

Mr. Chairman and the Board of BZA:

My name is Clarence Mobley. I am a licensed architect in Washington, D.C. I am currently the representative of the current owner of property located at 4336 Douglas Street, N.E., BZA Case 18381. I understand now that in times past, my client and his representative, a contractor had conversations with a case manager of the Office of Planning before my involvement with the case. You now have a notarized copy that I am representing the owner, Mr. Lawal Abudul Ganyu.

I visited the Office of Planning a month ago to seek help on this case. The Case Manager spoke favorable about the case. I left him a copy of the revised plans produced in my office. He agreed to everything given to him. We departed on a note that the present plans should be approved but I had to make a case for the exceptional conditions.

Yesterday, I noticed that the Case Manager had sent a report to an "OP Supplemental Report for BZA, Case 18381, located at 4336 Douglas Street, N.E.," dated October 23, 2012, and stamped at 3:42pm. The Report stated that "The Office of Planning (OP) **cannot recommend approval** of the applicant's revised requests for relief stating:

- Area variance from 50 ft. to 25 ft. proposed;
- Area variance from 8 ft. each side requireto 3 ft. proposed each side.

The applicant has requested a special exception but a variance is required. Is this a proper procedure? A copy of the Memorandum was not sent to me.

I would like to ask the Chairman and the Board to consider my special exception and a variance for this:

- Special Exception and
- Practical difficulty
- No substantial harm to the public good for the intent of the zoning regulations.
- The Zoning Law of 1958 (R-1-B) 25 ft. width and 48 ft. depth.

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BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18381
EXHIBIT NO. 36
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- We are requesting a special exception for this 3ft. side yard instead of the 8 ft. side yard. This will give us livable room sizes and comfortable air, heat and ventilation with minimal room sizes for the residents. We ask for this variance for special exception.
- We are providing and requesting practical difficulty condition to environmental friendly facades that match neighborhood building materials and style.
- We are showing no harm to the public good or intent of the zoning regulations by using this odd 25 ft. lot by building a house instead of leaving the lot vacant to dumping trash and debris and that would have to be maintained by the City Government with trash removal and places for ill will to residents in the neighborhood to disfigure.
- We are requesting that the Zoning Act of 1958 permit the Grandfather Act be administered here to allow a 25 ft. lot be permitted for housing. There are other 25 ft. lots here in this neighborhood.

P.S. My client bought the lot without knowing the restrictions. My client wants to live here. This is a hardship to my client. This hardship is real and personal. It affects him financially due to paying approximately \$44,000 for the land. It affects him economically because of his banking situation (Bank of America). It affects him spiritually because his church is nearby. It affects him socially because his family and friends live nearby.

III. LOCATION AND SITE DESCRIPTION

Address	4336 Douglas Street, N.E.
Legal Description	Square 5116, Lot 115
Ward	7
Lot Characteristics	Flat, essentially rectangular lot 25 ² wide, approximately 226' deep , with a land area of 5,654 square feet
Zoning	R – 1 detached single family dwellings.
Existing Development	Undeveloped vacant lot
Historic District	none
Adjacent Properties	West: 2 vacant lots of same size as applicant's. East single family dwelling on two substandard lots.
Surrounding Neighborhood Character	Both sides of Douglas Street are developed with single family detached houses, many of which are on narrower lots than required in this low-density zone. There are a substantial number of small vacant lots that were platted prior to the Zoning Act of 1958.

V. ZONING REQUIREMENTS and REQUESTED or NECESSARY RELIEF

R-1 Zone	Regulation	Existing	Proposed	Relief
Height § 400	40' / 3-story max.	Vacant lot	28' 11", 2 stories	None required
Lot Width § 401	50 ft. min.	25 ft.	25 ft.	25 ft., 50% required
Lot Area § 401	5,000 SF min.	5,654 SF	5,654 SF.	None required
Floor Area Ratio § 402	None prescribed	---	---	None required
Lot Occupancy § 403	40 % max.	Vacant lot	17%	None required
Rear Yard § 404	25 ft. min.	Vacant lot	134.58 ft.	None required
Side Yard § 405	8' min., both sides	Vacant lot	3 ft. and 3 ft.	5 ft. on each side
Court § 406	Not applicable	n/a.	n/a.	n/a.