

April 6, 2016

Via IZIS

Marnique Y. Heath, Chairman
Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

Re: BZA Application No. 19148 of Park View Condominium Ventures LLC; 525 Park Road, NW; Square 3037, Lot 55.

Dear Chairperson Heath and Board Members:

We are submitting this additional information on behalf of the Applicant in BZA Case No. 19148. Since the previous hearing on this matter, the Board has had the opportunity to review the Applicant's comprehensive prehearing statement of the Applicant, filed on February 22, which presented substantial evidence of how the Application satisfied the area variance test, including the submission of significant evidence of how the shape of the property and the existence of the existing structure both contributed to making strict compliance with the 40% lot occupancy limit unnecessarily burdensome.

The Board at its last hearing on this matter instructed the Applicant to continue to work with the Office of Planning to try to persuade it that the area variance test had been satisfied. This has been challenging, as the Office of Planning does not give the same consideration to *economic* practical difficulty that the Board has given on numerous cases (as noted in the prehearing statement). Nevertheless, the Applicant is hopeful that this additional information may be enough to satisfy the Office of Planning's reluctance to support this application.

This additional information includes an additional descriptive site plan which illustrates two of the more specific sources of practical difficulty in restoring the existing structure, as a result of its unique existing condition. The attached site plan illustrates the difficulty in staying within the forty percent (40 %) lot occupancy permitted as a matter of right, as the highlighted bedrooms are too small to be practically marketable. One item that the Applicant believed was economically necessary for a successful restoration of the building was to create 2-bedroom apartments rather than efficiency or micro-units. This is also something that the neighborhood and ANC was very strongly in favor of. Any other plan would have likely encountered significant opposition. While 2 bedroom apartments could possibly be obtained by building in the side yards, not only would this also require relief, due to the shape of the lot, but it would also impact the light and air on adjacent properties and light and air available to this property as well.¹ This practical difficulty (due to the

¹ The Board has heard many times – and issued many decisions that support the principle - that the Applicant needs only to show that strict compliance with the Regulations is unnecessarily burdensome; not impossible.

narrow and long lot) leads to the necessity of expanding linearly along the length of the lot to obtain marketable 2 bedroom apartments.

Another source of practical difficulty to the owner resulting from the unique condition of the property is that orienting apartments through the current demising wall is practically not possible, due to the physical characteristics of the load bearing wall and its structural requirements. This orientation is also causation for linear expansion parallel to this demising structural wall, as proposed by the Applicant and unanimously supported by the ANC, in order to realize the best possible configuration for obtaining marketable 2 bedroom apartments.

Finally, we believe that it is not insignificant that ANC 1A so strongly supports the restoration of this building and the provision of 2-bedroom units. With so much pressure against the conversions of row homes in the R-4 zone, it is critical to be able to provide and restore quality residential units where they are best supported by the community.

We believe that this additional information, which the architect can explain further at the next hearing, in addition to the information submitted with the prehearing statement, safely satisfies the area variance test.

Thank you for considering this request.

Sincerely,

A handwritten signature in dark ink, appearing to read "Martin P. Sullivan". The signature is fluid and cursive, with the first name "Martin" and last name "Sullivan" clearly distinguishable.

Martin P. Sullivan

cc: Stephen Cochran, OP
ANC 1A