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January 19, 2016

VIA HAND DELIVERY

Marnique Heath, Chairperson
D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Second Floor
Washington, D.C. 20001

Re: BZA Application No. 19171 for 12R Logan Circle N.W. (Square 241, Lot 837) (the "Property") – Application of Matcap LLC for Variance Relief – Prehearing Submission

Dear Chairperson Heath and Members of the Board:

Please accept for filing the enclosed fourteen day pre-hearing statement of Matcap LLC ("Applicant"), the applicant under BZA Case No. 19171 for the Property. The Applicant is requesting variance relief in order to build a two-story carriage house (the "**Building**") with ground-floor private garage and upper-floor accessory storage on the Property (the "**Project**"). In order to implement the Project, the Applicant is seeking variance relief pursuant to 11 DCMR § 3103.2 from 11 DCMR §403.2 relating to lot occupancy requirements, from 11 DCMR §404.1 relating to rear yard requirements, from 11 DCMR §2300.4 relating to alley lot garage setbacks, and from 11 DCMR §3203.2 relating to record lot requirements. Additionally, based on the revised architectural plans, the Applicant is requesting relief pursuant to 11 DCMR § 3103.2 from 11 DCMR § 406.1 relating to open court width requirements.

I. Revised Architectural Plans

Attached as Exhibit A are the revised architectural plans for the Project. The plans attached have been revised to show greater details regarding dimensions and to illustrate compliance with other areas of the Zoning regulations.

II. Court Width Variance Relief

In addition to the relief requested under the initial Application, based on these revised plans the Applicant also requests variance relief pursuant to 11 DCMR §3103.2 from 11 DCMR § 406.1 related to court width requirements. An additional Application Form is attached here as Exhibit B reflecting this additional relief. As the scheduled February 2, 2016 hearing was noticed for area variances, this addition of another area variance does not affect the notice requirements of the Zoning Regulations.

As depicted in the revised plans, the roof has been removed from the balcony on the northwest corner of the building, thus creating an open court which opens onto the fifteen-foot alley to the west of the Property. The court has a length of 15' and a depth of 5'7". Section 406.1 of the Zoning Regulations requires a court in the R-5-B Zone District to have a minimum width of ten feet. As the 5'7" measurement is less than the required ten feet, the Applicant is requesting relief in the form of an area variance from the strict application of the court width requirement.

As discussed in the initial Application, in order to obtain area variance relief an applicant must demonstrate that: (i) the property is affected by an exceptional or extraordinary situation or condition, (ii) the strict application of the Zoning Regulations will result in a practical difficulty to the applicant, and (iii) the granting of the variance will not cause substantial detriment to the

public good nor substantially impair the intent, purpose or integrity of the Zone Plan. Palmer v. D.C. Bd. of Zoning Adj., 287 A.2d 535, 541 (D.C. 1972). The Applicant seeks this additional area variance relief for requirements related to minimum court width.

The Property is affected by exceptional conditions by virtue of its small size as an alley lot. The entire lot is 27.125 feet wide by 33 feet deep, which only provides 895 square feet of space on the lot. Strict application of the court width provision in the Zoning Regulations would cause practical difficulty to the Applicant. To require this court to have a ten-foot minimum width would require an impracticably large portion of the Property to be open space. The court width is currently just under six feet, and taking away an additional four feet on the second floor of the Building would greatly diminish the use of the second story of the Building. Because of the limited size of the lot, removing such a large portion of the Building to accommodate a court would cause a practical difficulty for the Applicant. Finally, granting the variance requested will not cause substantial detriment to the public good or impair the intent, purpose, or integrity of the Zone Plan. Because the court has a substantial opening of fifteen feet onto the alley, the concerns of court width minimums for adequate light and air are satisfied. Further, given the small size of the Property and the Building, a similarly small court does not raise the same level of concern as it would on a larger structure. Specifically, the minimum width requirement in Section 406.1 is four inches per foot of height of the court, with a minimum of ten feet. However, because of the small size of the Building and the court, the minimum width would be under 4 1/2' were it not for the ten foot requirement. Additionally, if the court width of ten feet were required, it would reduce the GAR provided at the Project. As the GAR requirement is a priority in the District, the

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Project's focus on maximizing the GAR provided is appropriate. Therefore, the variance relief can be granted without creating substantial harm to the Zone Plan.

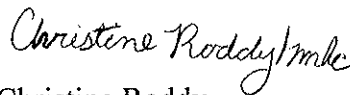
III. Conclusion

The Project was approved by the Community Development Committee of ANC 2F, as well as by the entire ANC at a meeting on November 4, 2015. By this filing, the Applicant is also submitting the resume of Michael Lee Beidler, of Trout Design Studio as Exhibit C, in order to qualify him as an expert in the field of design and architecture before the Board, and its outlines of witness testimony as Exhibit D.

We look forward to presenting this case to the Board on February 2, 2016. If you have any questions, please do not hesitate to contact Christine at (202) 721-1116 or Meghan at (202) 721-1138. Thank you for your attention to this application.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,



Christine Roddy



Meghan Hottel-Cox

Enclosures

cc: Matt Shkor
Michael Lee Beidler

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Certificate of Service

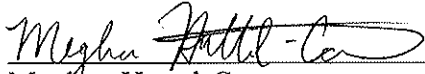
The undersigned hereby certifies that copies of the foregoing document were delivered by first-class mail or hand delivery to the following addresses on January 19, 2016.

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Meghan Hottel-Cox