

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Elisa Vitale, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: April 6, 2018

SUBJECT: BZA Case 19736, 1928 15th Street, SE, Variances from D §§ 302 and 307 to allow construction of a new semi-detached single-family dwelling in the R-3 zone not meeting the minimum lot area and side yard requirement.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following variances pursuant to X § 1000.1:

- D § 302.1, minimum lot dimensions (30 feet minimum lot width and 3,000 square feet minimum lot area required; 28 feet lot width and 2,688 square feet lot area provided)¹; and
- D § 307.4, side yard (8 feet minimum required; 0 feet provided).

II. LOCATION AND SITE DESCRIPTION

Address	1928 15 th Street, SE
Applicant	Cozen O'Connor, attorney, on behalf of Mi Casa, Inc., owner
Legal Description	Square 5766, Lot 800
Ward, ANC	Ward 8 / ANC 8A
Zone	R-3 - The purpose of the R-3 zone is to allow for row dwellings, while including areas within which row dwellings are mingled with detached dwellings, semi-detached dwellings, and groups of three (3) or more row dwellings.
Historic District	Anacostia Historic District
Lot Characteristics	The Property is a rectangular, corner tax lot that measures 28 feet in width and 96 feet in length. The Property is bound by adjacent lots to the north and east; U Street, SE to the south; and 15 th Street, SE to the west.
Existing Development	The Property is currently unimproved.
Adjacent Properties	The adjacent property to the north is improved with a 2-story semi-detached single-family dwelling.

¹ Under ZR-16, relief is not required from lot area or width for a non-conforming record lot; however, in this case the subject lot is a tax lot, and relief is required to convert it to a record lot which is needed to obtain building permits.

Surrounding Neighborhood Character	The surrounding neighborhood is residential in character with Ketchum Elementary School to the west across 15 th Street SE. Commercial properties in the MU-4 zone front Good Hope Road, SE to the north
Proposed Development	The Applicant proposes to convert the tax lot to a record lot, and construct a semi-detached single-family dwelling.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – R-3	Regulation	Existing	Proposed	Relief
Height (ft.) D § 303	40 ft./3 stories	N/A	26 ft. 6 in.	None Required
Lot Width (ft.) D § 302	30 ft.	N/A	28 ft.	REQUIRED
Lot Area (sq. ft.) D § 302	3,000 sq. ft.	N/A	2,660 sq. ft.	REQUIRED
Lot Occupancy D § 304	40 %	N/A	27%	None Required
Rear Yard (ft.) D § 306	20 ft.	N/A	38 ft. 4 in.	None Required
Side Yard (ft.) D § 307	8 ft.	N/A	0 ft. – 8 ft. 4 in.	REQUIRED
Parking C § 701	1 sp./dwelling unit	N/A	0 spaces	None Required

IV. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from U § 302.1 and 307.4

i. Exceptional Situation Resulting in a Practical Difficulty

The Property exhibits an exceptional situation that results in a practical difficulty. Lot 800 is an existing nonconforming tax lot. Historical data indicate that there was a semi-detached dwelling on the property, which no longer exists today. The adjoining properties to the north are improved with a grouping of 3 dwellings that are not owned by, or under the control of, the Applicant.

The property to the north at 1926 15th Street, SE is semi-detached and provides a narrow side yard at its southern property line. The Applicant is proposing to construct a semi-detached dwelling that would not provide a northern side yard, but would provide a conforming side yard at the southern property line. The zoning regulations require that a side yard be provided on each freestanding side for dwellings in the R-3 zone. If the Applicant provided the required 8-foot side yards, 12 feet of lot width would remain for construction of a dwelling. The resulting developable area would not be suitable to residential construction.

The existing subdivision of Square 5766, 28-foot width of Lot 800, and inability to assemble lots to create a conforming lot width, create an exceptional situation that results in a practical difficulty.

ii. No Substantial Detriment to the Public Good

The Applicant is proposing a semi-detached, single-family dwelling that would be compatible and consistent with the surrounding residential neighborhood. The Applicant has sited the proposed

dwelling at the northern property line, which maintains the open side yard at the corner and does not encroach on the front setback of facades fronting U Street SE.

The Historic Preservation Review Board (HPRB) reviewed the project and provided conceptual approval at its October 26, 2017 meeting, with the condition that further review was delegated to staff and the project return to the HPRB on consent. Granting the requested lot dimension and side yard relief should not result in substantial detriment to the public good.

iii. No Substantial Harm to the Zoning Regulations

The R-3 zone permits row dwellings, as well as detached dwellings and semi-detached dwellings. The Applicant is proposing to construct a semi-detached dwelling, which is permitted in the R-3 zone. Allowing the construction of a semi-detached dwelling, on a tax lot that was previously improved, should not cause harm to the intent and integrity of the Zoning Regulations.

