

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: September 24, 2013
SUBJECT: BZA Case 18622, 4301 16th Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 401.3, Minimum Lot Area (5,000 square feet required, 2,078 square feet proposed)

II. LOCATION AND SITE DESCRIPTION

Address	4301 16 th Street, N.W.
Legal Description	Square 2698, Lot 37
Ward	4, 4C
Lot Characteristics	The rectangular lot is at the southwest corner of 16 th Street and Varnum Street and has an area of 2,922 square feet. The lot has a frontage of 31.44 feet along 16 th Street and 92.95 feet along Varnum Street. It does not have separate alley access; rather, parking is accessible via an easement shared by three separate lots. The neighbors have agreed to share the easement with the subject property.
Zoning	R1-B – high density detached and semi detached single family dwellings.
Existing Development	Detached single family dwelling, permitted in this zone.
Historic District	N/A
Adjacent Properties	Adjacent properties are detached and semi detached single family dwellings, as well as row dwellings in the R-4 District located east of the subject site.
Surrounding Neighborhood Character	The surrounding neighborhood character is generally residential, consisting of higher density development that includes detached and semi detached single family dwellings and row dwellings. A church is located in the northwest corner of the square.



III. APPLICATION IN BRIEF

The applicant is requesting relief that would allow the development of a detached three story single family dwelling at the northeast corner of 16th Street and Varnum Street. The dwelling would comply with all development requirements, with the exception of minimum lot area. In the R1-B District, a lot area of 5,000 square feet is required. The subject property is 2,922 square feet.

A similar application by the same property owner was approved by the Board in 2008. Due to the economic climate, the applicant decided not to construct the home prior to the expiration of the variance. The current application requests the same relief as the one that was approved in 2008 and proposes the same dwelling footprint and floor plan.

The proposed dwelling would have an entrance from Varnum Street, which consists of a sizeable porch and uncovered patio. The proposed elements located along the south building elevation, including the porch, patio, walkway, steps and retaining wall, would be located in public space and would require review and approval by the Public Space Committee. The home would have a footprint of approximately 1,100 square feet, similar to other dwellings within the square, and the lot would comparable in size to adjacent properties.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

R-1-B Zone	Regulation	Proposed	Relief
Lot Width § 401	50 ft. min.	92.95 ft.	None required
Lot Area § 401	5,000 sf. min.	2,922 sf.	Required
Floor Area Ratio § 402	None prescribed	--	None required
Lot Occupancy § 403	40% max.	38%	None required
Rear Yard § 404	25 ft. min.	41.65 ft.	None required
Side Yard § 405	8 ft. min.	8.85 ft.	None required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 401, Minimum Lot Area

i. Exceptional Situation Resulting in a Practical Difficulty

The lot size is a unique feature for which relief is appropriate. The property is nonconforming in area, providing 2,922 square feet where 5,000 is required in the R-1-B District. The lot, created in 1925, substantially predates the 1958 zoning regulations. The properties adjacent to the subject property are under separate ownership and have been developed, barring the property owner from acquiring additional land that would make the corner lot conform to current regulations. Therefore, the property's size presents a practical difficulty for the owner to develop in accordance with current zoning regulations. If relief is not granted, the property would remain undeveloped.

ii. No Substantial Detriment to the Public Good

The proposed request would not cause substantial detriment to the public good. The R-1-B District permits the development of single family detached dwellings by right. Several other adjacent lots are of a similar area as the subject property and developed with equally-sized dwellings. The proposed dwelling would maintain the existing character of the neighborhood by providing setbacks from Varnum Street and 16th Street similar to dwellings along those frontages, and would be of a similar design and mass. In addition, the proposed single family dwelling would comply with all other zoning regulations of this District, including rear yard, side yard, lot occupancy and lot width, ensuring that adjacent properties would be minimally impacted by its development.

iii. No Substantial Harm to the Zoning Regulations

The requested relief would not cause substantial harm to the zoning regulations. The subject property was created in 1925, before the adoption of the 1958 zoning regulations. Other properties within the neighborhood are also nonconforming and developed similarly to the proposed project. The neighboring lots located to the east and north were developed prior to the 1958 zoning regulations, leaving the subject property the final vacant lot in the square. The proposed dwelling would be compatible with others in the neighborhood and the requested relief has been supported by the ANC.

