



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

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

DATE: June 1, 2010

SUBJECT: BZA Case No. 18068, 1213 4th Street, N.W.
Square 523, Lot 865

I. SUMMARY RECOMMENDATION

1. The Office of Planning (OP) recommends **APPROVAL** of **an area variance to § 2101.1 of Title 11 DCMR** to decrease the number of off-street parking spaces from one to zero.

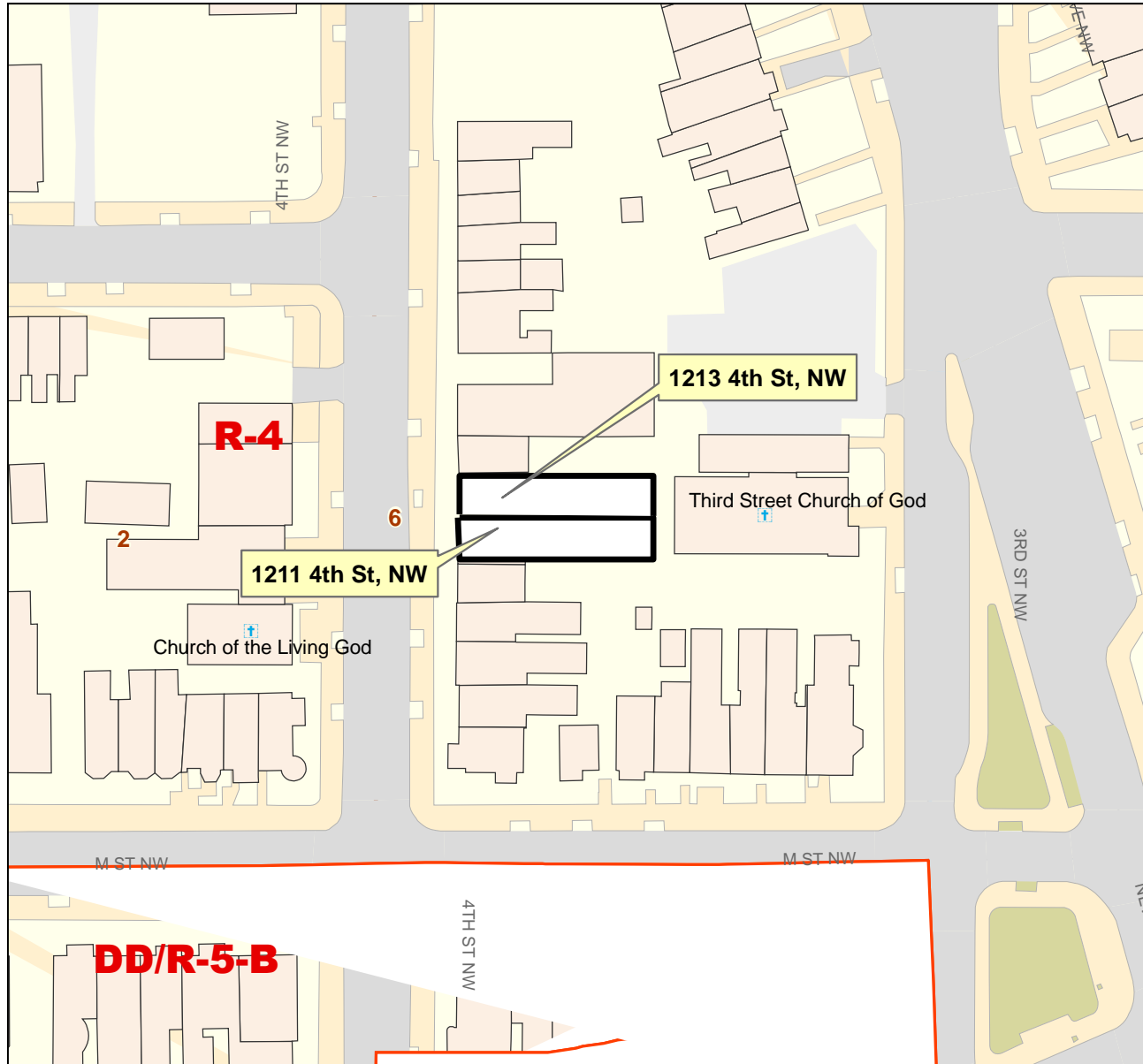
II. AREA AND SITE DESCRIPTION

Address	1213 4 th Street, N.W.
Legal Description	Square 523, Lot 865
Ward	2
Lot Characteristics	Rectangular lot with no alley access
Existing Development	Vacant
Zoning	R-4- row dwellings, conversions and apartments residence district
Historic District	Mount Vernon Square
Adjacent Properties	North: Semi-detached dwelling South: Vacant row house lot East: Church West: Across 4 th Street, low-rise apartment buildings
Surrounding Neighborhood Character	Row houses, flats and multi-family residential buildings, and institutional uses.

III. APPLICATION IN BRIEF:

The applicant proposes to construct a flat on the subject property. One parking space is required and none are proposed. The previous structure on the site was demolished and the site is currently vacant.





Zoning and Vicinity Map

IV. OFFICE OF PLANNING ANALYSIS

Area Variance to § 2101.1 – Off-Street Parking Requirements

Section 2101.1 sets the minimum off-street parking requirements for flats within the R-4 district at one space per flat, or one off-street parking space for the subject property. The subject application proposes no parking spaces.

Uniqueness

The subject square was developed over 100 years ago, prior to the adoption of the Zoning Regulations and the requirement to provide off-street parking. The square is designed with no vehicular accessible alleys. As a result the subject property has no alley access. No new residential structure has been constructed within the square since the adoption of the off-street parking requirements contained within the Zoning Regulations in 1958, or the inclusion of this square within the Shaw Historic District in 1999. The subject property and the

adjoining lot to the south at 1211 4th Street, N.W. (see BZA Application No. 18067) are the first to be proposed within this square with an off-street parking requirement, resulting in an exceptional situation.

Practical Difficulty

Provision of one off-street parking space would be a practical difficulty to the applicant. The subject lot has no alley access and is only accessible from 4th Street. The Historic Preservation Office has recommended against the creation of a curb cut from the front of the property on 4th Street and the other three sides of the lot directly abut adjoining private property, precluding access. No other options exist for vehicular access to the site. Therefore, it would be a practical difficulty to require the applicant to provide one off-street parking space for this site.

Intent of the Zone Plan

The requested variance would not substantially impair the intent, purpose and integrity of the zone plan. It would allow for infill development on a vacant lot in conformance with all other provisions of the Zoning Regulations and consistent with the policies of the Comprehensive Plan. The granting of this variance would maintain the existing number of parking spaces as the provision of a curb cut to an off-street parking space would simply trade an on-street parking space for an off-street parking space, with no net gain in parking.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VI. COMMUNITY COMMENTS

ANC 2C did not respond to a request for comments from the Office of Planning.

VII. CONCLUSION AND RECOMMENDATION

The Office of Planning finds the subject application to be in conformance with the provisions of the requirements for the granting of a variance.

JS/sjm^{AICP}

Project Manager: Stephen J. Mordfin, AICP