Form 145
(Revised 04/29/02)

Case No. 16863

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

AFFIDAVIT OF POSTING

Notice: See other side of affidavit form for instructions.

DISTRICT OF COLUMBIA, ss:

(Name of person posting the property) JAMES F Smith , being first duly sworn, do hereby depose and say that:

I, (Name of person posting the property) JAMES F. Smith , posted (no. of posters) ONE (1) zoning poster(s)

("Notice of Public Hearing") furnished by the Director of the Office of Zoning on private property known as

(address of premises) 420 M ST NW on (date of posting) 9/2/02 at (time of posting) 6PM .

The zoning posters were placed in plain view of the public on the street frontages as listed on this affidavit below. I have maintained the posting notice by checking the signs every five days, and by posting new notices as necessary.

I have taken, or authorized to be taken, (no. of photos) One photograph(s) of the zoning posters where they have been placed.

The photographs (not to exceed 8 ½? X 11?), attached hereto, clearly show each zoning poster as seen by the public.

The photographs, are numbered and correspond to the following street frontages:

Photograph No.	Street Frontage
#1	420 M ST NW (TAPED TO REAR OF THIS FORM)

(signature) James F Smith

Subscribed and sworn to before me this (date) 3 day of (month) 09 (year) 02 (seal)

(signature) Kay M Fulla

Notary Public, D.C.

My Commission Expires (date) 7/31/07

Jerrily R. Kress, FAIA – Director
District of Columbia Office of Zoning

441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov

Board of Zoning Adjustment
District of Columbia
CASE NO.16863
EXHIBIT NO.30

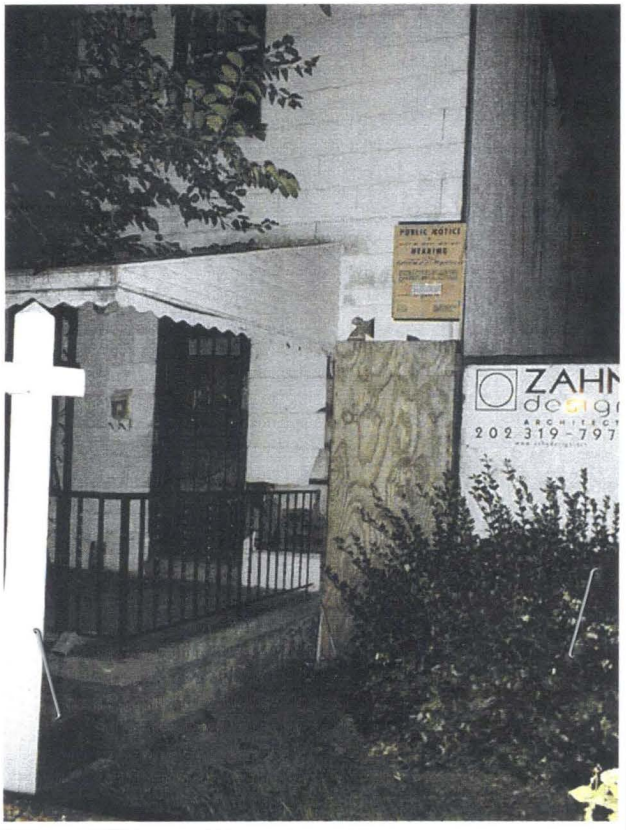
BZA
Case No. 16863.
Exhibit No. 30

#1

420 M ST NW

16863

RECEIVED
D.C. OFFICE OF ZONING
2002 SEP 12 PM 3:46



BZA Case
No. 16863

Summary Variance Rationale

The subject property's uniqueness derives primarily from the uniqueness of the improvements on the property, which differ in significant respects from most of the other buildings in the square and surrounding squares. The improvements consist of a two-story frame house with a one-story connector, which attaches to a two-story carriage house located in the rear yard of the property. In contrast, the square is characterized by three-story Victorian and federal-style brick brownstones.

The through lot configuration of the improvements with the connector and two-story carriage house at the rear of the property is also a unique condition. To our knowledge this is the only property in the square and immediate vicinity with this configuration. A related condition with respect to the property is that the Historic Preservation Review Board will not permit the demolition of the two-story frame house or the carriage house nor permit any additional development on top of the house.

The application of these historic constraints on the property as well as a building code interpretation which mandates access from the front of the property, through the lot to the carriage house, serve to severely limit the redevelopment potential of the site. The minor amount of additional lot occupancy requested in this application is needed to overcome these constraints and provide for a more feasible project.

The rear yard variance was requested to ensure that a new connector could be reconstructed on the site following the removal of the existing connector. The applicant has since reconsidered the need for this variance. The applicant now plans to retain the

outer wall of the existing connector and to merely rebuild it in place rather than demolishing it completely. As a result, the existing nonconforming condition can continue to be grandfathered and the rear yard variance may no longer be needed.

We have ascertained that the applicant does need a variance from § 2001.3(c), as requested, which provides that an addition or enlargement shall not create any new nonconformity of addition and structure combined. In this case, the proposed addition will create a new conformity – that is the increase in maximum lot occupancy.

The requested lot occupancy variance will not have an adverse impact on adjacent or nearby properties. Rather, the new development on the site will replace an existing eyesore with a high-quality renovation and addition, attracting more new residents to the block and enhancing activity and security in this transitional area.