



STEPHEN DUPONT, JR. RA  
5159 FULTON ST., NW  
WASHINGTON, DC 20016

08 JAN 2015

District Of Columbia Office Of Zoning  
DC Board of Zoning Adjustment  
441 4th St., NW; Ste. 200-S  
Washington, DC 20001

re: Statement in Support of BZA Case # \_\_\_\_\_, Request  
for an Area Variance under §403 and §2001.3 (b) (2) at 1733 D St., SE

***This letter is identical to the letter of Burden of Proof  
also uploaded.!***

**Dear Members of the Board;**

**This letter is in support** of the above referenced application. A description of the existing and intended use of the structure is included. A detailed statement explaining how this application meets the specific tests identified in the Zoning Regulations for an Area Variance is likewise included. The form of zoning relief, as well as a statement in support of the application, are set forth below.

**AREA & SITE DESCRIPTION**

|                             |                                                                                                                                                                       |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Address:</u>             | 1733 D ST., SE                                                                                                                                                        |
| <u>Legal Description:</u>   | Square 1102, Lot 0110                                                                                                                                                 |
| <u>Ward / ANC:</u>          | 6 / 6B                                                                                                                                                                |
| <u>Lot Characteristics:</u> | The lot area is 2352 sq ft. The D St., SE frontage is 22.67'±, the alley frontage nearly the same. The land slopes up somewhat from the alley toward the front of the |

(202) 487-0500  
email: [sdpra@earthlink.net](mailto:sdpra@earthlink.net)

Board of Zoning Adjustment  
District of Columbia  
CASE NO.18961  
EXHIBIT NO.6

lot, perhaps three feet. Across the alley the interior of the square has two large and very well developed victory gardens.

Zoning:

R-4.

Existing Development:

1733 D St., SE is a north-facing brick two story row home with a cellar level about half out of the ground. As with all its neighbors it was built with a roofed front porch. At the rear, the main floor is a bit less than six feet above grade. Fronting the alley there is a concrete slab with a roof over and roll-up garage door. The rear yard is fenced with a gate at the back of the main block of the house separating the front yard from the back.

Historic District:

The property is not in any Historic District.

Adjacent Properties:

The homes on both sides of D street are similar in construction and configuration to the subject property. On both sides of D street there is a gap in the rows of houses near mid-block. While 1733 is one of 17 attached homes, it has a side yard of slightly more than six feet in width due to this gap. Behind 1733, in the middle of the square there are two large and well developed victory gardens fenced at the alley and complete with amenities such as irrigation.

Surrounding Neighborhood Character:

The neighborhood consists of blocks of row houses in large squares with substantial alleys and open space at their cores. Some row lots have long been combined into larger apartment buildings; and as in other parts of the city, newer taller multi-family developments are replacing some older smaller structures.

**PROJECT DESCRIPTION IN BRIEF**

Applicant:

Erin and James Boyd

Proposal:

The applicants have lived in their house for only a short time. It had been remodeled by a developer, and includes an existing open walled garage and a rear deck. Since the house has a side yard it is classified as a semi-detached home, and at 47% lot occupancy, the property is non-conforming for lot occupancy. There is a need to enclose the garage, but to do so will require that it be slightly enlarged so a car can fit, thus increasing a non-confirming area condition.

**ZONING REQUIREMENTS**

The zoning requirements are itemized in the Self Certification form #135.

**BACKGROUND AND RELIEF SOUGHT:**

The applicant is requesting an Area Variance pursuant to §3103, §403 and §2001.3 (b) (2) for this enclosure and slight enlargement of the garage.

**Application**

The existing garage at the rear alley is part of a non-conforming structure devoted to a conforming use. The existing and proposed future conditions both slightly exceed the limitations of §403, lot occupancy. The existing garage structure has no enclosing walls, but if enclosing walls were to be simply added to the existing structure, it would be too short to fit a typical medium sized car. Thus the proposed enclosed garage footprint must be slightly enlarged.

**ANALYSIS**

**Area Variance:      §§403 Lot Occupancy, 2001.3 (b) (2)**

- 1. Does the property exhibit specific uniqueness with respect to exceptional narrowness, shallowness, shape, topography or exceptional situations or conditions?*

This home is an end house attached to 16 row houses, but it is at the interior of the block. The gap between 1733 and its east side neighbor is

divided between them. As a result 1733 has a side yard and is classified as a semi-detached house. The row houses on the block, including at the ends, are allowed a lot occupancy of 60%. 1733 and its neighbor are the only ones restricted to 40%.

Many garages in this neighborhood are lot line to lot line and the existing structure of 1733's is the same. To simply enclose the existing structure would not increase lot occupancy beyond the existing and would be permitted by §2001.3(a)(2), but the existing structure is too short for even a medium length car. Thus, in order to enclose the existing and also make it usable results in enlarging a non-conforming lot occupancy condition.

*2. Does the extraordinary or exceptional situation impose a practical difficulty which is unnecessarily burdensome to the applicant?*

The existing condition does impose a practical difficulty. The owners would like to be able to perform routine maintenance on their vehicles in the garage as well as store tools, lawn mower, bicycles, etc. The open sided garage offers little security either from intruders or from the weather. And simply enclosing the existing structure would not fit even a typical car. To provide the required security and enable the parking of an ordinary vehicle, the garage must be slightly lengthened, which will "increase and extend" the "existing nonconforming aspect of the structure".

*3. Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?*

The relief can be granted without detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map. Many other lots on the same square have similar garages. Furthermore, the generous and airy interior of this square with its grid of alleys and the two large victory gardens protected by the fifty eight homes facing outward to the city's streets forms a really gracious enclave, a commons, on Capital Hill. The landscape and sheer space of this square are attractive and interesting, and the very slight enlargement of this existing structure will not impact the neighborhood at all.

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### **COMMUNITY COMMENTS/ANC**

No ANC hearing has yet been held. That scheduling and the coordination with the Office of Planning will be initiated by the BZA staff.

Both immediate neighbors have signed letters in support of this application. These will be provided when received.

### **CONCLUSION**

The improvement of this existing garage will reduce an attractive nuisance in the neighborhood by increasing the secure storage of vehicles and equipment and will enrich home life for the applicant. Nor can we imagine any negative result that might derive from the work.

In closing we think the relief requested will be of a net benefit to the neighborhood. We therefore ask your support and thank you for your consideration of this application;

Stephen duPont, Jr. RA

cc: Erin and James Boyd  
file

A handwritten signature in purple ink, appearing to read "Stephen duPont, Jr.", is written over a faint, circular official stamp. The signature is fluid and cursive.