



MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director Development Review & Historical Preservation

DATE: July 20, 2010

SUBJECT: BZA Application 18090 – 3158 Monroe Street NE

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends approval of the variances requested from the minimum lot width and area required under § 401.3; and to reduce the 8-foot side yard required under § 405.9 to 3 feet and 0 feet, respectively, on the east and west sides of the proposed dwelling. Although not requested in this application, this proposal appears to also require relief from § 201.1 to allow a semi-detached dwelling in this R-1-B district. OP does not support granting an increase in the allowable lot occupancy to 50% because the application did not adequately explain how the current 40% standard presents a practical difficulty.

II. SITE AND AREA DESCRIPTION

Address:	3158 Monroe Street NE
Legal Description:	Square 4309 Lot 0026
Ward:	5A
Lot Characteristics:	Rectangular 20 x 100-foot interior lot with frontage on Monroe Street, NE with direct access to a public 15-foot wide alley.
Existing Development:	The property is currently undeveloped.
Zoning:	R-1-B – allows one-family detached dwellings with accessory garages as a matter of right.
Historic District:	None
Adjacent Properties:	One story detached dwellings to the west and north across the alley; two-story detached dwellings to south across Monroe Street; and undeveloped Federal lands to the east that are part of the Fort Circle Park.
Surrounding Neighborhood Character:	Moderate density residential (refer to Figure 1).

III. APPLICATION IN BRIEF

Applicant: M. Sikder

Proposal: The applicant proposes to construct a two-story semi-detached one-family dwelling on the 2,000 square-foot property with a parking pad in the rear yard that would be accessed from the alley.

The R-1-B district allows one-family detached dwellings as a matter of right. However, semi-detached dwellings are not allowed until the R-2 district. This proposal is also subject to the following provisions of the Zoning Regulations:

Standard	R-1-B Requirement	Proposal	Relief Required?
Lot Area (§ 401.3)	5,000 s.f.	2,000 s.f.	Yes
Lot Width (§ 401.3)	50 feet	20 ft.	Yes
Height (§ 400.1)	40 feet	22.3 feet	No
Rear Yard (§ 404.1)	25 feet	40 feet	No
Side Yard (§ 405.9)	8 feet	0 feet and 3 feet	Yes
Lot Occupancy % (§ 403.2)	40%	50% ¹	Yes
Parking, On-Site (§ 2101.1)	1 per dwelling	1 space (garage)	No

According to D.C. land records, the plat for the existing lot was recorded in 1926. The lot width and area are therefore legally nonconforming because these characteristics predate the current Zoning Regulations.

Based on this assessment, construction of the proposed semi-detached dwelling requires relief from minimum lot width and area requirements, required side yard setback and the maximum allowable lot occupancy. Area variance relief appears also to be required from § 201 because a semi-detached dwelling is not listed as a residential use allowed as a matter of right in the R-1 district.

IV. OFFICE OF PLANNING ANALYSIS

Compliance with §3103.2

- Unique conditions or circumstances: This rectangular interior lot is the smallest and narrowest on the square (refer to Figure 2). The lot was created prior to adoption of the current zoning regulations, and its width and area are less than what would be now required.
- Practical Difficulty:
 - Lot width and area: The applicant attempted to address this issue. A letter dated April 10, 2010, that was signed by the applicant and addressed to the owner of the adjacent 25 x 100-foot lot (plated in 1927), expressed interest in exploring options for a land transfer in order to develop houses on the respective properties. To date there has been no response. Even if the adjacent lot had been acquired, the resulting property would not meet the minimum width of 50-foot and area of 5,000 square feet. The applicant would not be able to purchase a portion of the Federal lands to the east that compose Fort Circle Park.

Since there do not appear to be any opportunities to purchase enough land to sufficiently enlarge the subject property to meet the minimum lot width and area requirements, the lot would not be developable without relief from current standards.
 - Side yard setbacks: Establishing 8-foot side yard setbacks, as required under the regulations, would reduce the width on any building on this property to 4 feet. This requirement does present a practical difficulty for development of any allowable residential use on this lot.

¹ The submitted lot-occupancy calculation did not take into account the 6 x 17-foot front porch and the 3-foot wide side yard that must be included in the building area, which increased the lot occupancy to 50%.

