

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, AICP, Case Manager  
*J* Joel Lawson, Associate Director Development Review  
**DATE:** February 16, 2016

**SUBJECT:** BZA Case 19141, 4608 Sargent Road, N.E. - REVISED APPLICATION

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- § 403, Lot Occupancy (40 percent permitted; 54 percent proposed); and
- § 2300.8, Private Garages and Carports (carports required to be attached to the main structure, detached carport proposed).

Since the initial filing the applicant has revised the application to include a request for a variance from lot occupancy. DCRA determined that variance relief from side yard and nonconforming structures (§ 2001.3) is not required, as was previously suggested by OP.

**II. LOCATION AND SITE DESCRIPTION**

Address	4608 Sargent Road, N.E.
Legal Description	Square 3916, Lot 8
Ward	5A
Lot Characteristics	Rectangular lot with rear alley access
Zoning	R-2: detached and semi-detached single family dwellings
Existing Development	One-family row dwelling with a rear deck
Adjacent Properties	Semi-detached dwellings
Surrounding Neighborhood Character	Low density residential

**III. APPLICATION IN BRIEF**

The applicant requests approval of a fifteen-foot wide detached carport in the rear yard of the middle unit of a one-family triple-attached structure, accessible via the public alley.

**IV. ZONING REQUIREMENTS and RELIEF REQUESTED**

<b>R-2 Zone</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Height § 400	3-story max.	2-stories	2-stories	None required
Lot Width § 401	40-foot min.	17 feet	17 feet	None required <sup>1</sup>
Lot Area § 401	4,000 SF min.	1,955 SF	1,955 SF	None required <sup>2</sup>
Lot Occupancy § 403	40% max.	40%	54%	<b>Required</b>
Rear Yard § 404	20-foot min.	>20 feet	>20 feet	None required
Side Yard § 405	8-foot min.	None	None	None required
Open Court § 406	6 feet	1.9 feet	1.9 feet	None required <sup>3</sup>
Private Garages and Carports § 2300.8	Carports required to be attached to main structure	N/A	Detached carport	<b>Required</b>

**V. OFFICE OF PLANNING ANALYSIS**

**a. Variance Relief from § 403, Lot Occupancy**

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

The subject property is developed as a row house within the R-2 zone that was constructed prior to the adoption of the Zoning Regulations in 1958 on a lot is much smaller and narrower than that now required by the R-2 zone. The lack of side yards, or the ability to provide them, reduces the amount of open space available for this property and results in a lot developed in a manner not consistent with the provisions of the R-2. The subject property cannot be altered to conform.

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

The increase in lot occupancy would be for a structure without walls. There would only be a roof supported by poles, minimizing the bulk appearance and visibility of this carport.

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

The requested variance would permit a roof over off-street parking spaces, without increasing either increasing the size of the dwelling or creating additional enclosed space on the lot.

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<sup>1</sup> Existing nonconformity

<sup>2</sup> Existing nonconformity

<sup>3</sup> Existing nonconformity

**b. Variance Relief from § 2300.8, Private Garages and Carports**

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

Section 2300.8 requires that a carport be attached to the main dwelling. The main building in this case is a row dwelling constructed in 1958, prior to the adoption of the Zoning Regulations, with no side yards. Due to the nonconforming nature of the lot, no side yards are provided or possible, resulting in an exceptional situation.

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

The proposed carport would be located within the rear yard, directly accessible from the public alley. It would be minimally visible from view from the public street.

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

The requested variance would permit a roof over off-street parking spaces, in a location where those off-parking spaces are permitted. The off-street parking would continue to directly accessible from the public alley.

**VI. COMMENTS OF OTHER DISTRICT AGENCIES**

DDOT, in a memorandum dated October 26, 2015, stated that it had no objection to the application.

No other comments from District agencies were received.

**VII. COMMUNITY COMMENTS**

ANC 5A, at a special public meeting on December 18, 2014, voted to recommend approval of the application.

One letter was submitted to the file in opposition to the application.

Attachment: Location Map

