



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: January 5, 2016

SUBJECT: BZA #19154 – 1636 Argonne Place, NW

I. RECOMMENDATION AND BACKGROUND

With regard to this proposal to convert an existing flat to a four-unit apartment building, the Office of Planning (OP) recommends **approval** of the following variance relief:

- § 2115.1 Size of Parking Spaces (19' long X 9' wide required, 16' long X 9' wide proposed).

On December 14, 2015, the Zoning Commission set down for a public hearing a neighbor-initiated downzoning to change the zoning for much of the neighborhood from R-5-B to R-4, effectively putting R-4 zoning in place. The proposed apartment use, however, initially received a building permit in September 2014, and would therefore be a conforming use under the R-5-B zoning in place at the time. The size of the parking spaces was first noted as deficient in May 2015 and was discussed in Appeal #18980. In that appeal, the Board determined that the provided parking area did not conform to § 2115.1. The applicant, therefore, applied for the current variance.

II. LOCATION AND SITE DESCRIPTION

Address	1636 Argonne Place, NW
Legal Description	Square 2589, Lot 460
Zoning	R-5-B – effective on the date of the approved building permit
Ward and ANC	1, 1C
Historic District	None
Lot Characteristics and Existing Development	Existing rowhouse-type structure with addition and interior improvements already mostly constructed; alley at rear with parking area accessed off a fifteen foot wide alley; Rectangular lot 20' X 85'.
Adjacent Properties and Neighborhood Character	Adjacent buildings are rowhouse structures with one or two units. Surrounding neighborhood is a mix of rowhouse structures and apartment buildings. Large scale apartment building across Argonne Place, and another large apartment across the alley, fronting on Columbia Road.

III. PROJECT DESCRIPTION IN BRIEF

The applicant had previously received a building permit to make improvements to a property that would allow a change in use to four apartment units, a matter-of-right use under the R-5-B zoning in effect at the time of the permit's issuance. In the R-5-B zone, the four units required two parking spaces, which are proposed at the rear of the property between a retaining wall at the rear of the building and the property line at the alley. The distance between the retaining wall and the alley is 16'.



IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The zoning applicable to this project is R-5-B. The application seeks zoning relief as noted in the table below.

Item	Requirement	Existing Pursuant to Approved Permit	Relief
§ 400 Height	50'	46.8'	Conforming
§ 401 Lot Area	No requirement	1,700 sf	Conforming
§ 401 Lot Width	No requirement	20'	Conforming
§ 402 FAR	1.8	1.77	Conforming

Item	Requirement	Existing Pursuant to Approved Permit	Relief
§ 403 Lot Occupancy	60%	53%	Conforming
§ 404 Rear Yard	4" / ft. of height; Not less than 15' => 15.6'	16'	Conforming
§ 405 Side Yard	None required	None	Conforming
§ 2101 Number of Parking Spaces	1 per two units	2	Conforming
§ 2115.1 Size of Parking Spaces	19' long X 9' wide	16' long X 9' wide	Requested