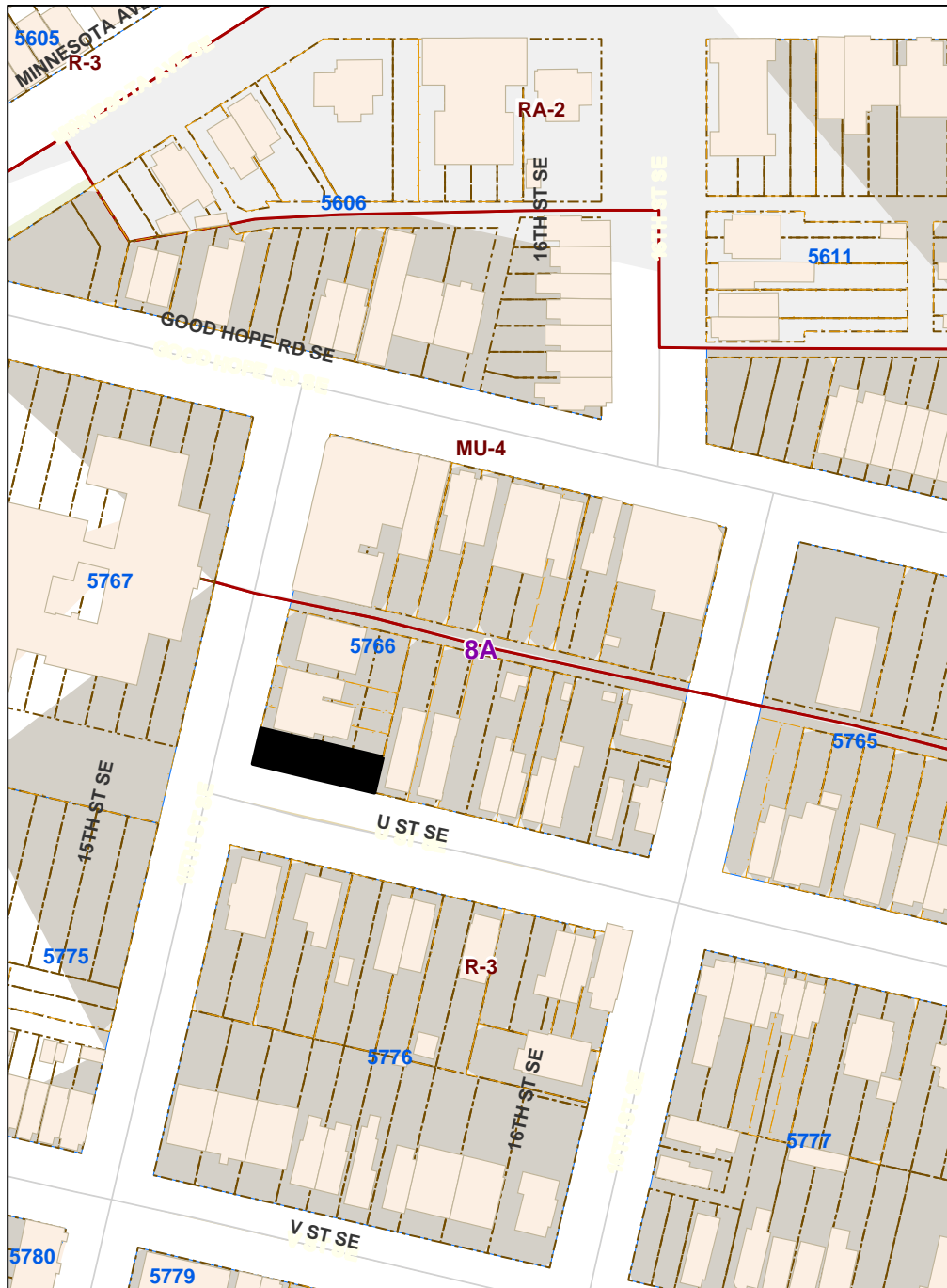
V. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been received at the time this report was written.

VI. COMMUNITY COMMENTS

Comments from community members, including ANC 8A, had not been received at the time this report was written.

Attachment: Location Map



Attachment: Location Map, 1928 15th Street, SE