

CASE NO. 18779

Property at 2761 Woodley PI NW WDC 20008

Property Owner: Christine T. Trankiem

August 25, 2014

Our original application was submitted February 2014.

On March 11, 2014 we received a copy of the memorandum from Zoning Administrator Matthew Le Grant who advised that variance relief was required from:

Section 2001.3 a & b to permit deck addition to existing nonconforming SFD row structure in the R-4 residential zone (3103.2)

Section 403.2 to permit deck addition which will increase the existing is already exceeded the maximum lot occupancy of the existing SFD row structure in the R-4 residential zone (3103.2)

Section 404.1 to permit deck addition which will encroach beyond the minimum required rear setback of the existing SFD row structure in the R-4 residential zone (3103.2).

We completed the above application steps as outlined in Zoning Administrator Le Grant's memorandum.

We received a copy of a memorandum dated June 17, 2014 from Case Manager Arthur Jackson and Associate Director Development Review Joel Lawson of the DC Office of Planning (OP) to the Board of Zoning Adjustment. In it, OP stated they cannot support the variance relief we requested, as they stated our "application did not adequately explain what unique characteristic of the subject property creates a practical difficulty in this case." Further, the OP advised us to seek additional variance relief from 406.1, to extend the existing nonconforming courts.

This document serves to explain the unique characteristics of 2761 Woodley PI NW that create a practical difficulty in this case, as well as to support variance relief from 406.1.

We respectfully disagree with the OP assessment that our property is not significantly smaller than other lots along this street frontage. As easily seen in the satellite view of the Woodley PI NW streetfront provided by the DC Office of Planning ("Figure 2"), the properties at the northern end of Woodley PI NW (where our property is located) are significantly narrower in the rear of the home than those properties situated at the southern end of the street. This difference in property size increases dramatically as the properties proceed from north to south, with the southern properties becoming stable in size approximately seven properties south of 2761 Woodley PI NW.

The OP assessed that we have the option of constructing a 32 square foot deck over a portion of our space by special exception (under Section 223). We respectfully

state that this option is not a realistic or practical one, and that our property is unique resulting in a peculiar and exceptional practical difficulty. A 32 square foot deck, in the context of our submitted plans, would allow a deck that extends less than two feet (22 inches) off of the back of our home.

We respectfully submit to Office of the Zoning Administrator, the Board of Zoning Adjustment, and to the Office of Planning that our property at 2761 Woodley Pl NW is unique and results in a peculiar and exceptional practical difficulty to our proposed deck addition, and we seek appropriate variance relief. This property is significantly narrower than those properties on the southern end of the street front. Because of the narrow nature of our property, our existing dwelling is already nonconforming for lot occupancy and rear setback.

Of note, the OP remarks in their memorandum that "OP was unable to identify and BZA action that authorized the neighboring decks although the Board has granted approval for deck construction elsewhere on the square (Order Nos. 12185, 17031-A and 17225)." We are one of the very few properties on our Woodley Pl NW streetfront that do not have a rear deck (more than 70% of our neighbors have rear decks).

We have actively engaged Commissioner Lee Brian Reba of the ANC 3C in our petition. We are scheduled to formally meet with the ANC 3C on Tuesday, September 2, 2014. We have given our neighbors the opportunity to review our proposed plans and have their support.

We again respectfully submit that we intend no substantial harm to the zoning regulations; we respectfully request that the BZA and OP support our request for variance relief for 403, 404, 2001.3, and 406.

Detriment to the Public Good

Figure 2



peculiar and exceptional practical difficulty resulting from a unique property that would bring the property further out of zoning compliance, would be detrimental to the integrity of the District Zoning Regulations.

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