BZA 16443
(Memorandum submitted January 22, 1999)

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OFFICE OF ZONING
DISTRICT OF COLUMBIA

MEMORANDUM IN SUPPORT OF APPLICATION FOR PARKING PAD VARIANCE BASED ON MEDICAL NEED

1. The Applicant Rainer K. Kraus resides at 2964 Newark Street, a single family residence he has owned and occupied since 1967.

2. Mr. Kraus has been critically and chronically ill since 1992 with diabetes from which he has lost his eyesight, one of his legs, and from stroke damage almost total use of his hands. He is mainly confined to bed and with assistance uses a wheelchair primarily for doctors' appointments.

3. Since 1992 he has required constant care by a varying number of visits each day provided by his sister Ellen Kraus (who lives 3 miles away with her family at 5128 Linnean Terrace) and frequent visits by practical nurses, registered nurses, and physical therapists.

4. In early 1993 Mr. Kraus's condition from the diabetes worsened. He was hospitalized and told he had gas gangrene and would die unless he had his leg amputated and this was done. He has tried to use a leg prosthesis without success.

5. In mid 1993 again from the diabetes he suffered a bad infection in his neck that needed surgery or he would have died. The surgery caused a stroke the damage from which resulted in his hands becoming virtually useless. He then started to go blind and is now well below legal blindness. He also has related serious heart problems, congestive heart failure, enlarged heart, and other problems from the diabetes.

6. Mr. Kraus's house at 2964 Newark Street is close to Connecticut Avenue and the Cleveland Park stores, the library at Newark Street, and the UPTOWN theater, so that parking on the street is rarely available.

7. Because of his need Mr. Kraus obtained oral permission (see his affidavit attached dated Nov. 10, 1998) to extend the single parking pad in 1993, and a building permit for a further extension was obtained in September, 1996.

8. Nonetheless, Mr. Kraus received a Notice to Discontinue Use from the Department of Consumer and Regulatory Affairs dated September 24, 1998 directing that the extended part of the parking pad be removed.

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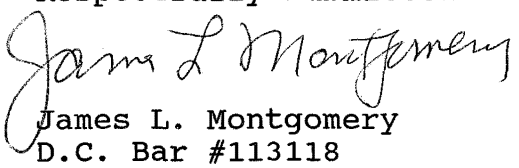
Board of Zoning Adjustment
District of Columbia
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9. Because of his chronic and critical condition and the unavailability of street parking, to meet the requirement of the Department of Consumer and Regulatory Affairs, Mr. Kraus is applying to the Board of Zoning Adjustment for a variance based on his medical need to permit the continuance of the extended parking space.

An expedited hearing for April 7th is requested.

10. This memorandum is based in part on my own observation of Mr. Kraus on numerous visits to his home over the past ten months. He is a client and friend. The other information above has been provided by his sister Ellen Kraus.

Respectfully submitted



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