

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Karen Thomas, Case Manager  
JL Joel Lawson, Associate Director Development Review  
**DATE:** July 14, 2015  
**SUBJECT:** BZA Case 19051, 1609 Levis Street NE.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- § 401.3 Lot Area (1,800 square feet minimum required, 1,296 square feet, existing); and
- § 401.3 Lot Width (18 feet, min. required, 16.67 feet proposed);

to permit construction of an infill rowhouse on an existing nonconforming lot.

**II. LOCATION AND SITE DESCRIPTION**

Address	1609 Levis Street N.E.
Legal Description	Square 4074, Lot 0804
Ward	5, ANC 5D07
Lot Characteristics	The site is a small rectangular lot, which abuts a 10-foot alley at the rear.
Zoning	R-4 – Single-family row dwellings and flats are predominant in this District.
Existing Development	The lot is currently unimproved.
Adjacent Properties	The lot is adjacent to a vacant lot to the southeast (not in common ownership), and to the northwest, it abuts existing row structures.
Surrounding Neighborhood Character	The surrounding neighborhood is developed with brick row dwellings on small lots (975 square feet and up) on the north side of Levis Street. Within the subject square, the lots are of similar size as the subject property.

**III. APPLICATION IN BRIEF**

The owner of the lot has proposed development of the vacant lot with a single-family, four-bedroom row home with parking at the rear.

**IV. ZONING REQUIREMENTS and RELIEF REQUESTED**

<b>R-4 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Height § 400	40 ft. max.	undeveloped	30.67 ft.	None required
Lot Width § 401	18 ft. min.	16.67ft.	16.67 ft.	<b>Existing non-conformity Relief Required</b>
Lot Area § 401	1,800 SF min.	1,269SF	1,269 SF.	<b>Existing non-conformity Relief Required</b>
Floor Area Ratio § 402	None prescribed	Undeveloped	N/A	None required
Lot Occupancy § 403	60 % max.	Undeveloped	59 %	None required
Rear Yard § 404	20 ft. min.	Undeveloped	31 ft.	None required
Side Yard § 405	None required	Undeveloped	0 ft.	None required
Parking § 2101	1 space/du	Undeveloped	1 space	None required

**V. OFFICE OF PLANNING ANALYSIS**

**a. Variance Relief from §§ 401.2, 401.3-Minimum Lot Dimensions: Lot Area and Lot Width**

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

The lot exhibits an exceptional situation, as its width and area predate the Regulations. Its area is 504 square feet less than the minimum required area and the lot width is 1.33 feet less than the required 18-foot minimum width. In addition, it is not in common ownership with the adjacent vacant lot to the east of the site. The applicant’s representative informed OP that the owner only sought purchase of this lot and did not contact the owner of the other lot for purchase. So the applicant’s lot cannot be combined with the adjacent lot. These facts create a practical difficulty for the current owner in developing the site for any use anticipated within the R-4 District, as its physical dimensions cannot be increased to the minimum required under the current Regulations.

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

The proposed development will create valuable infill on a long-vacant lot. The new home would complement the existing fabric and character with its brick frontage along the street and would support the current revitalization of this section of Ivy City.

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

The proposed home would pose no harm to the Regulations, as no other relief is requested nor required and the relief would permit development of the lot with a building of the use and form anticipated by zoning. The application would satisfy all other provisions, including the proposed building’s height, rear yard and on-site parking requirements.

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

The District Department of Transportation report is submitted under separate cover as Exhibit 23, on 6/26/2015. The reported no objection to the approval of the requested variance.

## **VII. COMMUNITY COMMENTS**

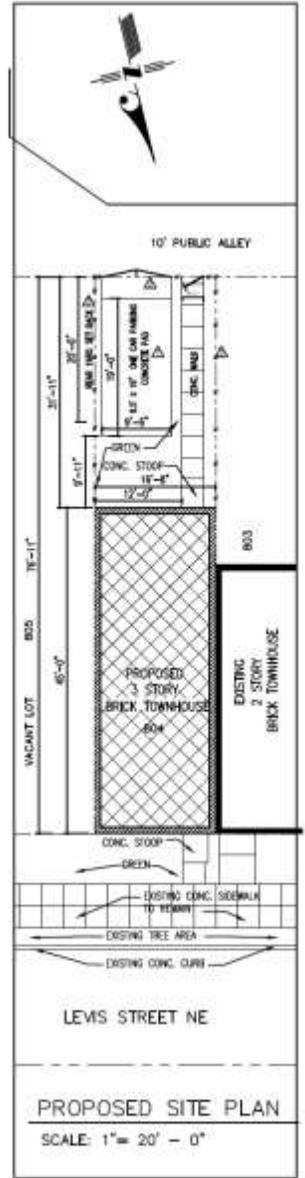
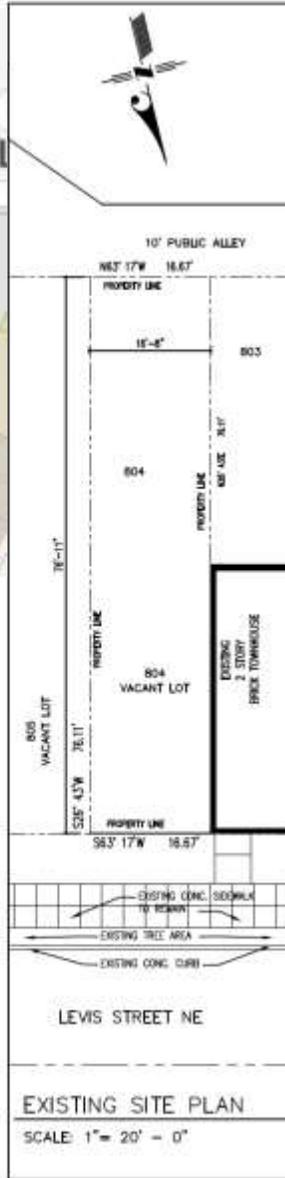
Neighbors' comments were not included in the record at the writing of this report. The Applicant informed OP that the proposal would be presented to the ANC5D on July 14, 2015.

Attachment:

Location Map and Revised Site Plan



Location and Zoning Map



Revised Site Plan - Exhibit #24 -Parking Provided