

APPLICANT: 3579 Warder Street, LLC
PROPERTY: 3602 16th Street, NW

Preliminary Burden of Proof Statement

1. **Area Variance pursuant to 2001.3 relating to Lot Occupancy & Rear Yard**

a. Exceptional Situation Resulting in Practical Difficulty

The existing property currently does not meet the lot occupancy or rear yard requirements for a R-5-D zone. Furthermore, the property is unique due to multiple factors, including but not limited to the extensive damage and current condition of the property caused by a fire at the property in November of 2010. Additionally, the topography and sloping of the site are extremely unique. These exceptional conditions result in a practical difficulty for the applicant to modify the existing non conforming structure and conform to the zoning requirements for lot occupancy and rear yard.

b. No Substantial Detriment to the Public Good

Granting the relief would enable the applicant to preserve the existing structure and convert the property from a single family to a multi-unit dwelling. The proposed project does not expand any non-conforming aspects of the property.

c. No Substantial Harm to the Zoning Plan

Granting the relief creates no substantial harm to the zoning regulations for relief to existing non-conforming lot occupancy and rear yard relief. The proposed project adequately balances the zoning regulations goals of protecting existing properties and modernizing a property that has been boarded up since a fire in 2010.

2. **Area Variance pursuant to 2101.1 relating to Parking**

a. Exceptional Situation Resulting in Practical Difficulty

The property is unique due to a multiple factors, including but not limited to the extensive damage and current condition of the property caused by a fire at the property in November of 2010; and the topography and sloping of the site. The existing garage space is too steep to permit use of the garage by a standard vehicle. These exceptional conditions result in a practical difficulty for the applicant to economically renovate the existing damaged property and conform to the zoning requirements for parking.

b. No Substantial Detriment to the Public Good & Zoning Plan

Granting the relief would enable the applicant to preserve the existing structure and convert the property from a single family to a multi-unit dwelling. The proposed relief from two parking spaces to zero will not create a substantial detriment to the public good. The proposed project adequately balances the zoning regulations goals of protecting existing properties and modernizing a property that has been boarded up since a fire in 2010.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18421

EXHIBIT NO. 4

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