- Establishing a semi-detached dwelling: OP finds that the relief requested by the applicant, to reduce one side yard to 0 feet and to provide a 3-foot wide setback next to the parkland, thereby creating a semi-detached dwelling, presents a reasonable compromise. This is because the resulting dwelling would be setback from the parkland; and the owner of the adjacent 25 x 100-foot property could seek similar zoning relief in the future, to construct a mirror-image semi-detached dwelling on that lot.
- Lot occupancy: Current regulations allow up to 40% lot occupancy equal to a floor area of 800 square feet on this site. When the 3-foot wide side yard and front porch are taken into account, this proposal would encompass 1,000 square feet equal to 50% lot occupancy. OP explained to the applicant that this proposal could be brought into conformance by:

- shifting the dwelling further southeast so that the front porch would sit in public space, the same as other dwellings along this side of Monroe Street; and
- reducing the dwelling depth from 44 feet to 40 feet.

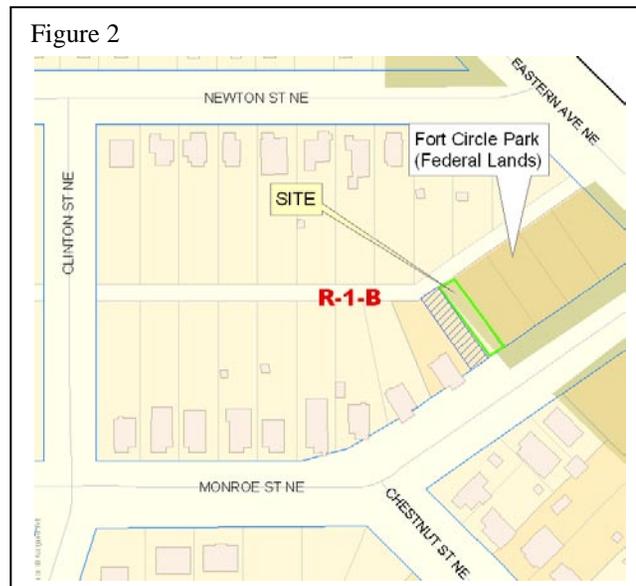
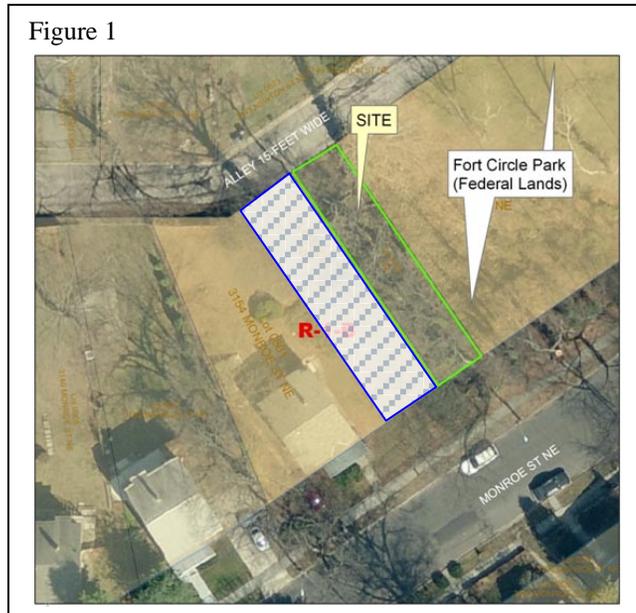
The applicant then directed that the proposed plans be revised to reflect these changes.

- Detriment to the Public Good: It does not appear that granting the requested variance relief would be detrimental to the public good.
- Detriment to the Intent of the Zoning Regulations: Granting the requested relief from the lot width, area and side yard requirement, and referenced use limitation would not be detrimental to the regulations because the necessity for this relief was established consistent with these regulations.

Granting the requested lot occupancy relief would therefore be detrimental to the integrity of the Zoning Regulations.

V. COMMUNITY COMMENTS

Advisory Neighborhood Commission (ANC) 5A voted unanimously to recommend denial of this application at its regularly scheduled meeting on June 23, 2010. There also letters of opposition in the record file from several neighboring property owners.



VI. RECOMMENDATION

OP recommends approval of the variances requested from the minimum lot width and area required under § 401.3; and to reduce the 8-foot side yard required under § 405.9 to 3 feet and 0 feet, respectively, on the east and west sides of the proposed dwelling. Although not requested in this application, this proposal appears to also require relief from § 201.1 to allow a semi-detached dwelling in this R-1-B district. OP does not support granting an increase in the allowable lot occupancy to 50% because the application did not adequately explain how the current 40% standard presents a practical difficulty.

JS/afj

Arthur Jackson, Case Manager