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February 11, 2002

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D.C. OFFICE OF ZONING
2002 FEB 12 PM 12: 27

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

Re: Case No. 16810

Dear Mr. Griffis:

Enclosed is an application for a variance for an addition at the rear of 1324 27th Street, N.W. The addition does not meet lot width, lot area, court and rear yard restrictions.

Our expert witness will be Christian Zapatka, the architect for the project. The Applicant, Lori Trautwine, will also be a witness. Our presentation should take no more than half an hour.

Please call if there are any questions.

Yours very truly,

Stephen N. Gell

Enclosure
cc: Lori Trautwine
Christian Zapatka, Arch.

BZA
Case No. 16810
Exhibit No. 40

Board of Zoning Adjustment
District of Columbia
CASE NO.16810
EXHIBIT NO.40

STATEMENT

OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

FOR A VARIANCES

PURSUANT TO SECTIONS 401, 403, 404, 406, 2001.3, and 3103

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

1324 27th Street, N.W.

(SQUARE 1239, LOT 818)

BZA Case No. 16810

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INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of Lori Trautwine, (hereinafter "applicant") for variances from minimum lot dimensions requirements, lot occupancy requirements, court requirements, rear yard requirements and nonconforming structure requirements of the Zoning Regulations of the District of Columbia to build a 12 foot addition at the rear of 1324 27th Street, N.W. The lot area and width are both smaller than required in an R-3 Zone District. This matter was before the Board as a special exception when it was discovered that the creation of a three foot court pushed the lot occupancy percentage beyond the permissible limits for a special exception.

DESCRIPTION OF THE APPLICANT

The applicant/owner of the house is a young lady who recently bought the vacant and dilapidated house in July after searching throughout the District for a new home. She is anxious to get started on the addition which will be just large enough to accommodate herself and her future family.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is at 1324 27th Street, Square 1236, Lot 818. It is a single family house in an R-3 Zone, which permits row dwellings. The property is the end unit of a row of 7 brick houses built at the end of the 19th Century. Lot area and width are both smaller than now required in an R-3 Zone. The addition will add approximately 204 square feet total. With the addition, the total square footage will be 794 square feet. Excluding the exterior walls, the resulting interior space of the entire house will only be 666 square feet. It is unlikely that this small house would have been purchased if not for the probability of adding additional space. It is commonly accepted that this amount of space would be less than a bare minimum in today's housing market and the future salability of the house would be in doubt without the additional room. Moreover, the rear wall of the house is structurally unsound and will need to be replaced before anyone can live in the house.

B. Area Surrounding the Property

The Property is on 27th Street, a quiet residential street south of P Street, across from the First Baptist Church and Rose Park. The area used to be called the East Village which was home to freed slaves after the Civil War.

C. Zoning History and Use History

The area is zoned R-3. The house was built over 100 years ago and has always been a residence.

REASONS IN SUPPORT OF THE APPLICATION FOR VARIANCE

A. Compliance with D.C. Zoning Regulations

Because of our concession to the neighbor to the North of keeping most of the addition 3 feet from his property line, we have inadvertently created a court which must be included in the lot-occupancy computation, thus bringing it beyond the 70 percent permitted with a special exception. A variance is necessary to build the addition shown in the attached plans. Technically, a variance is only needed for lot occupancy but in case there is a dispute as to whether FAR, and rear yard require a variance or special exception, variances are requested for all these discrepancies.

Uniqueness

This house differs from other houses in the area in significant ways:

First, while this house is one of seven row houses on 27th Street, it is the only one whose sideline lies perpendicular to the rear yards of other houses. Moreover, nearly all the others, including Mr. Giese's house, have additions or are combined with other houses.

Second, this house is much smaller than the Dunbarton houses (which have larger footprints and rise three stories, rather than two).

Third, at 794 square feet with the addition, there is barely enough living space for an individual, let alone a family. In the District of Columbia it is not legal to build an apartment unit of less than 900 square feet.

Finally, unlike the other buildings in the area, the rear of this structure must be replaced, a fact unknown to the purchaser until after settlement.

Extraordinary or exceptional conditions creating practical difficulties

The small size of the lot and the living space needs of the average family make it imperative that zoning relief be granted.

Latitude is generally granted to non-conforming buildings predating 1958 and contributing buildings in a Historic District. Buildings built before 1958, when the current zoning regulations were adopted, face an extraordinary problem in adapting to current needs. Often they are non-conforming structures and any alteration is likely to encounter FAR, lot occupancy, and rear yard limitations.

Moreover, this property is a contributing building in a historic district and the Old Georgetown Board has expressed its concern about any unnecessary destruction of the building. Recognizing the severe constraints on using and maintaining historic buildings, greater latitude is generally given by this Board to such properties. (Please refer to Boardmember statements such as can be found on page 25 of the hearing on May 8, 2001, regarding BZA Case No. 16697 (Property of Yates).

Here, there is an additional compelling fact. The rear of the house is crumbling. The considerable cost of replacing the rear wall cannot be justified or financed without some concomitant increase in the value of the resulting home by bringing its size up to acceptable standards.

B. No Adverse Effects

ANC 2E and most of the neighbors concluded that the Variance and 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. Two neighbors have objected to this conclusion.

Neighbor to the North

Every effort was made to accommodate the concerns of a neighbor whose back yard abuts the sideline of the subject property. The original application sought to build an 8 foot, 2-story addition extending the full width of the lot. In response to the neighbor's concern about closing in on his rear yard, we offered to set back most of the addition three feet from his rear property line and extend the house 12 feet. The neighbor was pleased with the change but objected to the length of the addition, (although it is only a few inches longer than the addition on the South) and to the portion of the addition which extends out from the house three feet for the full width of the lot (a necessity for access to the second floor bathroom and rear bedroom). He subsequently dropped another demand that the entire addition be 4 feet rather than 3 feet from his property line.

Neighbor to the South

The owner of the rented property to the south, who has an 11'8" addition (including a large chimney) extending into his rear yard on his North property line, objected to the length of the 12 foot addition, the height of the two-story addition (next to his two-story addition), to the lack of a survey (promised to be ordered prior to construction), the possibility of construction damage to his foundation, (clearly our responsibility), and the fact that the wall of our addition would touch the wall of his addition. To gain his support in the hearing we offered to reduce the overall length to 10 feet 3 inches, assured him that we would build only on our own property by use of a survey, our contractors would take precautions to avoid damaging his foundation and we would pull our wall back nine inches from his.

