

January 12, 2016

Board of Zoning Adjustment

Applicant's Preliminary Burden of Proof Statement

This statement is submitted on behalf of ParkView Condominium Ventures LLC (the "Applicant"), owner of the property location at 525 Park Road, NW, Square 3037, Lot 0055 (the "Subject Property"). The Subject Property, located in the R-4 zone district, is located near the intersection of Park Road and Warder Street, NW. The existing structure on the property is a twelve-unit apartment house, originally converted from a single family house in 1968.

The Applicant is planning to construct an addition to the existing structure on the Subject Property. To do so, the Applicant is requesting a Variance requesting relief from 11 DCMR 403.2:

No structure, including its accessory building, shall occupy its lot in excess of the percentage of lot occupancy set forth [R-4 conversions of a building or structure to an apartment house: Greater of 60% or the lot occupancy as of the date of conversion: 60%.].

The surrounding area is comprised of large row dwellings, mostly filling their small lots. As one of the only purpose-built apartment buildings in the area this structure is an anomaly at only 33% existing lot coverage. If this building was to be considered a conversion at the time of construction in 1968 it would be subject to a maximum lot occupancy of 60% like the rest of the structures in this neighborhood. Unfortunately, due to a lack of conclusive evidence that this building was in-fact a conversion when built in 1968, the Zoning Administrator has ruled it be treated as a purpose-built apartment building and therefore subject to maximum lot coverage of only 40%. We request relief from 11 DCMR 403.2 granting the requested 49% lot coverage in light of the hardship created by the ambiguous origin of this building's creation subjecting us to a substantially lower lot coverage than that of the rest of the buildings in this area and even buildings of this type created today.

Granting a variance will allow for the expansion of the Subject Property, within the limits of

§§ 403.2. This will not have a substantially adverse effect on the light, air, and views of adjacent properties. The properties to the east of the Subject, which face Warder Street, have structures separated from the lot line by a twenty-foot rear yard set-back in addition to the side yard of the Subject Property. The west wall of the existing structure on the Subject Property is separated from the property line by the required minimum side yard.