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July 9, 2015

VIA IZIS AND HAND DELIVERY

Board of Zoning Adjustment of the
District of Columbia
441 4th Street, NW
Suite 210
Washington, DC 20001

Re: Clarification of Required Relief for BZA Application No. 19035
Special Exception and Variance Relief
1325 D Street, SE (Portion of Lot 827, Square 1042)

Dear Members of the Board of Zoning Adjustment:

On behalf of 1325 D Street, LLC (the Applicant), this letter is submitted to clarify the relief requested in the above-referenced application. This clarification is a result of continued worked with the Office of Planning and a subsequent oral confirmation received from the Zoning Administrator on July 8, 2015, regarding certain aspects of the project that are described below. Accordingly, while the areas of relief initially requested by the Applicant remain the same, the extent of the relief has been reduced for certain individual lots within the project site. Thus, we request the Board to waive it rules and allow this updated information into the record.

First, the Applicant withdraws the variance relief requested from Section 3202.3 for Lots 1, 3, 5, and 7. Specifically, as stated on Page 7 of the Prehearing Statement submitted on July 7, 2015, the Applicant identified the proposed “side-by-side” dwellings on Lots 1, 3, 5 and 7 as flats; however, as a precaution, the Applicant requested a variance from Section 3202.3 for these lots to allow multiple principle buildings on a single record lot in the event that the Zoning Administrator required some type of communication or circulation between the units to create a single building. On July 8, 2015, the Zoning Administrator confirmed that, as proposed, these dwellings are flats as that term is defined in the Zoning Regulations and thus the dwellings do not require an internal connection, or form of communication, to be considered a single building. Thus, the Applicant no longer needs a variance from Section 3202.3 for Lots 1, 3, 5, and 7.

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Second, the Zoning Administrator approved the Applicant's request for minor flexibility pursuant to Section 407 of the Zoning Regulations to allow a lot occupancy of 61% on the lots now identified as Lots 1, 3, 5, and 7. At the time the Applicant submitted its Prehearing Statement, the Zoning Administrator's ruling on the request for minor flexibility was still pending; and therefore, the site plan submitted with the Prehearing Statement reflected a 60% lot occupancy for Lots 1, 3, 5, and 7 with a note that the lot occupancy for these lots may increase to 61% should the Zoning Administrator approve the Applicant's request (*see* Prehearing Statement, Exhibit D, Sheets A002 and A005). Because the Zoning Administrator approved this minor flexibility under the granted authority, the Applicant has modified the depth of Lots 1, 3, 5, 7, and 9 to 65.5 feet, as shown in the original application. As a result, the lot area for Lot 1 is 2,128.75 square feet, and the lot area for Lots 3, 5, and 7 is 2,096 square feet. These lot areas are in excess of the minimum requirement of 1,500 square feet. Additionally, the change in depth to Lot 9 reduces the area of this lot to 1,310 square feet, resulting in a lot occupancy of 69%. These measurements were already reflected in the Applicant's stated variance request within the Prehearing Statement. All of the changes described above are reflected in the drawings attached hereto, and replace Sheets A002 – A005 included in Exhibit D of the Prehearing Statement.

Based on the foregoing, the Applicant's requested relief is now as follows: (i) a special exception from the minimum lot width requirement for Lots 10 – 20 (§ 2604.3), (ii) a variance from the minimum lot area requirement for Lot 9 (§ 2604.3), (iii) a variance from the maximum lot occupancy requirement for Lot 9 (§ 403.2), and (iv) a variance from the limitation on the number of principle buildings allowed on a single record lot for Lots 10 - 20 (§ 3202.3).

Thank you for your consideration of this additional information. We look forward to the upcoming hearing on July 21.

Sincerely,

HOLLAND & KNIGHT LLP


Christine Moseley Shiker

Enclosures

cc:	Joel Lawson, Office of Planning	(Via E-Mail; w/enc.)
	Anne Fothergill, Office of Planning	(Via E-Mail; w/enc.)
	Evelyn Israel, DDOT	(Via E-Mail; w/enc.)
	Advisory Neighborhood Commission 6B	(Via US Mail; w/enclosures)