Although we would like to have gained the support of the neighbors with these concessions, we were unable to do so. Subsequently, we realized that such concessions would seriously impair the value of the addition. Moreover, having made these concessions at the previous Board hearing, we were chagrined to find that both neighbors' demands multiplied. The owner of the neighboring property to the South, still objects to all the factors cited above but has reversed himself on the need for a gap between the buildings, insisting now that there be no gap.

In addition to his previous concerns, the neighbor to the North now objects to the windows on the side of the addition and finds it difficult to accept our assurance that we will hire a contractor who will utilize careful construction methods so as not to injure his back yard.

In the face of these expanded demands and the ANC's support, we have concluded that the addition would have no effect on the neighbors and see no reason to adhere to the concessions previously offered, except for the willingness to pull most of the addition back three feet from the north property line.

Accordingly, we seek a 12 foot addition with the above described setback from the North line and a stairway below grade. With respect to the gap between our building and that of the neighbor to the South, we can only agree to build up to but not over our line. Only a survey will tell us whether our addition will be touching his building or not. We are willing to work out drainage issues with him since we do not wish to degrade the integrity of his wall or foundation.

The ANC unanimously voted to support this second alternative twice, although it added a proviso that we eliminate the windows on the north side, notwithstanding their earlier approval of plans which showed the windows. We are grateful for the ANC's support but see no reason for the ban on windows. **In every residential district of the city the separation between windows of two houses is 16 feet (eight foot side yards on each lot.) Here the separation between the neighbor's rear windows and our side windows would be 18.9 feet.** We urge the Board to permit the windows on the North side.

BENEFITS OF PROPOSED USE

Like many parts of Georgetown, this immediate neighborhood suffers from undersized houses. This house needs a considerable amount of work to put it back into usable shape including a new rear wall. The proposed action of the BZA would enable the renovation and rehabilitation of this property so that its fabric can be preserved for future generations. The house had been vacant for some time and it is unlikely that anyone would spend the large sums needed to preserve the house if it maintained its current diminutive size. Finally, allowing this property to sit vacant and in need of substantial repair will seriously and adversely affect the structural integrity as well as marketability of other houses in the neighborhood.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use

Normally, some latitude is granted to non-conforming buildings predating 1958 and contributing buildings in a Historic District. Buildings built before 1958, when the current zoning regulations were adopted, face an extraordinary problem in adapting to current needs. Often they are non-conforming structures and any alteration is likely to encounter FAR, lot occupancy, and rear yard limitations.

B. Historic Preservation

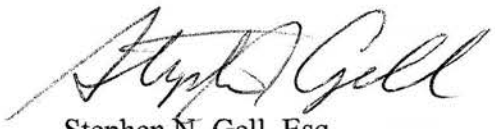
The subject property is a contributing building in the Georgetown Historic District. Because the owner has an obligation to maintain the entire building under strict controls, additional latitude should be given when a problem of this nature and magnitude arises.

The plans for this addition have been presented to and were given some favorable consideration by the Old Georgetown Board although no final decision has been reached.

CONCLUSION

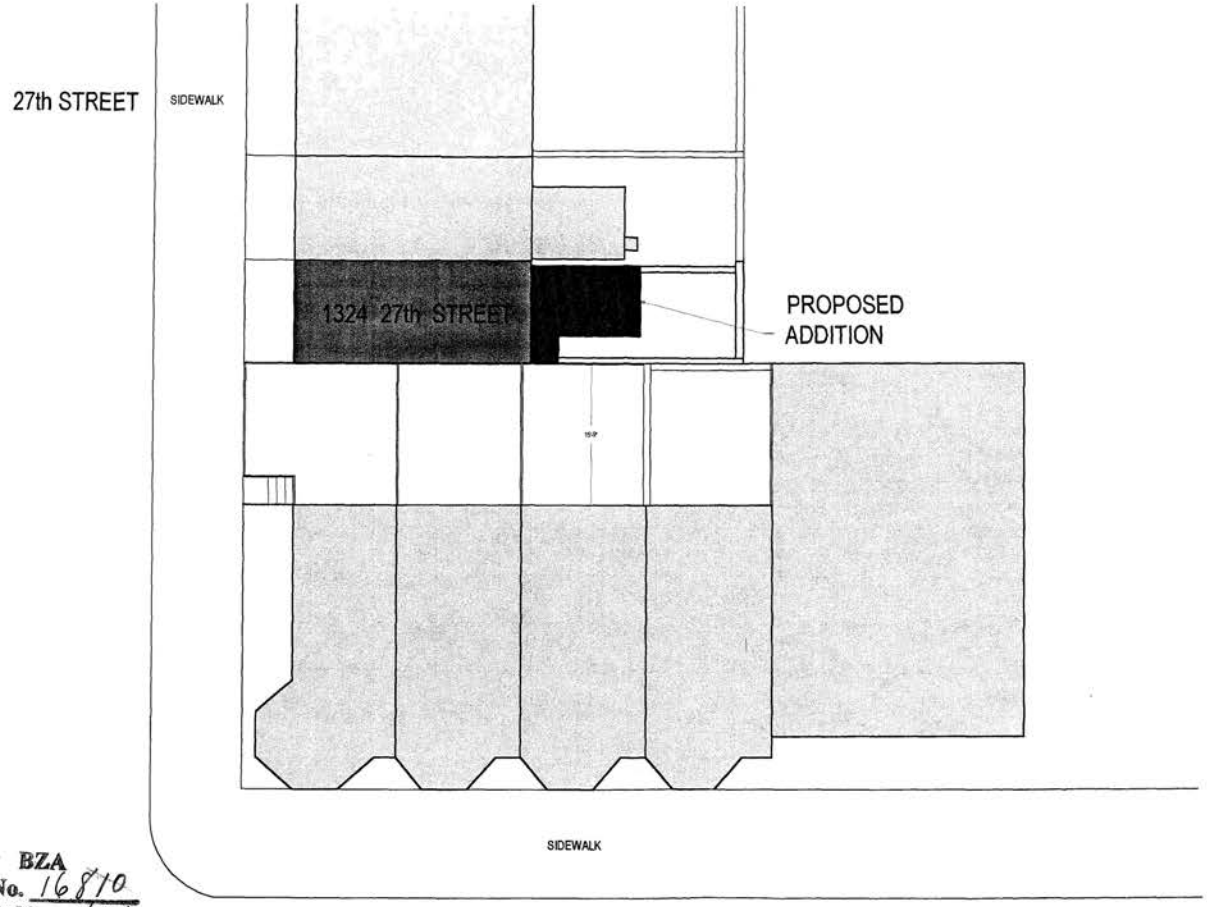
The Applicants should be granted a special exception to allow an addition at the rear of the property. on the alley. Such an addition will have no negative effects on the neighborhood and will make it possible to renovate the property and bring it back into residential use. Moreover, such an addition will be in harmony with the purpose and intent of the Zoning Regulations.

