

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: October 6, 2017
SUBJECT: BZA Case 19547 - request for Special Exception relief pursuant to X § 901 to use an existing accessory building for residential use and to provide no parking at 714 4th Street, NE

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following Special Exception:

- Subtitle C § 701 to allow relief from the Minimum Vehicle Parking Requirements pursuant to Subtitle C § 703.

II. LOCATION AND SITE DESCRIPTION

| | |
|-------------------------------------|---|
| Address: | 714 4 th Street, NE |
| Applicant: | Melissa Boyette, Agent on behalf of Todd Helmus, Owner |
| Legal Description: | Square 0777, Lot 0068 |
| Ward / ANC: | 6 / 6C |
| Zone: | RF-1 |
| Historic District: | Capitol Hill Historic District |
| Lot Characteristics: | 1,280 square foot rectangular lot bounded by 4 th Street NE to the east, adjoining lots to the north and south, and a 16-foot wide improved public alley to the west. |
| Existing Development: | The property is improved with an existing two-story single-family residential row dwelling with a detached one-story garage. |
| Adjacent Properties: | The adjacent properties to the north and south at 716 and 712 4 th Street NE also are improved with residential row dwellings. |
| Surrounding Neighborhood Character: | The immediately surrounding neighborhood is residential in character; however, the H Street NE commercial corridor is located directly to the north in Square 0777. |
| Proposed Development: | The Applicant proposes to convert the existing detached garage to residential use. The Applicant is not proposing to expand the existing accessory building to accommodate the second dwelling unit, which would result in the loss of one parking space. |

III. ZONING REQUIREMENTS and RELIEF REQUESTED

| RF-1 Zone | Regulation | Existing | Proposed ¹ | Relief |
|---|---|-----------------------|------------------------------|-------------------------|
| Lot Width (ft.) E § 201 | 18 ft. min. | 16 ft. | 16 ft. | Existing nonconforming |
| Lot Area (sq. ft.) E § 201 | 1,800 sq. ft. min. | 1,280 sq. ft. | 1,280 sq. ft. | Existing nonconforming |
| Lot Occupancy E § 304 | 60% max. | 71.4% | 71.4% | Existing nonconforming |
| Rear Yard (ft.) E § 306 | 20 ft. min. | 0 ft. | 0 ft. | Existing nonconforming |
| Side Yard (ft.) E § 307 | None required, but 5 ft. min. if provided | N/A | N/A | None required |
| Court E § 203 | 2.5 in./1 ft. height min. | N/A | N/A | None required |
| Height E § 303 | 35 ft. max. | 25.2 ft. | 25.2 ft. | None required |
| Parking C § 701 | 1 space | 1 space | 0 spaces | Relief Requested |
| Accessory Building Height E § 5002 | 20 ft./2 stories | 9 ft. 2 in. | 9 ft. 2 in. | None required |
| Accessory Building Lot Occupancy E § 5003 | Greater of 30% of required rear yard of 450 sq. ft. | 328 sq. ft. | 328 sq. ft. | None required |
| Accessory Building Rear Yard E § 5004 | 12 ft. from centerline of alley | 8 ft. from centerline | 8 ft. from centerline | Existing nonconforming |
| Accessory Building Side Yard E § 5005 | None required | N/A | N/A | None required |
| Access U § 301 | 8 ft. easement; 24 ft. alley; or 15 ft. alley within 300 ft. of a public street | 16 ft. alley | 16 ft. alley | None required |

IV. OP ANALYSIS

A. Subtitle C Section 703 - Special Exceptions from Minimum Parking Requirements

703.1 This section provides flexibility from the minimum required number of parking spaces when the provision of the required number of spaces would be contrary to other District of Columbia regulations; or impractical or unnecessary due to the shape or configuration of the site, a lack of demand for parking, or proximity to transit.

The Applicant is proposing to convert the existing detached garage to a residential use. As a result of the proposed conversion, the required parking space would be eliminated. Therefore, the Applicant is requesting special exception relief from the minimum parking requirements for the property to provide no parking spaces where one parking space would be required.

¹ Information provided by applicant.

703.2 *The Board of Zoning Adjustment may grant a full or partial reduction in number of required parking spaces, subject to the general special exception requirements of Subtitle X, and the applicant's demonstration of at least one (1) of the following:*

- (a) *Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;*
- (b) *The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;*
- (c) *Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;*
- (d) *Amount of traffic congestion existing or which the parking for the building or structure would reasonably be expected to create in the neighborhood;*
- (e) *The nature of the use or structure or the number of residents, employees, guests, customers, or clients who would reasonably be expected to use the proposed building or structure at one time would generate demand for less parking than the minimum parking standards;*
- (f) *All or a significant proportion of dwelling units are dedicated as affordable housing units;*
- (g) *Quantity of existing public, commercial, or private parking, other than on-street parking, on the property or in the neighborhood, that can reasonably be expected to be available when the building or structure is in use;*
- (h) *The property does not have access to an open public alley, resulting in the only means by which a motor vehicle could access the lot is from an improved public street and either:*
 - (1) *A curb cut permit for the property has been denied by the District Department of Transportation; or*
 - (2) *Any driveway that could access an improved public street from the property would violate any regulation of this chapter, of the parking provisions of any other subtitle in the Zoning Regulations, or of Chapters 6 or 11 of Title 24 DCMR;*
- (i) *The presence of healthy and mature canopy trees on or directly adjacent to the property; or*
- (j) *The nature or location of a historic resource precludes the provision of parking spaces; or providing the required parking would result in significant architectural or structural difficulty in maintaining the integrity and appearance of the historic resource.*

The Applicant has demonstrated that the property meets more than one of the above conditions including (b) and (c), thus meeting the criteria for a Special Exception for parking reduction. The Applicant states that the property is in close proximity to Union Station, which serves as a Metro and bus hub. Furthermore, the property is less than one block from H Street NE, which provides access to streetcar and bus. Finally, car share is available in the neighborhood.

