BZA Application No. _____

2989 Arizona Avenue, N.W.
Square 1426, Lot 17

Statement of Existing and Intended Uses

The subject property, 2989 Arizona Avenue, N.W. is a vacant lot. The property has a lot area of 9,279 square feet and is currently zoned CBUT/R-1-A. By Zoning Commission Order published in the D.C. Register on July 30, 1999, the property was simultaneously rezoned from R-1-B to R-1-A and made subject to the newly established restrictions in the Chain Bridge Road/ University Terrace Overlay district.

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D.C. OFFICE OF ZONING
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The Applicant, Jacobsen Builders, Inc., purchased the vacant lot in July 1999. Both before and after settlement, the Applicant on several occasions verified with the D.C. Zoning Administrator's Office that the property was zoned only R-1-B. On January 20, 2000, the Applicant filed a building permit application for construction of a single-family detached dwelling. On July 6, 2000, Mr. Toye Bello in the Zoning Administrator's Office "signed off" on the permit based on the District's records which showed the property zoned R-1-B. Finally, on October 30, 2000 (after more than nine (9) months), the District issued Building Permit No. B430537 for construction of a "New Single Family Home" and noted the zoning as

BZA
Case No. 16740
Exhibit No. 9

Board of Zoning Adjustment
District of Columbia
CASE NO.16740
EXHIBIT NO.9

R-1-B. The issued Building Permit and Application as processed and approved by the District are attached as Exhibit A.

As authorized by the Building Permit, the Applicant began site clearing activities in mid-November, 2000, including tree and brush removal and grading which were in no way restricted by the permit or R-1-B zoning. Almost immediately, the District issued a Stop Work Order on December 1, 2000 upon discovering that the property was actually zoned CBUT/R-1-A. For the last five (5) months, the work at the property has been halted.

The Applicant seeks this special exception in order to allow the previously approved construction of a single-family detached dwelling to continue. The previously approved project complies with all the new restrictions imposed by the CBUT and R-1-A zone, except the tree removal limitations. The proposed house complies with lot occupancy and impervious surface restrictions imposed by the CBUT overlay district. As shown on the attached diagram, Exhibit B, the Applicant has determined that at least the following trees were removed:[1/]

1/ These measurements are approximate and may overstate the diameter/circumference of the trees because measurements were made at the stump level rather than 4.5 feet above the ground as set

(continued...)

30" Poplar (94.2" circumference)
24" Poplar (75.36" circumference)
20" Poplar (62.8" circumference)
20" Poplar (62.8" circumference)
18" Oak (56.52" circumference)
16" Poplar (50.24" circumference)
15" Oak (47.1" circumference)

In addition to the substantial number of existing trees which have been retained and will be maintained, the Applicant has included an extensive Tree Replanting Program in his development plan as shown as Exhibit C.

Respectfully submitted,

GREENSTEIN DELORME & LUCHS, P.C.

By: _____
John Patrick Brown, Jr.

By: _____
Sarae T. Leuckel

1620 L Street, N.W., Suite 900
Washington, D.C. 20036
Telephone: (202) 452-1400
Fax: (202) 452-1410

Counsel for Applicant

157567

1/(...continued)
forth in the regulations. Based on these measurements, two (2) trees with a circumference greater than 75'; and two (2) trees with a circumference greater than 38' were removed beyond the CBUT limitations.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B430537

PERMIT

Date 10/30/00 **(Type)** NEW CONST.

Address of work 2989 ARIZONA AVE. N.W.

Lot 17 **Square** 1426

Permission is hereby granted to

EDWIN F. JACOBSEN (Owner)

who is authorized to perform the work described herein at the address shown above in strict accordance with the conditions stated on BOTH sides of this permit.

Authorized work and conditions of performance thereof:

NO.

TOTAL PERMIT FEE $1185.20

FILING FEE $ 150.00

DATE

FEE PAYABLE $ 1035.20

FOR INSPECTIONS CALL 727-7582

NEW SINGLE FAMILY HOME-RETAINING WALL (NIC). PRIVATE PROEPRTY ONLY. SEPARATE ELECTRICAL , PLBG AND MECH. INSTALLATION PERMITS ARE REQUIRED. SEPARATE PERMIT REQUIRED FOR ANY WORK OUTSIDE PROPERTY LINE. LANDSCAPED DRIVEWAY LEADS.

Builder **Value $** **No. of Bldgs.**

Width of Bldgs. **Length** **Height** **No. of Stories** 2& BASEMENT

Zone R-1-B **To be occupied as** SFD

Height of terrace above grade **Projections:**

Address of owner 40862 ROBIN CIRCLE

Deposit No. **Amount $**

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

L. JORDAN
DIRECTOR

Chief, Permit Issuance Branch

By D. MINOR
Permit Clerk

Receipt 0001 D.C. GOVERNMENT
DCRA/DCRA CASHIER'S OFFICE
10/30/00 at 15:[illegible] Clk# 9
Amount 1,035.20
BUILDING CODE & EQUI

EXHIBIT
A
PENGAD-Bayonne, N. J.