Respectfully submitted,



Stephen N. Gell, Esq.

16810



BZA
Case No. 16810
Exhibit No. 40-A

1 SITE PLAN
SCALE: 3/32" = 1'-0"

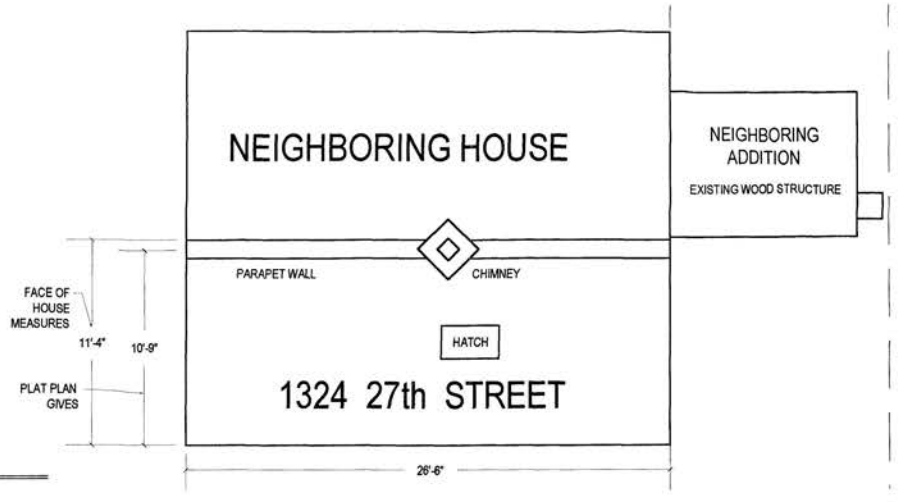
CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
1427 27th STREET, WASHINGTON D.C. 20007 tel (202) 333-2255 fax (202) 333-5322

TRAUTWINE House
1324 27th Street N.W. Washington, DC 20007

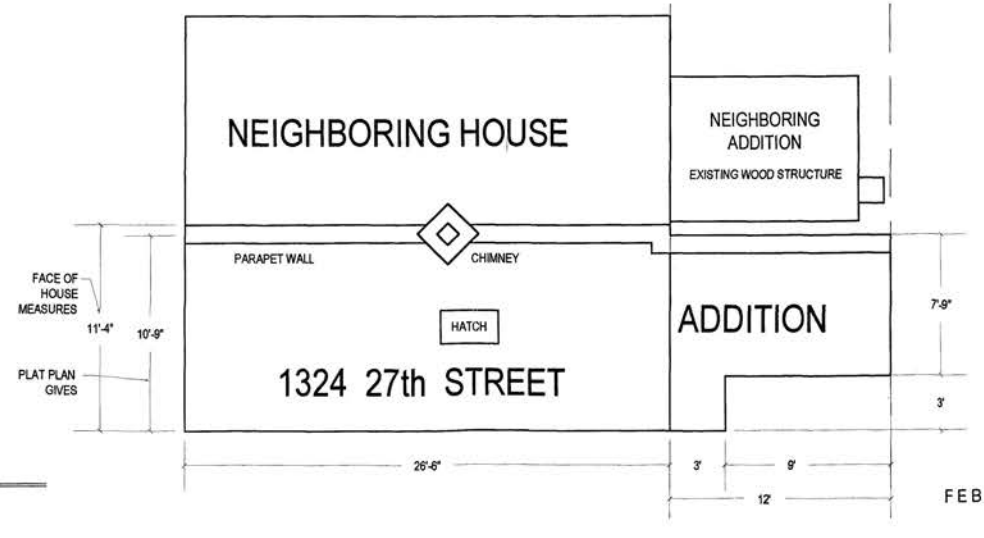
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1 EXISTING ROOF PLAN
SCALE: 3/16" = 1'-0"



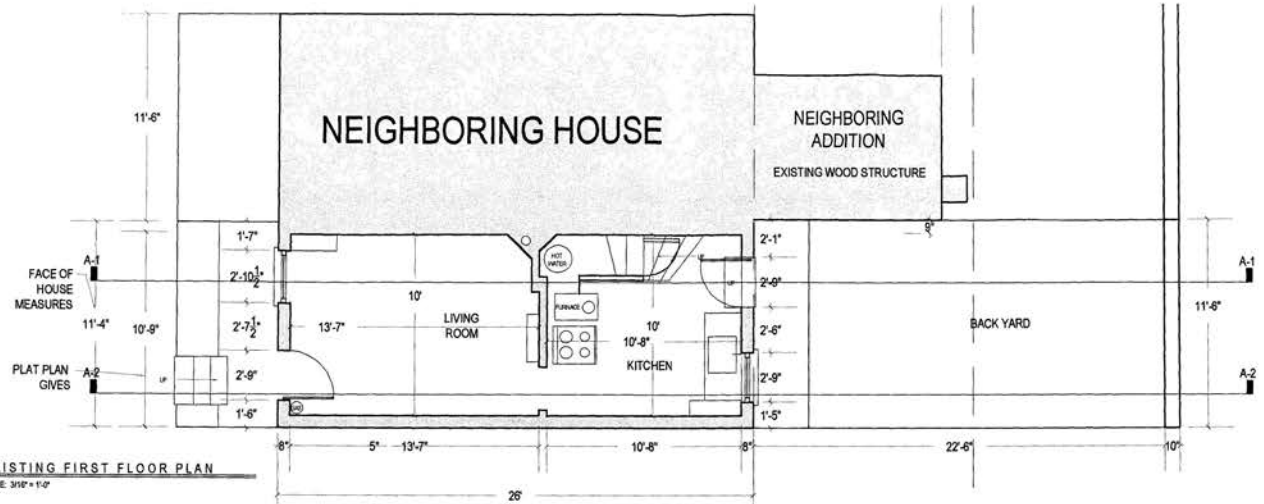
2 PROPOSED ROOF PLAN
SCALE: 3/16" = 1'-0"

CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
1427 27th STREET, WASHINGTON D.C. 20007 tel (202) 333-2776 fax (202) 333-5372

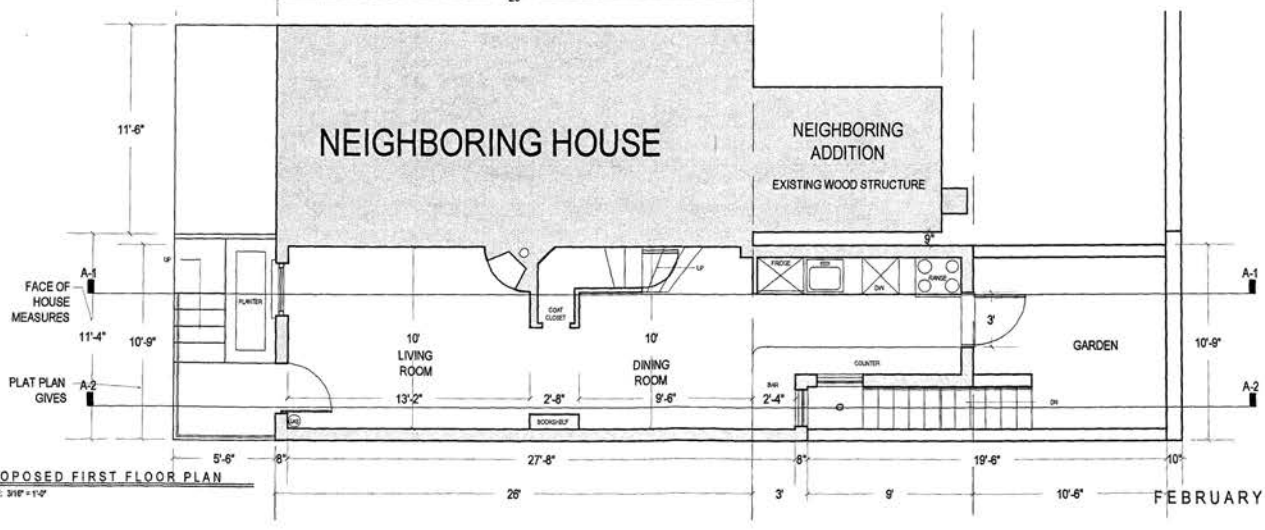
TRAUTWINE House
1324 27th Street N.W. Washington, DC 20007

FEBRUARY 11, 2002

A-2



1 EXISTING FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



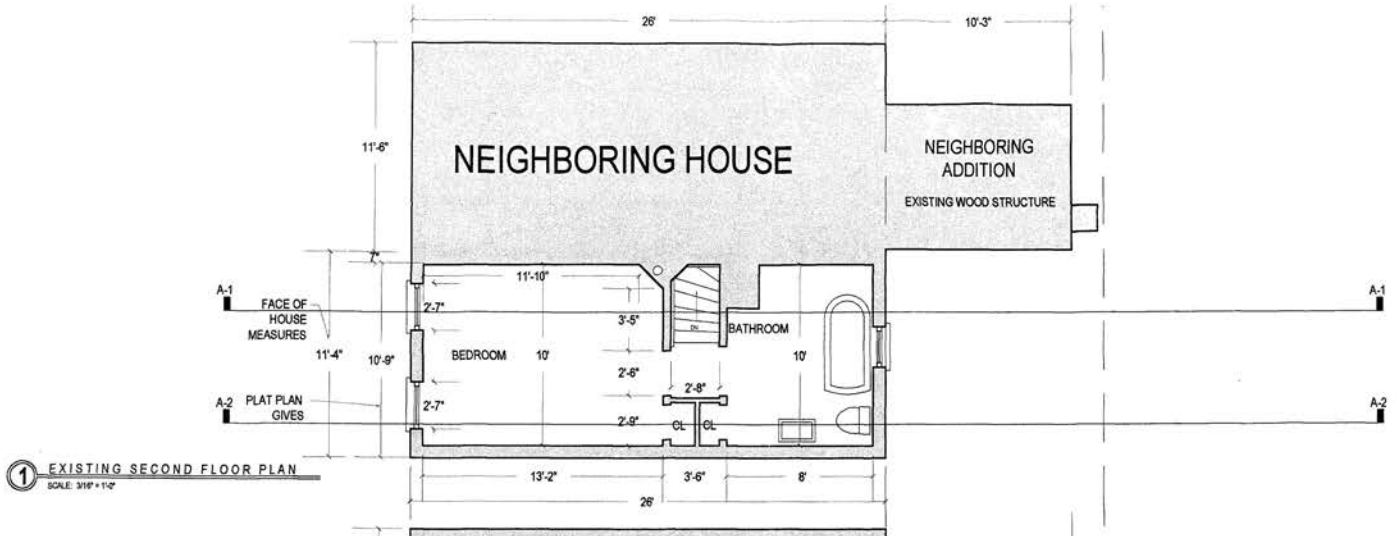
2 PROPOSED FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
1427 27th STREET, WASHINGTON D.C. 20007 tel (202) 333-2726 fax (202) 333-5372

