

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, AICP, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** April 15, 2013  
**SUBJECT:** BZA Case 18534- 4601-4603 Grant Street, N.E.

**I. OFFICE OF PLANNING RECOMMENDATION**

The applicant has submitted a request for the following variances:

- § 401.3 Lot Width for each lot (30 feet required; 25 feet existing; 25 feet proposed);
- § 401.3 Lot Area for each lot (3,000 SF required; 2,500 SF existing; 2,500 SF proposed);  
and
- § 405.9, Side Yard for each lot (8 feet required; 5 feet proposed.)

**II. LOCATION AND SITE DESCRIPTION**

Address	4601 and 4603 Grant Street, N.E.
Legal Description	Square 5145, Lots 10 and 11
Ward	7
Lot Characteristics	Rectangular level lots with rear alley access
Zoning	R-2 – detached and semi-detached one-family dwellings.
Existing Development	Vacant
Adjacent Properties	The adjacent properties are primarily comprised of detached and semi-detached single family homes.
Surrounding Neighborhood Character	Predominantly one-family residential. The remainder of the subject square on the south side of Grant Street is developed with semi-detached dwellings only.

**III. APPLICATION IN BRIEF**

The applicant proposes to construct two semi-detached dwellings on adjacent undeveloped record lots. The lots are nonconforming for lot area and lot width. One five-foot wide side yard would be provided for each dwelling, less than the minimum required side yard width of eight feet.

The proposal is in conformance with all other dimensional regulations.



#### IV. ZONING REQUIREMENTS and REQUESTED RELIEF

The following table, which reflects information supplied by the Applicant, summarizes certain zoning requirements for the project and the relief requested.

<b>R-2 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Height § 400	40-foot max.	N/A	20.75 ft.	None required
Lot Width § 401	30-foot min.	25 ft.	25 ft.	Relief Required
Lot Area § 401	3,000 SF min.	2,500 F	2,500 SF	Relief Required
Lot Occupancy § 403	40% max.	N/A	32%	None required
Rear Yard § 404	20-foot min.	N/A	37 feet	None required
Side Yard § 405	8-foot min.	N/A	5 feet	Required

#### V. OFFICE OF PLANNING ANALYSIS

a. **Variance Relief from § 401.3, Lot Width and Lot Area**

i. **Exceptional Situation Resulting in a Practical Difficulty**

Although the subject lots could be combined into one large lot in conformance with the lot width and area requirements of the zoning regulations, doing so would create a lot which would be much larger than all of the immediately adjacent properties in the square, out of character with the surrounding development. Semi-detached structures are a common housing type in the neighborhood. In addition, the applicant indicated that combining the subject lots into one larger lot would result in a property which would be unmarketable and that financing for a project on a combined lot would be difficult to obtain. A letter was submitted to the file by the applicant from a financial advisor regarding the financial infeasibility of developing a detached dwelling on a combined lot.

ii. **No Substantial Detriment to the Public Good**

OP does not anticipate that the proposal would cause a substantial detriment to the public good. The requested relief would permit the development of two one-family semi-detached dwellings. Although the lots would be smaller than that required by the R-2, they would be more similar in area and width to the existing surrounding neighborhood than one large lot. The proposal would allow for infill development consistent with adjacent development.

iii. **No Substantial Harm to the Zoning Regulations**

OP is typically highly supportive of proposals to develop vacant infill lots. The relief could be granted without impairing the intent, purpose, and integrity of the Zoning Regulations. While the regulations require that the lots meet a minimum size

threshold, permitting construction of the two semi-detached dwellings would not allow an intensity of development at odds with the intent of the Zoning Regulations.

**b. Variance Relief from § 405.9, Side Yard**

**i. Exceptional Situation Resulting in a Practical Difficulty**

The subject properties are legal nonconforming lots twenty-five feet in width, less than the minimum thirty-foot width required currently required by the R-2 zone. Provision of the minimum required eight-foot side yard would result in semi-detached dwellings only seventeen feet in width. Although not an unusual width for row houses or flats, it would be in the R-2, a lower-density residential zone.

**ii. No Substantial Detriment to the Public Good**

Reduction of the minimum required side yard to five feet would facilitate the development of these two properties with a use consistent with existing development within the square, while providing side yards that are reasonable and consistent with other development in the area. The reduced side yards would be adequate to allow for routine maintenance of the properties without adversely affecting the use of either the adjoining property to the east or the public street to the west.

**iii. No Substantial Harm to the Zoning Regulations**

The requested variances would allow these two existing record lots to be developed with semi-detached dwellings, a use permitted as a matter-of-right within the R-2, while permitting a building footprint consistent and compatible with existing development patterns.

**VI. COMMENTS OF OTHER DISTRICT AGENCIES**

No comments were received from other District agencies.

**VII. COMMUNITY COMMENTS**

ANC 7C was scheduled to review the subject application at its regularly scheduled meeting of April 11, 2013.

One resident of the 4600 block of Grant Street, N.E. submitted a letter in support of the application.

Attachment: Location Map

