STATEMENT OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

FOR A SPECIAL EXCEPTION

PURSUANT TO SECTIONS 203.8(c), and 3104

AND FOR A VARIANCE PURSUANT TO SECTION 2001.3 AND 3103

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

6104 19th Street, N.W.

(SQUARE 111, LOT 53)

D.C. OFFICE OF ZONING
2008 SEP 10 PM 4:00

BZA
Case No. 16793
Exhibit No. 7

Board of Zoning Adjustment
District of Columbia
CASE NO.16793
EXHIBIT NO.7

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INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of Anexora Skvirsky for a variance to permit construction of an addition to a single family house which will not comply with the requirements of §2001.3, and a special exception to provide 6 guest rooms in a Bed and Breakfast at 1604 19th Street N.W. (Square 111, Lot 53) pursuant to Sections 2001.3, 203.8(c), 3103 and 3104 of the Regulations of the Zoning Commission, (11 DCMR §§203.8(c), 3103 and 3104) (hereinafter, "Regulations").

DESCRIPTION OF THE APPLICANT

The applicant/owner of the house to be used as a Bed and Breakfast is Anexora Skvirsky, who resides at the house. Ms. Skvirsky has been a DC public high school teacher for 20 years. She and Alan Skvirsky are active members of the Dupont Circle Citizens Association and the Kalorama Citizens Association. Together they rescued the building from its use as a tenement. It was brought from a state of neglect and dilapidation to a fine example of restoration and preservation.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is at 1604 19th Street, N.W., Square 111, Lot 53. It is a single family house in an R-5-B Zone, which permits moderate density, general residence. This will be operated as a bed and breakfast in conjunction with the adjacent house at 1606 19th Street, N.W. (Lot 52). The property is a contributing building in the Dupont Circle Historic District. In a historic district, up to 6 guest rooms are permitted in a bed and breakfast if approved by the BZA. (11 DCMR §203.8(c))

B. Area Surrounding the Property

Surrounding the property are commercial and residential uses as follows: South of the building is commercial. North of the building and across the street are brownstones used as residences. The building immediately adjacent on the North is a townhouse which is operated as a bed and breakfast. On the West side, bordering the alley at the rear of the subject dwelling are commercial buildings with Connecticut Ave addresses.

C. Zoning History and Use History

The area is zoned R-5-B. The house was built in 1883 and has always been a Residence.

REASONS IN SUPPORT OF THE APPLICATION FOR A VARIANCE

A. Compliance with D.C. Zoning Regulations

Because this single family house is a nonconforming structure, which was built prior to the revision of the Zoning Regulations in 1958, a variance is necessary to build the enclosure shown in the attached plans. The new addition will not add any new sleeping areas, and will add only marginally to the living areas of the house.

Extraordinary or exceptional conditions creating practical difficulties

More important, grant of the variance will solve two practical difficulties created by the proximity of the building to commercial buildings in the alley. A bed and breakfast is a legal residential use in this neighborhood. However, the proximity to the very loud HVAC system directly across the 15 foot alley (at the rear of a restaurant at 1601 Connecticut Ave, called "the Wrapworks") creates an offensive and disagreeable ambiance for the owner's sleeping rooms and guest rooms. It further creates an extraordinary or exceptional situation or condition that can only be alleviated by the installation of a glass addition to act as a buffer for the sleeping areas. Despite many protests to the Wrapworks owners and numerous requests for the HVAC system to be moved to the roof or screened with sound-deadening materials, there has been no effort to correct the problem.

The second exceptional situation created by the proximity to the Wrapworks is the fact that rats, which are attracted by the garbage generated by the restaurant and other commercial buildings, find refuge in the rear yard of the subject property. Only constant watchfulness prevents rats from entering the house. By substituting a solid garage door for a metal picket fence, the rats will be prevented from entering the rear yard of the subject building. At the same time, the two current parking spaces at the rear of this building and its neighbor will be preserved.

B. No Adverse Affects

No part of the addition will be visible from historic 19th Street. There will be no alteration of the look or historic character of the building or the neighborhood. The glassed-in addition will only be visible from the alley and from the commercial part of Q Street at Conn. Ave.

REASONS IN SUPPORT OF THE APPLICATION FOR SPECIAL EXCEPTION

A. Compliance with D.C. Zoning Regulations

The applicant satisfies the requirements for grant of the Special Exception. The current use as a single family house with a home occupation as a bed and breakfast is a matter-of-right use for the property. The Special Exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

B. No Adverse Affects

The Dupont Circle neighborhood is a busy, vibrant, part of the city. Residential and commercial activities blend well and complement each other. Moreover, adding a six-room bed and breakfast to the two room bed and breakfast in the house next door will not add appreciably to the traffic and parking situation. The bed and breakfast will provide parking at 11 Dupont Circle, a nearby facility, for any guests who wish to take advantage of it so that guests cars need not compete for space on the street.

BENEFITS OF PROPOSED USE

By designing the Bed and Breakfast addition so that no part of it is visible from 19th Street, the historic character of this residential area is preserved. In addition, Dupont Circle, which is a significant Washington tourist draw, benefits from a range of housing options. Today, many tourists prefer the homey ambiance and convenience of a bed and breakfast to the less personal and more institutional character of a hotel. Finally, the greenhouse enclosure will help to protect the fabric of the rear of this contributing building.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use

The provision of guest rooms in private houses is an appropriate residential use where there is no substantial negative impact on the neighborhood.

B. Historic Preservation

The subject property is a contributing building in the Dupont Circle Historic District. The plans for this addition have been presented to and tentatively approved by the Dupont Circle Conservancy and the Historic Preservation Review Board.

CONCLUSION

Ms. Anexora Skvirsky should be granted a variance to allow an addition at the rear of the property on the alley. Moreover, she should be granted a special exception to operate six guest units as provided for in the Zoning Regulations. Permitting the use of four additional guest rooms in the Dupont Circle neighborhood will have no negative affects and will be in harmony with the purpose of the Zoning Regulations.

Respectfully submitted,

Stephen N. Gell, Esq.