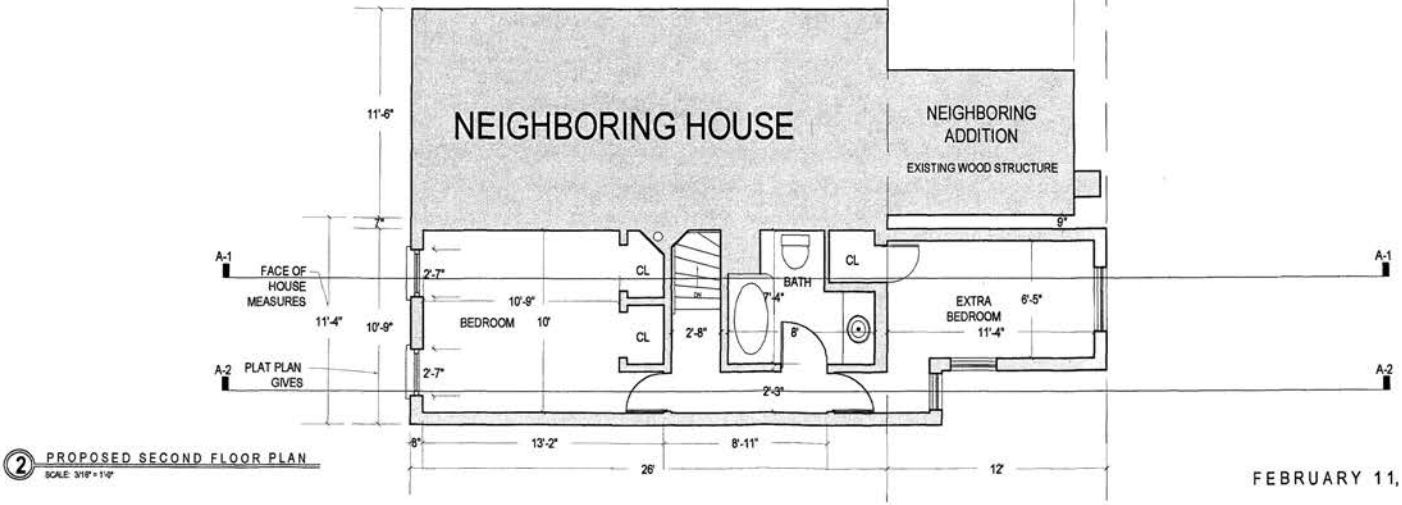
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A-3



1 EXISTING SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



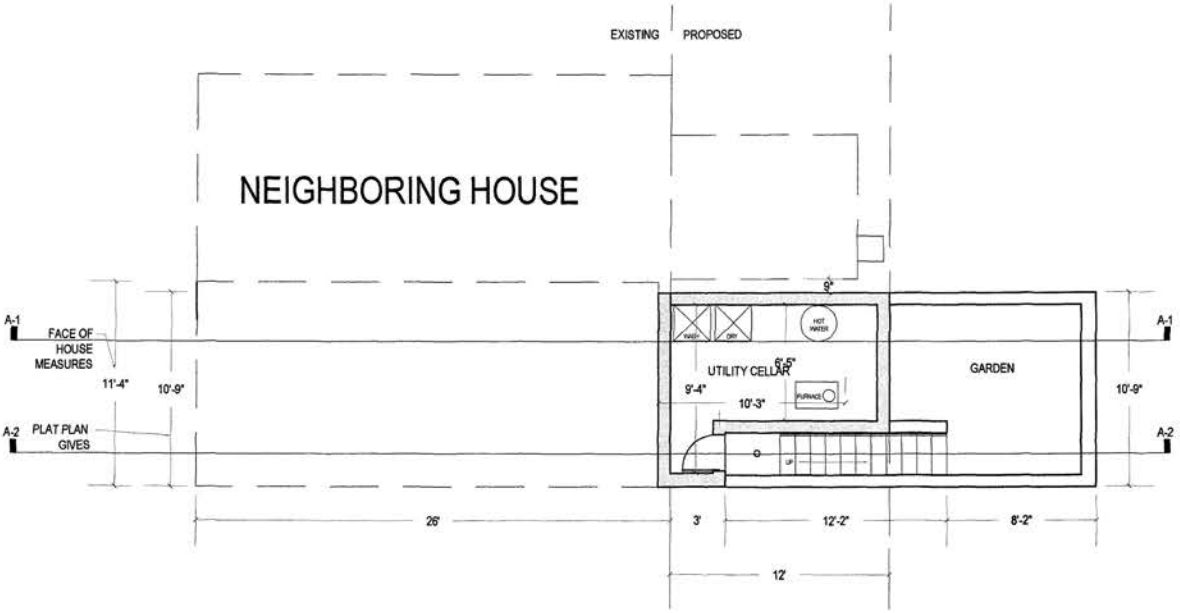
2 PROPOSED SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

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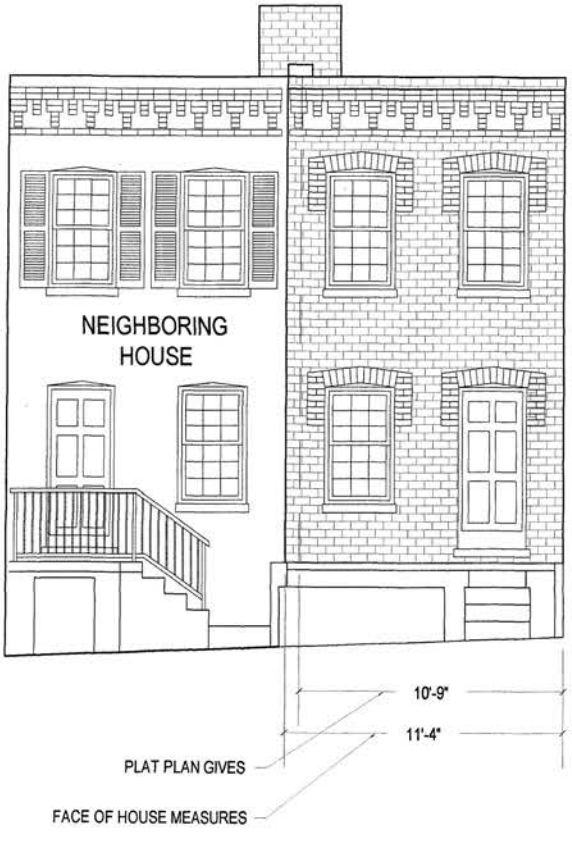
1 PROPOSED UTILITY CELLAR PLAN
SCALE: 3/16" = 1'-0"

CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
1427 27th STREET, WASHINGTON D.C. 20007 tel (202) 333-2728 fax (202) 333-5972