703.3 *Any reduction in the required number of parking spaces shall be only for the amount that the applicant is physically unable to provide, and shall be proportionate to the reduction in parking demand demonstrated by the applicant.*

The Applicant is requesting a reduction of one parking space. Conversion of the accessory building to a dwelling unit prevents the Applicant from providing the one required parking space onsite.

703.4 *Any request for a reduction in the minimum required parking shall include a transportation demand management plan approved by the District Department of Transportation, the implementation of which shall be a condition of the Board of Zoning Adjustment's approval.*

DDOT has indicated that the Applicants' submission satisfies its requirements for a transportation demand management plan and they support the relief request.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No comments from other District agencies had been filed at the time this report was drafted. OP contacted the District Fire and EMS Department for comments, but no response was received.

VI. COMMUNITY COMMENTS

At a duly noticed regularly scheduled monthly meeting held on July 12, 2017, ANC 6C voted 6-0-0 to support the subject application.

Adjoining property owners at 716 4th Street NE and 712 4th Street NE submitted letters in support of the application (Exhibits 34 and 35, respectively).

The Capitol Hill Restoration Society (CHRS) voted to support the application August 10, 2017 (Exhibit 41).

Attachment: Location Map

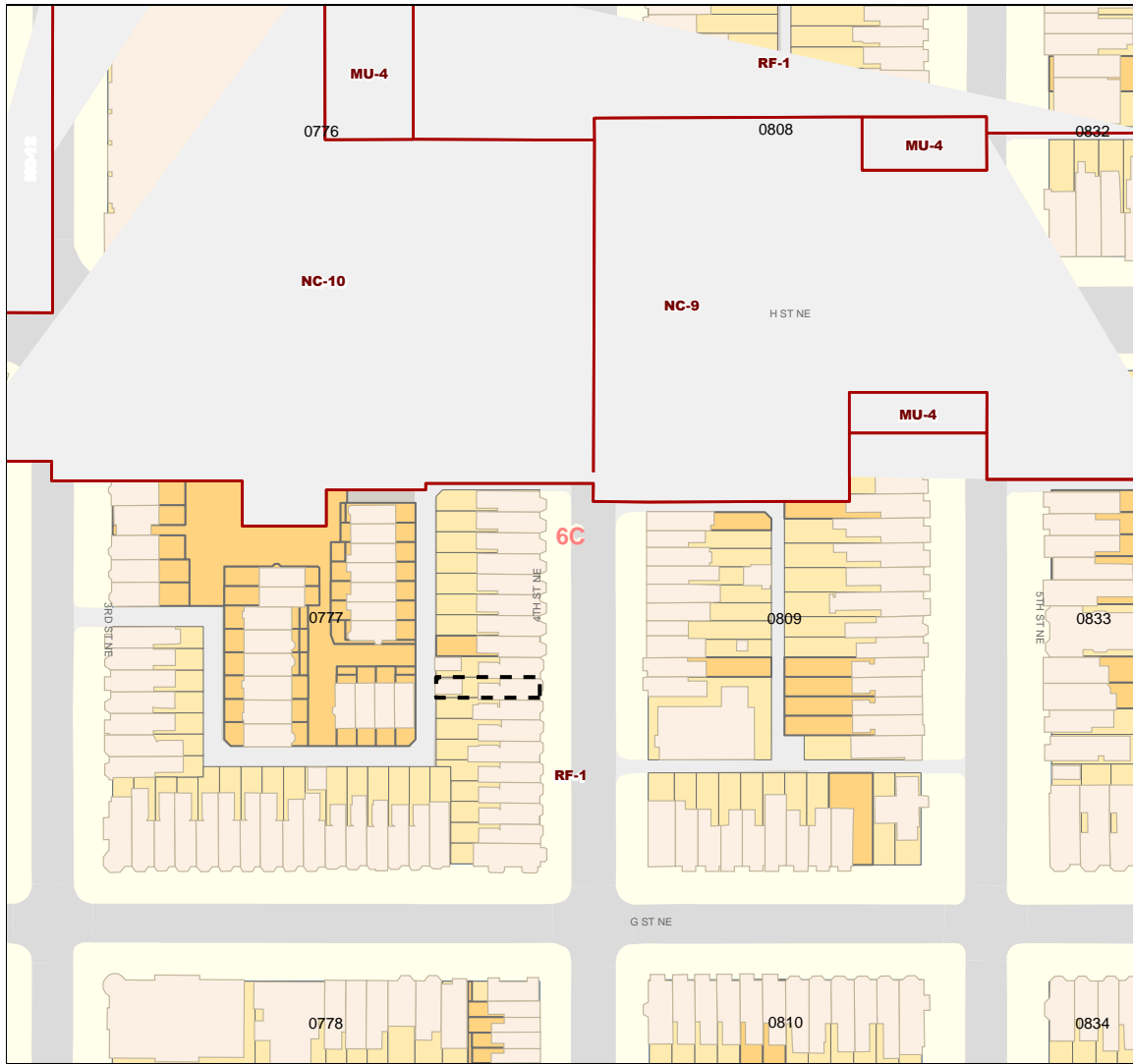


Figure 1: Location Map 714 4th Street NE