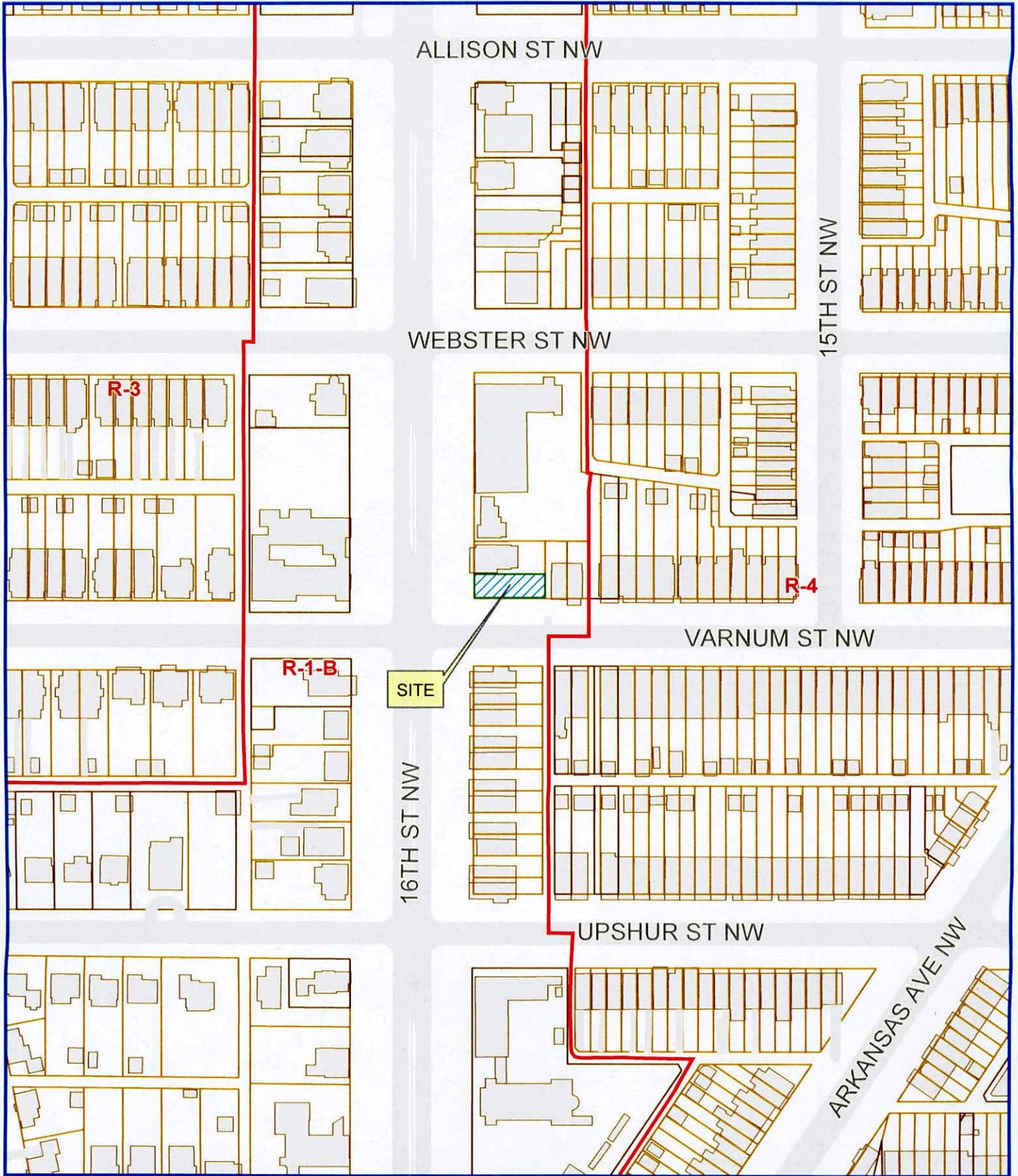
VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of this writing, comments from other District Agencies have not been received.

VII. COMMUNITY COMMENTS

As of this writing, comments from the community have not been received. The ANC has determined that its previous recommendation of approval still stands and has decided not to review the requested relief a second time.

Attachment: Location Map



N



BZA 18622 - 4301 16th Street, N.W.

DC Office of Planning

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