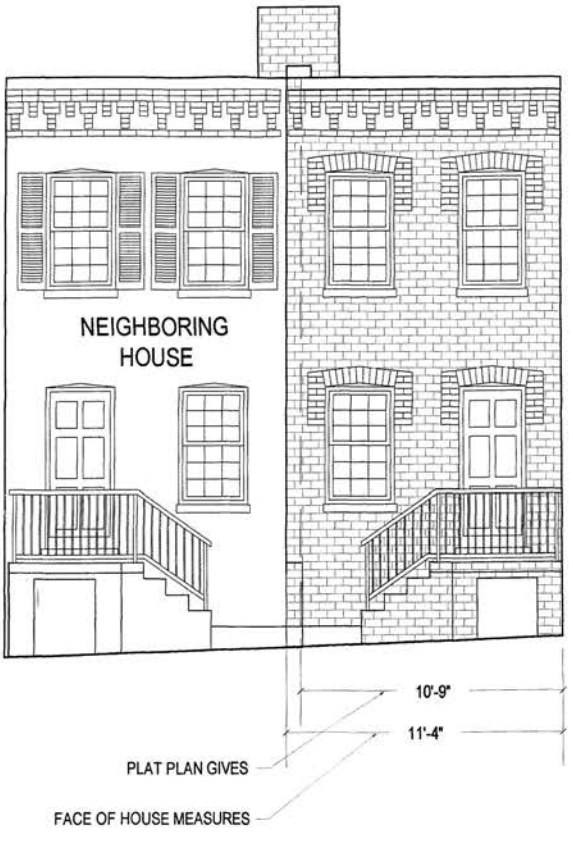
TRAUTWINE House
1324 27th Street N.W. Washington, DC 20007

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A-5



1 EXISTING FRONT ELEVATION
SCALE: 1/4" = 1'-0"



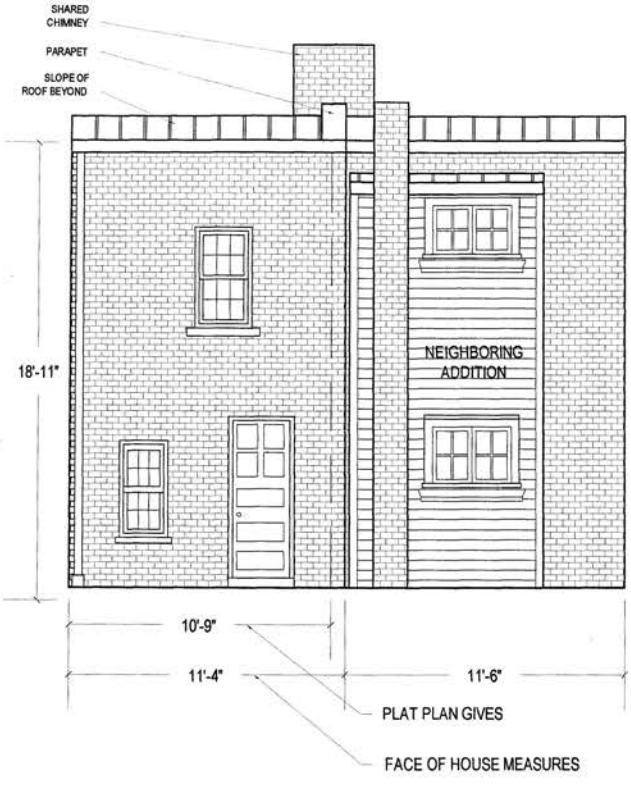
2 PROPOSED FRONT ELEVATION
SCALE: 1/4" = 1'-0"

CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
1427 27th STREET, WASHINGTON D.C. 20007 tel (202) 333-2776 fax (202) 333-5572

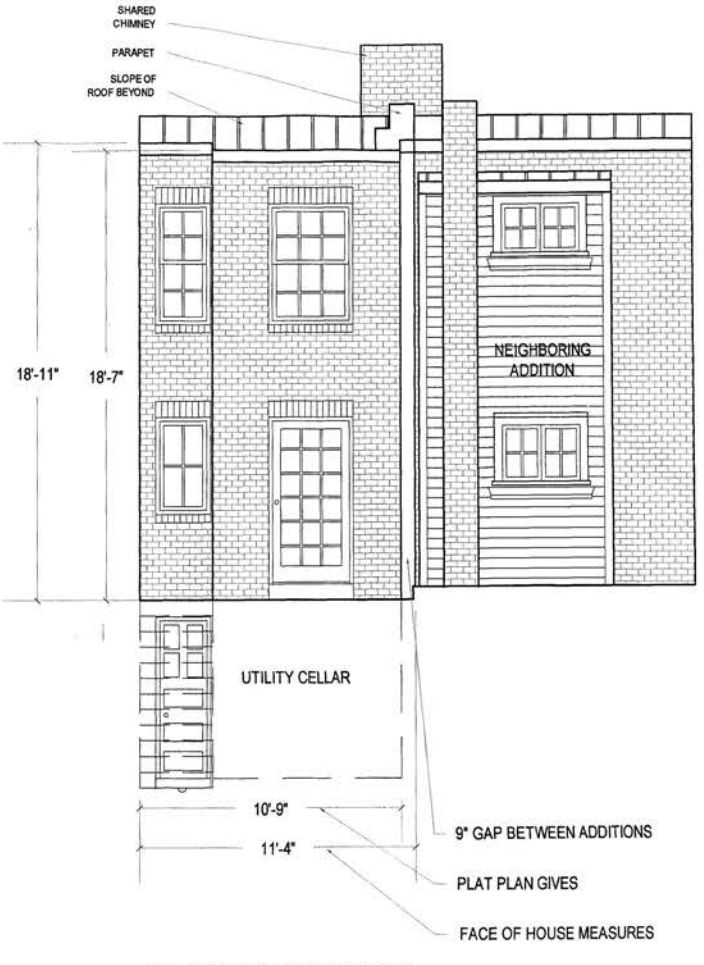
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FEBRUARY 11, 2002

