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May 4, 2015

Board of Zoning Adjustment
441 4th St. NW
Washington, DC 20001

RE: BZA 18991 - 1521 Varnum St. NW

Dear Commissioners,

Please accept this letter in support of the appeal of John Stokes, the adjoining property owner to 1521 Varnum St. NW ("Subject Property"). I am a resident and homeowner in ANC 4C-03, which is the ANC in which Mr. Stokes' property and the Subject Property are located. Recently, there have been numerous rowhouse pop-up conversions and permit applications for pop-up conversions in ANC 4C-03, undoubtedly because many of our homes have relatively large lots. It is distressing to witness our beautiful homes and quiet neighborhoods fall prey to opportunistic developers who do not care about our properties, communities or city.

The owner of the Subject Property intends to build a seven-unit condominium development on a lot where a single-family rowhouse now exists. Each condominium unit will have two bedrooms and 2.5 bathrooms. This will result in 28 sinks (kitchens and bathrooms), 21 toilets, and 14 bathtubs on a piece of land developed for a single-family home. At least seven families will live in the apartment building.

To construct this massive structure (1) a large portion of the existing rowhouse will be demolished and rebuilt, (2) a third floor will be added, and (3) an "addition", which will protrude into the rear yard of the existing lot, will be constructed. The "addition" will not have a side yard on the lot line adjacent to Mr. Stokes' property. Instead, the "addition" will have a lot line wall on that side.

Purpose of the Zoning Regulations

The conversion of the Subject Property is inconsistent with the purpose of the Zoning Regulations. The Zoning Regulations at 11 D.C.M.R. § 101.1 states:

In their interpretation and application, the provisions of title 11 shall be held to be the minimum requirements adopted for the promotion of the public health, safety, morals, convenience, order, prosperity, and general welfare to:

- (a) Provide adequate light and air;
- (b) Prevent undue concentration of population and the overcrowding of land; and

...

The design and conversion of the Subject Property is inconsistent with sections 101.1(a) and (b). The three-story “addition” on the lot line adjacent to Mr. Stokes’ property will tower above his home and yard and obstruct light and air to his property, which contradicts section 101.1(a). A seven-unit condominium building with an overabundance of toilets, sinks and people on a lot built for a one-family home will create an undue concentration of people and an overcrowding of the lot in direct conflict with section 101.1(b). As stated in section 101.1, the provisions of the Zoning Regulations are the minimum requirements adopted to promote, among other things, public health, safety and general welfare.

When considering this appeal, I request that the BZA consider the purpose of the Zoning Regulations and interpret and apply the provisions in the manner most favorable to achieve those purposes. In doing so, I believe you will find the design and conversion of the Subject Property is contrary to the purposes established in section 101.1.

Rooftop Structures

Under 11 D.C.M.R. § 3202.1 “a building permit shall not be issued for the proposed erection, construction, conversion, or alteration of any structure unless the plans of and for the erection, construction, conversion, or alteration fully conform to the provisions of” the Zoning Regulations.

The Zoning Administrator erred in issuing the permit because the plans for the conversion of the Subject Property did not comply with the rooftop structures provisions of the Zoning Regulations. Shortly after the permit was issued DCRA imposed a stop work order because the plans violated those provisions. It is evident that DCRA realized its error because it issued a stop work order until the owner of the Subject Property remedied the defect. However, under section 3202.1 the permit should not have been issued.

Accordingly, BZA should grant the appeal because the Zoning Administrator issued a permit that did not comply with all sections of the Zoning Regulations.

Conclusion

Because the design of the Subject Property is inconsistent with the purposes of the Zoning Regulations and the Zoning Administrator issued a permit that did not comply with all sections of the Zoning Regulations, I respectfully request that you grant Mr. Stokes' appeal.

Sincerely,

A handwritten signature in cursive script that reads "Lyn Abrams". The signature is written in dark ink on a light-colored background.

Lyn Abrams