

D. DETAILED STATEMENT of EXISTING and INTENDED USE OF STRUCTURE

The existing structure at #21 Quincy Place, NW, Washington, DC is a row dwelling. Believed to originally be a single-family row dwelling. At some time subsequent to its construction the ground-level story commenced usage as an English Basement dwelling unit. Note: This ground-level two-story "flat" has been duly inspected and registered with the requisite District of Columbia agencies, and meets all standards and codes to be occupied by a residential tenant, while the top floors function as an owner-occupied row dwelling/townhome.

The intended use of the structure is the continuation of the use(s) described in the paragraphs immediately above. As a deterrent to various crimes such as car break-ins, thefts, and vandalism, the owner/applicant prays the Board to approve the construction of a garage sufficiently sized to accommodate two automobiles. The housing of two automobiles in such a garage structure will require a garage to be the full width of the lot (16.67 feet) and the location of the garage on the lot would need to abut the rear-most property line, at the improved 20 foot width of the public alley, rather than set back from the alley as the Zoning Code typically requires.

The purpose of this BZA Variance Application by the applicant is to obtain approval for the construction of a detached alley-accessed Private 2-space Car Garage. The BZA's approval of the applicant's application is anticipated to require variances (relief) from a number of sections in the DCMR 11 Zoning Regulations, including at least the following:

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|-----------------------|-----------------------------------|
| a. § 2300, and § 2301 | for Alley Setback requirements |
| b. § 403 | for Lot Occupancy requirements |
| c. § 2500.4 | for Height of Accessory Buildings |
| d. § 2500 | for Area and Use Restrictions |

E. DETAILED STATEMENT ADDRESSING BURDEN OF PROOF REQUIREMENT

The applicant's statement is herein set forth, and addresses the three main tests that must be proved:

- 1) "The physical characteristics of the property which make it difficult for the owner to use the property in compliance with the Zoning Regulations" (area variance) are as follows:
 - a. The size of the house on the date when the DC Zoning Code was first adopted already then exceeded the 60% lot occupancy standard
 - b. The size of the lot (Lot 104 , on Square 3101) on the date when the DC Zoning Code was first adopted was narrower (16.67 feet) than the minimum lot width for the R-4 zone (which sets for the minimum lot width as 18 feet)
 - c. The size of the lot (16.67 feet X 90 feet =) 1,500 square feet on the date when the

- DC Zoning Code was first adopted was smaller than the minimum lot size / area required (18 feet width X 100 feet depth =) 1,800 square feet
- d. The applicant's (and his tenant's) personal vehicles are at risk for vandalism and theft; and the public parking and/or un-sheltered parking of their vehicles increases the actual risk, and hazard / loss categories of their real property.
 - e. In addition, the direct access to and from the rear entrances of the residence to and from the proposed garage would provide for completely secured access to and from the residence to the respective occupants' cars. This security feature is a preferred strategy in a dense urban environment.
- 2) Granting the application will not be of substantial detriment to the public good, for the following reasons:
- a. The entirety of the lots on this square were developed prior to the date of the adoption of the DC Zoning Code, and many lots already enjoy the use of carriage houses and garages which occupy the full widths of the respective lots, and which exceed the 60% lot occupancy limits. The existing improved/paved public alley is a full 20 feet in width, and is not a dead-end alley, and at 20- feet in width is sufficiently wide to not cause detrimental conflicts of the only occasional and nominal vehicle movement (which is not due to any through traffic, but only property owners entering or leaving their respective rear-yard car parking premises.
 - b. The alley and the rear-yard facades of the respective dwellings situated on R Street, NW, and Quincy Place, NW, are of sufficient height (typically three to four stories above the alley grade / elevation) that abundant light and air, and a feeling of open-ness provides the alley-scape a pleasant ambience in its own rite. The applicant's proposed full-width garage will be "in-character" with the existing scale of the alley-scape, and not at all detrimental to desirable spatial qualities.
- 3) Granting the application will not be inconsistent with the general intent and purposed of the Zoning Regulations and Map, for the following reasons:
- a. The applicant's request for an increase of lot occupancy is not inconsistent with the use and character, and purpose of the Zoning Regulations and Map
 - b. As a central-city neighborhood with improved alleys and streets, the General intent and purpose of the Zoning Regulations and Map, the applicant's request provides an adequate basis for the Board's approval of this application. The 20-foot wide rear alley is clearly amenable to for use by the residents of this square, for the movement and parking of their personal vehicles at the rear of their respective residences.