V. ANALYSIS

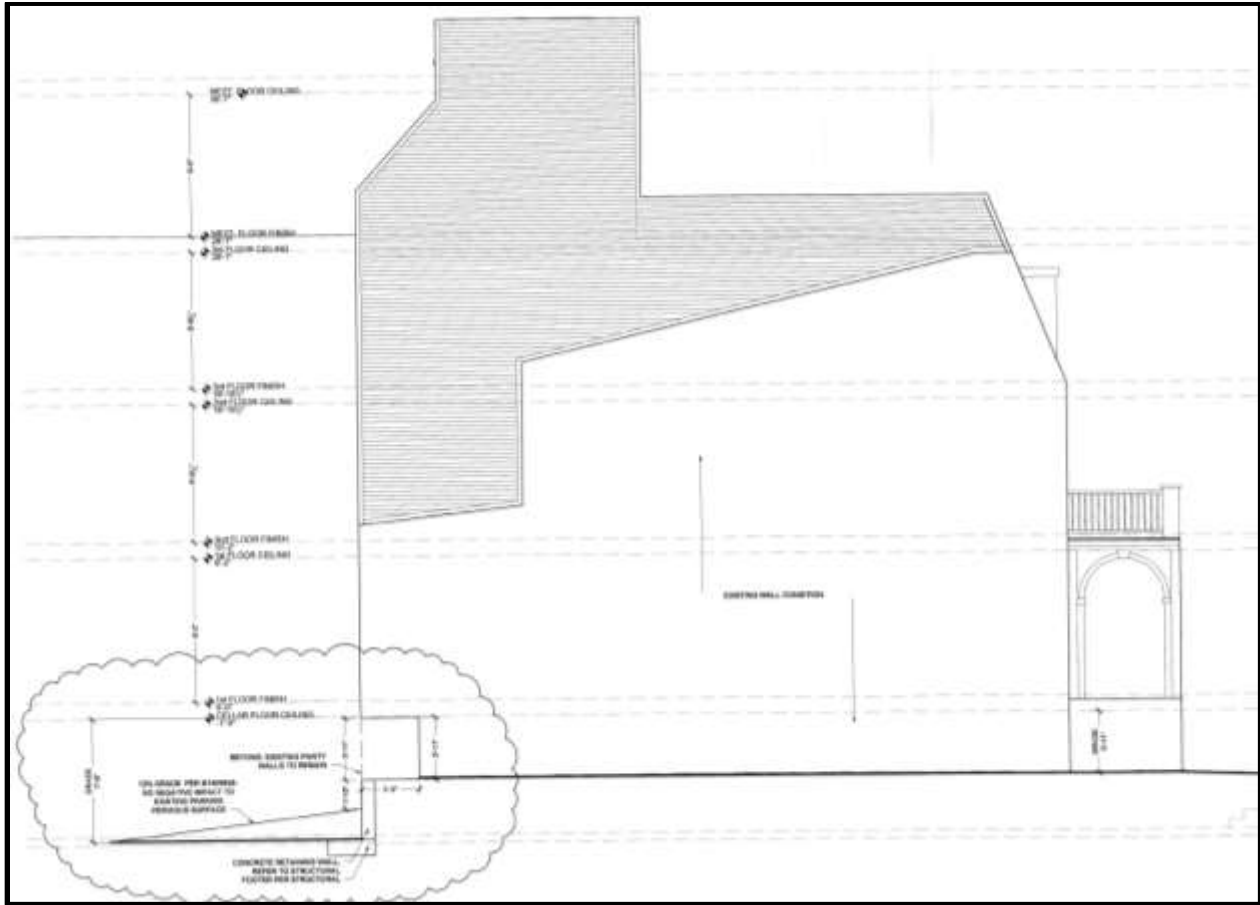
In order to be granted a variance, the applicant must show that they meet the three part test described in § 3103.

1. Exceptional Situation Resulting in a Practical Difficulty

The Board and the DC Court of Appeals have previously determined that the zoning history of a property, including previous government approvals, can constitute an exceptional condition. In this case, building permits were approved with the parking pad in place at the rear of the property. Construction began and was nearly completed pursuant to the approved permits, with the assumption that the parking spaces at the rear of the site were satisfactory. The rear building wall of the first through third floors is in line with the adjacent structures. The cellar wall is set back into the building as shown in the permit drawing below, taken from the record of the appeal case. A retaining wall is in line with the rear building wall above and forms the northern edge of the parking pad. Forcing a change in the design at this point, after many months of construction, would constitute a practical difficulty for the applicant.

2. No Substantial Detriment to the Public Good

Providing parking of the dimensions proposed would not present a detriment to the public good. Parking spaces with dimensions of 16' X 9' are common throughout the city, as that is the standard size of "compact" parking space per the Zoning Regulations. Parking spaces of that size are able to accommodate many types of automobiles, up through mid-sized SUVs. A visual survey of the alley showed that many properties use the space behind their buildings as a parking pad, as this lot proposes to do.



3. No Substantial Harm to the Zoning Regulations

The Zoning Regulations generally support the provision of parking for any use, and in this case the applicant proposes an adequate number of spaces. The Regulations also promote the provision of adequately sized spaces, and the size proposed is consistent with a parking depth permitted for compact parking spaces, so should accommodate typical vehicles. Granting relief would not impact the integrity of the Regulations as the circumstances leading to this request appear to be rare, and the parking size would not be smaller than permitted under zoning for compact spaces.

VI. COMMUNITY COMMENTS

As of this writing OP has received no comments specific to the parking-size variance. There is in the record an application from neighbors for party status in opposition to the application.