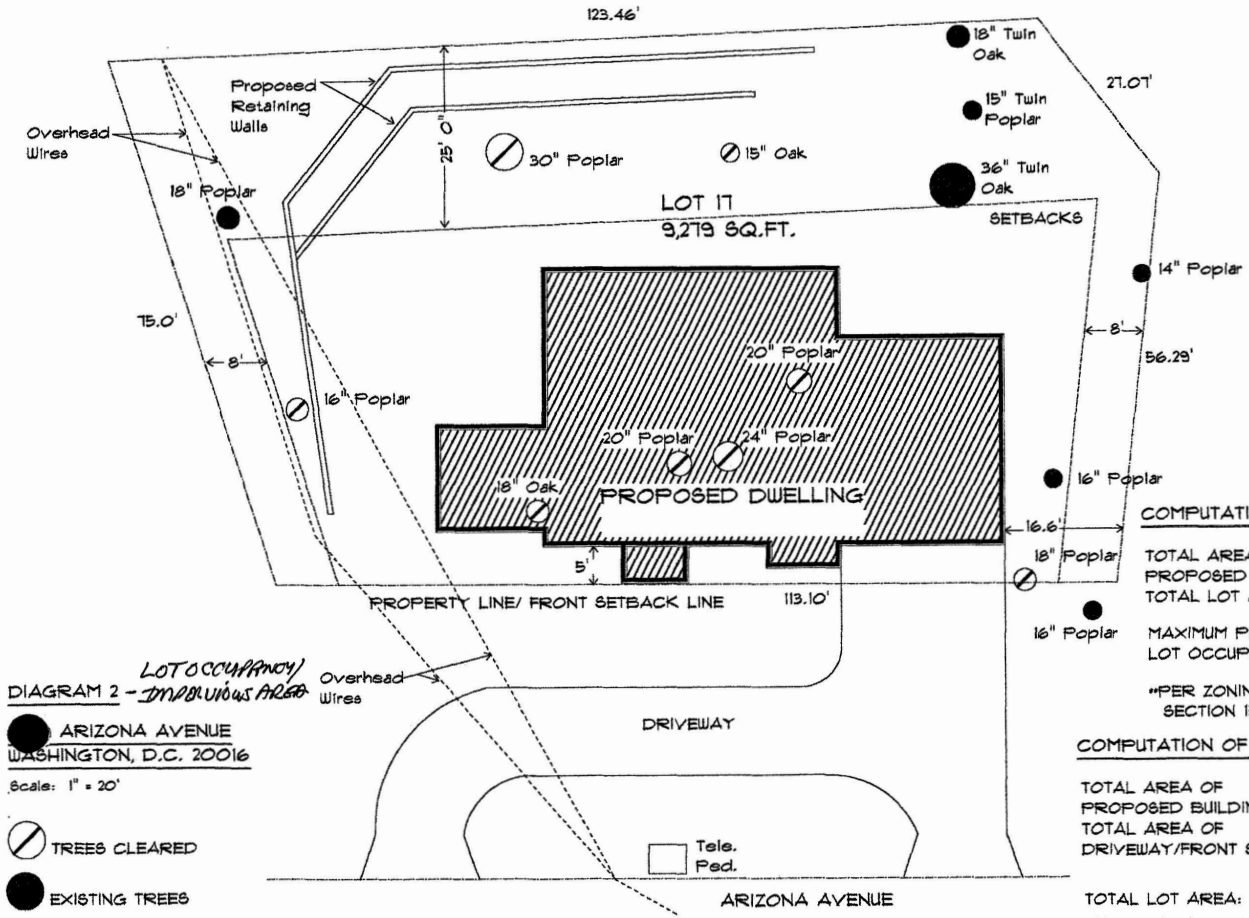


DIAGRAM 2 – LOT OCCUPANCY/ IMPERVIOUS AREA

ARIZONA AVENUE
WASHINGTON, D.C. 20016

Scale: 1" = 20'

TREES CLEARED

EXISTING TREES

NOTE:
ALL TREE DIMENSIONS ARE IN DIAMETER

EXHIBIT B

PENGAD-Bayonne, N. J.

