

Statement of Existing and Intended Use

During the latter part of April 2011, we purchased a home here in DC on 2100 First Street, NW. The home we bought had an uncovered patio adjacent to the house. The owners at that time discussed with us the fact that they had planned to build a pergola, however, had not gotten around to doing so before they sold it to us. Given that I am a gardener, I liked the idea, because the pergola provides for trellises on three sides, connected by slats on the top. Plants like sweet pea and morning glory grow voraciously over trellises, proving for beautiful flora in spring and summer. This is the sole intended use for the pergola. No further construction was or is planned, and no other uses intended.

Unfortunately, it wasn't until the pergola was essentially built that we were informed that a permit was required for it. So we immediately set out to get one. I went to DCRA to apply for a "permit after the fact." I was told that the existing structure exceeds lot occupancy and the proposed addition will require BZA relief, as a result. Specifically, "The existing structure exceeds allowable lot occupancy, therefore DCMR-11 Section 404.4 is not applicable and the addition is governed by DCMR-11, Section 2001.3(a)."

Section 404.4 further states "In the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958.

Our trellis does not extend beyond the portion of the rear yard included in the building area as of May 12, 1958. The trellises extend upward on the existing patio. We were further informed that if the beams on the structure were spaced no less than 24 inches on center (24"OC) that it would be in conformance. Our slats have been built 16"OC.

We are therefore requesting a variance because to "de-construct" the pergola by taking out every other beam, could cause instability. This structure withstood a hurricane and an earthquake without a splinter, and we believe that it could potentially cause an unsafe situation to us and our neighbors to begin to pry away every other beam, in order to bring it into compliance.

The physical characteristics of the structure:

- Do not create any additional traffic, noise, lighting or blocking of views.
- It is aesthetically pleasing and we receive numerous compliments on it regularly;
- It does not take up more space / lot occupancy than was in place as of May 12, 1958; and
- It is structurally sound and complies with building requirements, other than the top slats are positioned 16" OC rather than 24" OC which makes it more sturdy.

We are requesting the variance because it does not jeopardize public safety, in fact, leaving it intact is the more secure option. Also, granting the application will not be of detriment to the public good, but enhances the neighborhood. There is minimal impact to neighbors, given it is on the rear of the house. The neighbors who are closest and have a more direct view, are in support of the project and have provided letters in support of our application to request a variance.

Angela Prentice-Ray
March 21, 2012

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18385
EXHIBIT NO. 4

2012 MAR 22 PM 4:50
D.C. OFFICE OF ZONING
RECEIVED
Board of Zoning Adjustment
District of Columbia
CASE NO. 18385
EXHIBIT NO. 4