



ADVISORY NEIGHBORHOOD COMMISSION 3C
GOVERNMENT OF THE DISTRICT OF COLUMBIA
CATHEDRAL HEIGHTS • CLEVELAND PARK
MASSACHUSETTS AVENUE HEIGHTS • MCLEAN GARDENS
WOODLAND-NORMANSTONE • WOODLEY PARK

Single Member District Commissioners
01-Lee Brian Reba; 02-Jason Fink; 03- Jimmy Dubois
04- Beau Finley; 05- Emma Hersh; 06-Angela Bradbery
07- Maureen Kinlan Boucher; 08- Vicki Gersten; 09-Nancy MacWood

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ANC3C Resolution 2019-009
**Regarding BZA Case No. 20034 for 3219 Wisconsin Avenue, NW for a
variance on rear and side yard requirement**

Whereas, the owner of 3219 Wisconsin Avenue is seeking a theoretical lot subdivision to facilitate the moving of a single family contributing house in the Cleveland Park Historic District to the back of the lot and the construction of a multi-family building on the front of the lot; and

Whereas, a condition of theoretical lot creation (Ch. C, Sec. 305) is compliance with side and rear yard allowances, and the proposed theoretical lots would not comply and thus, require zoning variances; and

Whereas, the house requires a 15-foot rear yard allowance and 4 feet is provided, and the multi-family building requires a 25-foot rear yard allowance and none is provided; and

Whereas, the house requires an 8-foot side yard allowance on each side and 1.71-feet is provided on the west side; and

Whereas, the standard of review (Ch. C, Sec. 305.6) assesses whether the theoretical lot will likely have an adverse effect on the present character and future development of the neighborhood, and further (Sec. 305.7) permits the Board of Zoning (BZA) to impose conditions, including the location of structures on the lots; and

Whereas, the standard of review for an area variance for rear and side yard allowance is based on extraordinary or exceptional conditions affecting the property, the creation of practical difficulties if zoning regulations are enforced, and a finding that no substantial detriment to the public good would result from the variance and no substantial impairment of the intent, purpose, and integrity of the zone plan would result; and

Whereas, the owner of 3219 Wisconsin Avenue is also seeking a special exception from the parking requirement (Ch. C, Sec. 703) that one on-site parking space be provided for the multi-family building:

Be It Resolved that ANC 3C has no objection to the creation of the theoretical lots in order to allow a contributing single family house to the Cleveland Park Historic District to be moved and rotated to orient to Macomb Street where single family homes are developed on the block, and to permit the development of a 6-story multi-family building at the front of the R-4 lot **with the condition** that the front of the house be setback to maintain the consistent setback on the block, as would be required if the property were zoned R-1-B as is the zoning on the rest of the block, and to maintain the present character of the neighborhood;

Be It Resolved that ANC 3C finds that there are exceptional conditions affecting the lot and it would be impossible to create the density intended by its R-4 zone classification if the rear yard allowance was enforced on the multi-family development theoretical lot, and that granting a variance from the

rear yard requirement would not harm the public or the integrity of the zone plan since the rear lot line adjoins a windowless façade of the adjoining building;

Be It Resolved that ANC 3C finds similarly that a variance from the rear yard requirement for the single family house theoretical lot is acceptable because it abuts open space, which is the rear yard allowance of a R-4 apartment building, and that a variance from the side yard allowance while not ideal would result in approximately 6 feet separating the house's porch from the apartment building wall, which is a side yard dimension that is not without examples in the historic district;

Be It Further Resolved that ANC 3C has no objection to the granting of the special exception for one parking space per the requirement for the proposed multi-family building since it is located near several commercial areas, there is frequent bus service on Wisconsin Avenue and there is reasonable access to Metro Red Line Stations;

Be It Further Resolved that ANC 3C requests as a condition of any zoning order resulting from this case that a grading and landscape plan be included as exhibits, in addition to the requested condition on the house front setback;

Be It Resolved that the Chair and her designee are authorized to represent the commission on this matter.

Attested by

A handwritten signature in black ink, appearing to read "Nancy J. MacWood". The signature is written in a cursive, flowing style.

Nancy J. MacWood
Chair, on May 20, 2019

This resolution was approved by a voice vote on May 20, 2019 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.