

STATEMENT OF INTENDED USE

Accessory Basement Apartment at 4434 Tindall Street, N.W.

Michael R. Lewis, Property Owner

2013 OCT -8 AM 11:16

(This statement covers Items C, D, and E of the information required for this application.)

The purpose of this requested special exception is to authorize the continued use of a single accessory basement apartment unit in my home. As detailed below, the unit qualifies for an exception under 11 DCMR § 202.10. The house and unit are located at Square 1597, Lot 25. The neighborhood (Fort Gaines, American University Park) is classified R-1-B.

I renovated part of the interior of my home several years ago to create this rental unit for students or graduate students at American University, which is located three blocks away. The renovation was confined entirely to the house's interior, involved no expansion or construction of any new structure, and is not at all visible from outside. The unit therefore in no way impairs the appearance or physical character of the neighborhood.

As required with respect to this application's Item C, I have attached the required plat drawing of the house's profile from above, obtained from the D.C. Office of the Surveyor, with one added modification. This plat dates from 1953, when the house was originally built. Subsequent to then but sometime before I purchased the house in 1998, the house's southern corner was extended to create a screened-in porch at the house's southern corner. In the interest of complete accuracy, I have modified the plat solely to reflect that addition.

Please note, however, that the porch addition included on the plat has no relation to the subject of this application. The basement apartment for which I am requesting an exception is located in a different part of the house, required no modification of the building's exterior, and is therefore not shown in this diagram. (For this reason, no architectural plan of any new "proposed structure" as denoted in Item C is attached to this application.)

With respect to Item D, as indicated above, the purpose of the requested exception is to permit the rental of a basement apartment to a single American University student or graduate student. The renovation was limited to installing an oven and cooking range, a controlled room-heating element, a new counter, a door, a small refrigerator, and some new flooring and carpet in one room; and replacing a sink in the adjoining unfinished room where my washer and dryer are located. The tenant has sole use of the first room, and we share the use of the adjoining unfinished room and bathroom.

All of the appliance installation work, including the required wiring upgrade, was performed by a licensed contractor and subcontracted licensed electrician with required certification and inspection; and no special building permits were required. Aside from occasional repairs and normal maintenance, the unit has functioned properly without mishap to date and I have had no problems with any of my successive tenants; and I have had no complaints or objections from any of my neighbors. (I did not request a zoning exception for the unit earlier out of ignorance: the renovation and its impact were so minimal that it simply did not

BOARD OF ZONING ADJUSTMENT

District of Columbia

CASE NO. 18680

EXHIBIT NO. 4

Board of Zoning Adjustment

District of Columbia

CASE NO. 18680

EXHIBIT NO. 4

occur to me that any authorization from the city might be necessary. Although I am an attorney, I practice only labor law and I was therefore not familiar with the city's zoning regulations. From the outset, however, I have reported my rental income on my federal and D.C. tax returns.)

This unit in no way impairs the nature, quality, or character of the neighborhood for the following reasons.

1. The house and the unit fully comply with all of the criteria of 11 DCMR § 202.10(a)-(h). Specifically, the lot area exceeds 5,000 square feet (the minimum for R-1-B); the house floor space exceeds 2,000 square feet; the rental unit occupies less than 25 per cent of the house's floor space; the unit was created only through internal conversion without creating any additional lot occupancy or gross floor area; no garage space was converted; no additional entrance to the house was created, and the entrance to the apartment does not face the street; the principal dwelling is owner-occupied; the aggregate number of occupants in the house is less than six; and no home occupation is located on the premises. Accordingly, no waiver of any of these requirements pursuant to Sec. 210(i) is necessary.
2. As explained above, the unit's existence is entirely undetectable from outside the house.
3. Only one person at a time inhabits the unit. Since I am the only other person who lives in the house, the house contains fewer residents than many single-family homes. It therefore still complies with the single-family character of the neighborhood, as required in an R-1-B zone.
4. The house's location very close to American University makes the unit particularly convenient for a student who does not have a car. Primarily for this reason, none of the tenants I have had to date has had a car or needed a parking space in the neighborhood. The unit therefore has not added even incrementally to the neighborhood traffic. (Even if an occasional tenant has a car in the future, this will not encroach on other residents' parking space because Tindall Street has houses on only one side, and residents consequently have ample street parking space.)
5. Apart from being a considerate resident of the community, I have a very strong personal interest in ensuring that my tenant is well-behaved and causes no disruption to my home or to my neighbors: I live in the same house. (In fact, the ad I have posted for the unit on American University's housing website specifies that "if you like to party at home, this unit is not for you.") For this reason alone, all of my tenants have been well-behaved and respectful of the neighborhood.

With respect to Item F, as required, I am providing three color images of the house's front, rear and the side where the door leading to the apartment is located. As noted above, however, the apartment has not required any modification of the outside features of the house. These images therefore confirm only that the unit has no structural impact on the neighborhood.

RECEIVED
OCT -8 AM 11:16
OFFICE OF THE
CLERK OF THE
CITY OF WASHINGTON