A-6



1 EXISTING REAR ELEVATION
SCALE: 1/4" = 1'-0"



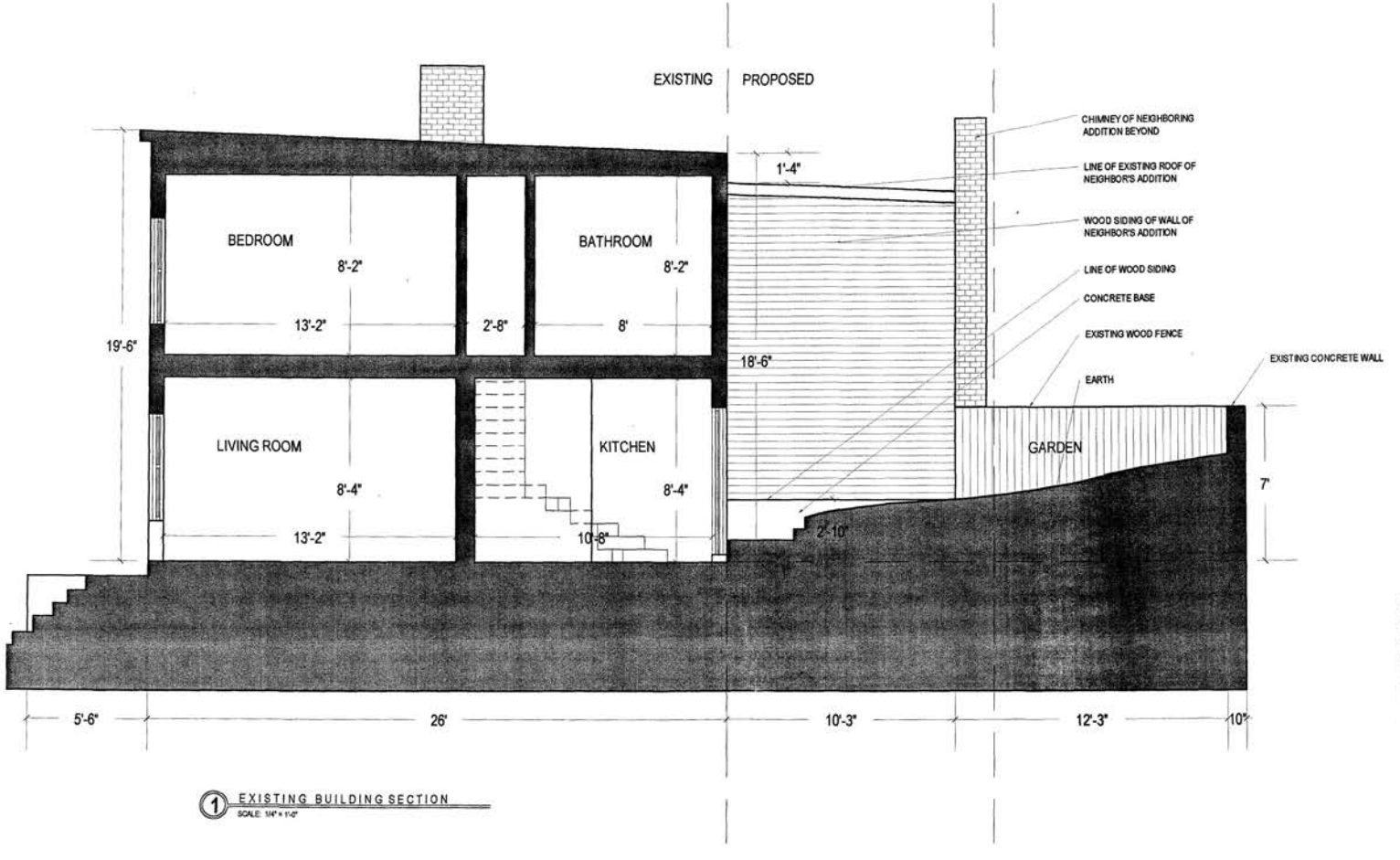
2 PROPOSED REAR ELEVATION
SCALE: 1/4" = 1'-0"

CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
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FEBRUARY 11, 2002

