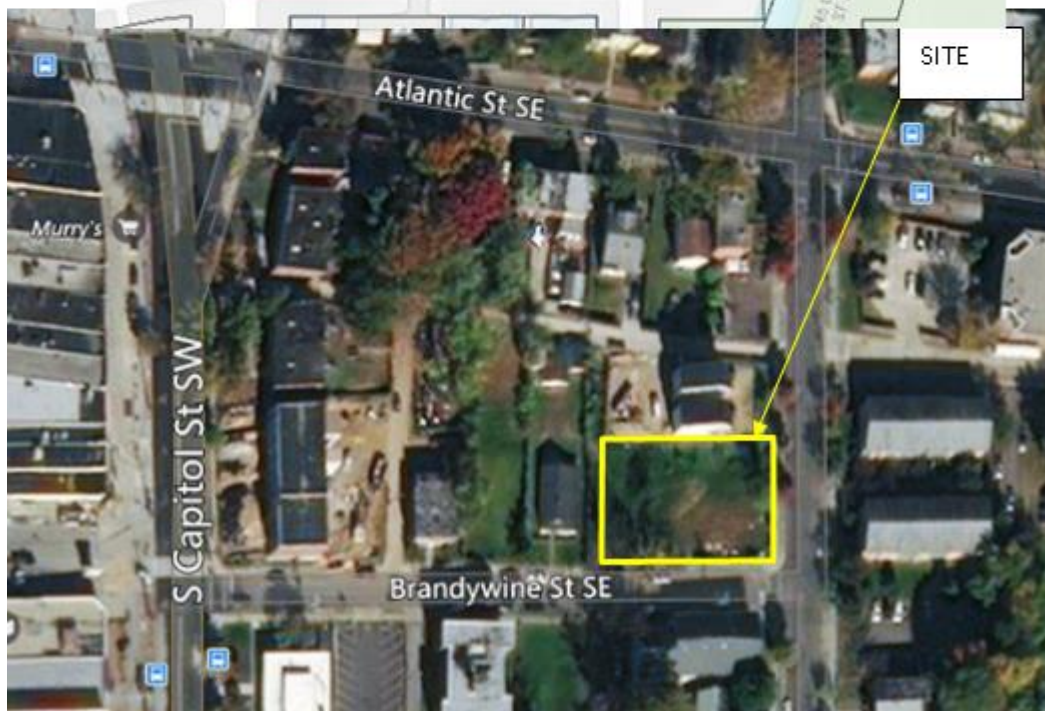
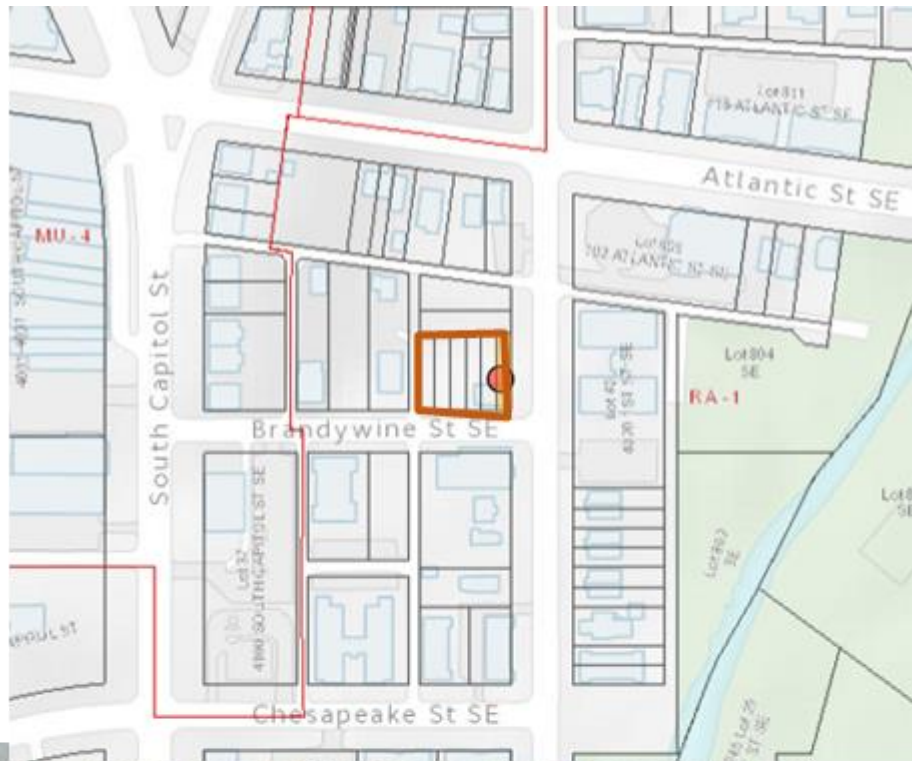
No agency has filed comments as of the date of this report. The applicant has been encouraged to contact the Arborist concerning the trees on the property.

## **VII. COMMUNITY COMMENTS**

The subject property is within ANC-8D. The applicant states that they have requested a date to make a presentation to the ANC.

ATTACHMENT 1 – Site and Location Maps

ATTACHMENT 1



**SITE AND LOCATION MAPS**