COMPUTATION OF LOT OCCUPANCY:

TOTAL AREA OF PROPOSED BUILDING: 2328 sf / TOTAL LOT AREA: 9279 sf = 25.9%

MAXIMUM PERMITED LOT OCCUPANCY = 30.0%

**PER ZONING REGULATION TITLE 11, SECTION 1567.1

COMPUTATION OF IMPERVIOUS AREA:

TOTAL AREA OF PROPOSED BUILDING: 2328 sf

TOTAL AREA OF DRIVEWAY/FRONT STOOP: + 140 sf

2468 sf / TOTAL LOT AREA: 9279 sf = 26.60%

MAXIMUM SURFACE AREA COVERAGE = 50.0%

**PER ZONING REGULATIONS TITLE 11, SECTION 1567.2

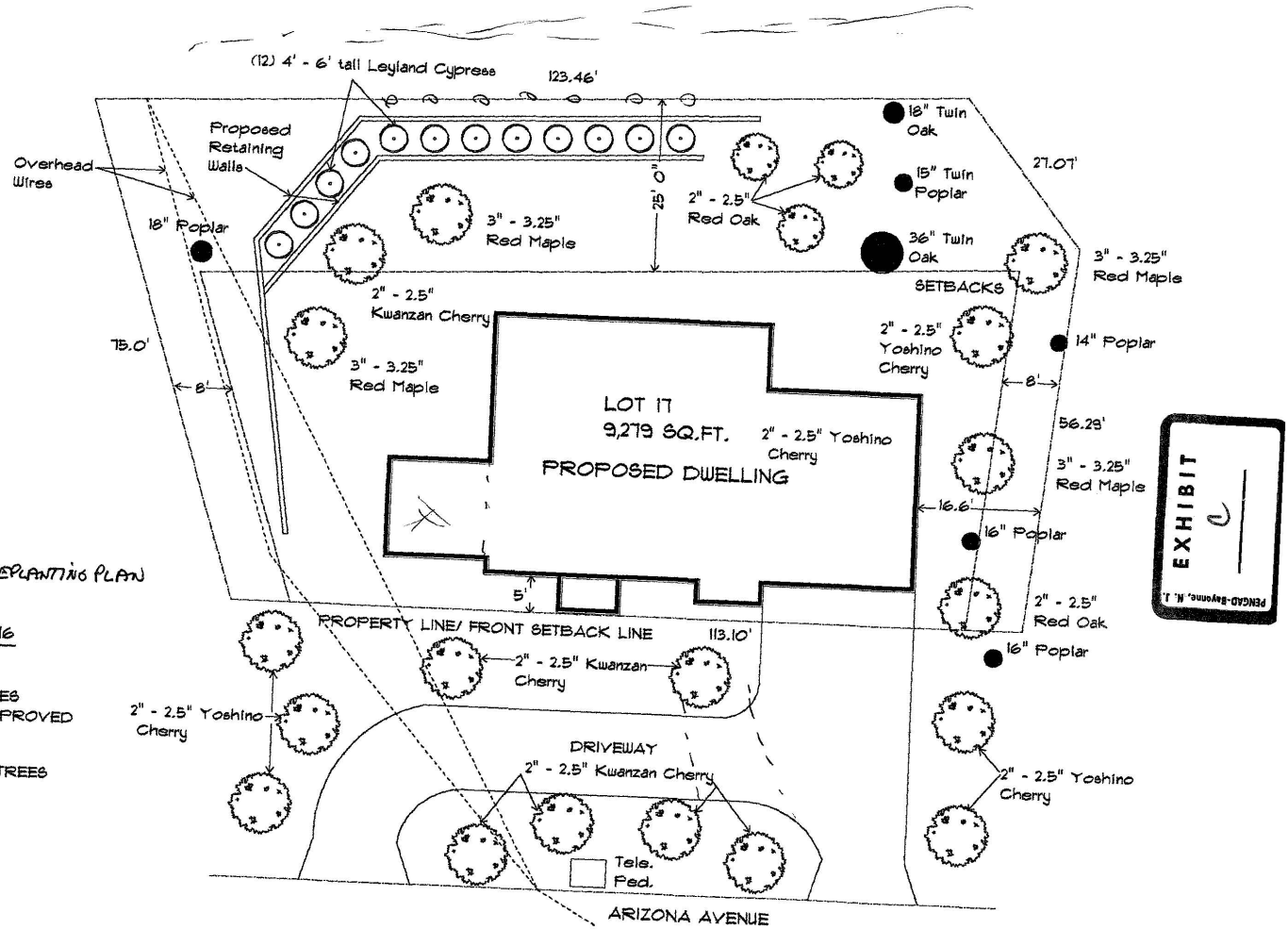


DIAGRAM 4 - TREE REPLANTING PLAN

2989 ARIZONA AVENUE
WASHINGTON, D.C. 20016

Scale: 1" = 20'

PROPOSED NEW TREES (12) ALREADY ON APPROVED SITE PLAN

(21) PROPOSED NEW TREES

EXISTING TREES

NOTE:
ALL TREE DIMENSIONS ARE IN DIAMETER

EXHIBIT 2

PENGAD-Bayonne, N. J.