A-7

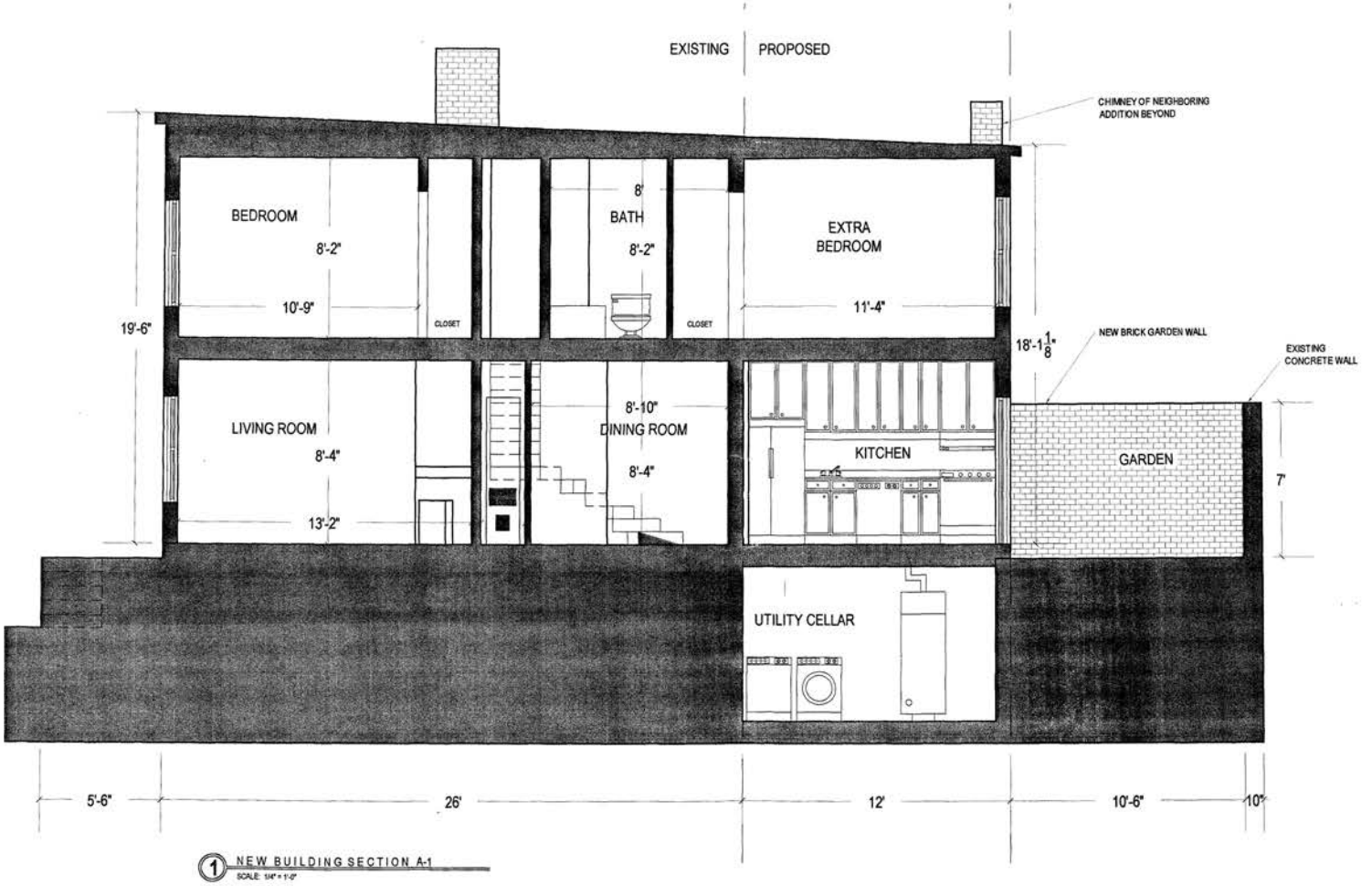


1 EXISTING BUILDING SECTION
SCALE: 1/4" = 1'-0"

CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
1427 27th STREET, WASHINGTON D.C. 20007 tel (202) 333-2778 fax (202) 333-5527

TRAUTWINE House
1324 27th Street N.W. Washington, DC 20007

FEBRUARY 11, 2002 **A-8**

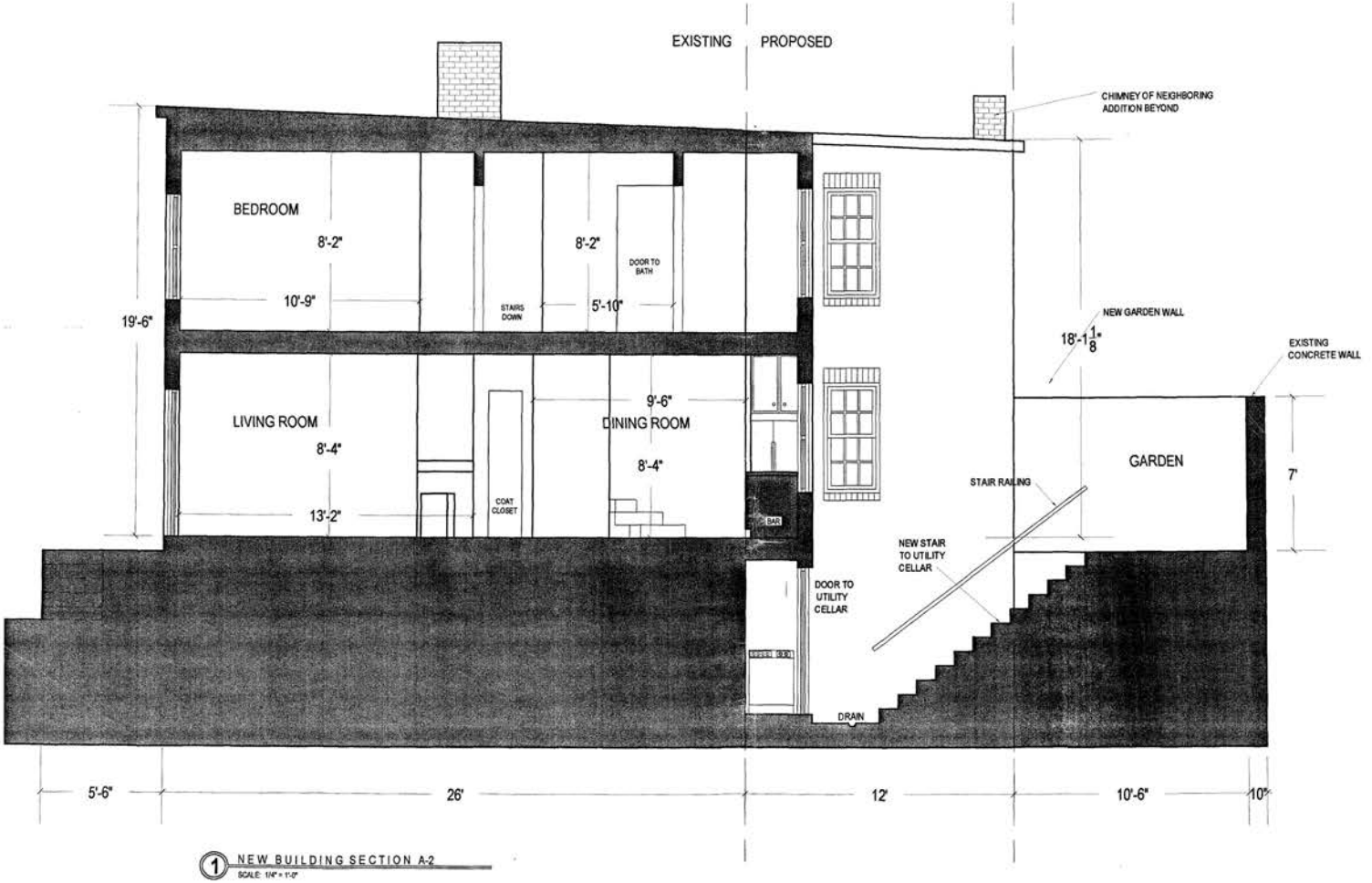


1 NEW BUILDING SECTION A-1
SCALE: 1/4" = 1'-0"

CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
1427 27th STREET, WASHINGTON D.C. 20007 tel (202) 333-2778 fax (202) 333-5072

TRAUTWINE House
1324 27th Street N.W. Washington, DC 20007

FEBRUARY 11, 2002 **A-9**



1 NEW BUILDING SECTION A-2
SCALE: 1/4" = 1'-0"

CHRISTIAN ZAPATKA ARCHITECTURAL DESIGN LLC
1427 21th STREET, WASHINGTON D.C. 20007 tel (202) 333-3726 fax (202) 333-3727

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1324 27th Street N.W. Washington, DC 20007

FEBRUARY 11, 2002 **A-10**