RECEIVED
D.C. OFFICE OF ZONING
2001 SEP -4 PM 3:47

STATEMENT OF EXISTING AND INTENDED USE
4774 DEXTER STREET, N.W.
LOT 4 IN SQUARE 1397

The subject property is located in the WHOD/R-1-A residential zone. The structure must conform to the Woodley Heights Overlay District restrictions. The existing structure predates the establishment of the Woodley Heights Overlay District. The lot area is 12,215.06 square feet and the lot width is 111.22 feet average.

The applicants, Mr. and Mrs. Karabassis wish to make a two story with basement addition to their home. The addition will include a two car garage. Mrs. Karabassis is expecting a baby and the addition is needed for a growing family. The proposed addition will not meet the minimum 44.0 foot front yard setback requirement of the WHOD/R-1-A residential zone. This case is before the Board of Zoning Adjustment to request a variance from Section 1543.4, the minimum front yard setback requirement in the WHOD/R-1-A zone. The property owners have lived in this house for a number of years and do not wish to to move. The property owners want to stay in their current home and make an addition to accommodate their growing family.

The standards by which the Board of Zoning Adjustment should approve an area variance has been clearly set forth by the D.C. Court of Appeals. According to Palmer v. BZA, 287 A.2d 535, 541 (D.C. 1972), an area variance should be granted when the following conditions are shown to exist:

(1) The property is unique because of its size, shape, topography and other extra ordinary or exceptional situation or condition;

(2) The property owner would encounter practical difficulties as a result of the strict application of the Regulations to its particular property; and

(3) The variances would not cause substantial detriment to the public good and would not impair the intent, purpose and integrity of the Zone Plan. Carliner v. BZA, 412 A.2d 52, 53 (D.C. 1980); Capitol Hill Restoration Society, Inc. District of Columbia Board of Zoning Adjustment, 534 A.2d 939 (D.C. 1987).

BZA
Case No. 16788
Exhibit No. 10A

Board of Zoning Adjustment
District of Columbia
CASE NO.16788
EXHIBIT NO.10A

Pursuant to DCMR Title 11, the D.C. Zoning Regulations. Section 1543.4 the minimum front yard setback requirement of 44.0 feet cannot be met. The proposed addition is setback 15.0 feet in line with the existing structure setback (front wall). The addition was designed this way because there is a unique topographic situation which is inherent with the land. There is a thirty to forty foot drop in elevation from the front of the lot as the land continues to the rear of the lot. (See photographs). The property owners would encounter difficulties if an addition were to be made to the rear of the existing house. The addition would be cost prohibitive due to the amount of land fill would be hauled to the site for a clean infill to bring the elevation of the land up to that of the front.

The applicants feel that the proposed addition and the variance approval would not be detrimental to the public good, since all other zoning requirements can be met.The applicant has a pressing need for additional space for their expanding family, therefore, a request for a variance from Section 1543.4, the front yard setback requirement in the WHOD/R-1-A zone district is submitted for Board of Zoning Adjustment approval.