STATEMENT OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

FOR A VARIANCE PURSUANT TO §§401.3 AND 3103

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

3321 11th Street, N.W.

Square 2845, Lot 27

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Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO.16891
EXHIBIT NO.4

INDEX

INTRODUCTION

DESCRIPTION OF THE APPLICANT

THE SUBJECT PROPERTY

A. Location and Description of the Property
B. Area Surrounding the Property
C. Zoning History and Use History

REASONS IN SUPPORT OF THE APPLICATION FOR VARIANCE

A. Compliance with D.C. Zoning Regulations
B. No Adverse Effects

BENEFITS OF PROPOSED USE

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use

CONCLUSION

EXHIBITS

Surveyor's plat

Photographs of the site

Plans

INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of 3221 Eleventh Street, LLC, whose manager is Adrian Washington, for variances to permit construction of an addition to a single family house which will not comply with the requirements of §401.3 for a minimum of 900 square feet of lot area for each apartment at 3221 11th St., N.W. (Square 2845, Lot 27) pursuant to Section 3103 of the Regulations of the Zoning Commission, (11 DCMR §401.3 and 3103) (hereinafter, "Regulations").

DESCRIPTION OF THE APPLICANT

Mr. Washington is President of The Neighborhood Development Company, LLC which was formed in 1998 to do urban infill residential projects. He is a lifelong resident of DC with degrees from Stanford University and Harvard Business School.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is at 3221 11th St., N.W., Square 2845, Lot 27. It is a single family house in an R-4 Zone, which permits row dwellings, flats, and conversions to apartments. The property has been vacant for over twenty years. Large portions of the building were demolished by the District when the property was condemned and prior to the current owner's perfecting title. In its current state, it is a health hazard and rebuilding work needs to begin as soon as possible.

B. Area Surrounding the Property

The property is on the periphery of the Columbia Heights neighborhood, two and a half blocks from the Columbia Heights Metro Station. Surrounding the property are commercial and residential uses as follows. South and East of the property are row-dwellings including some multifamily conversions. North of the building and across the street are a mixture of ground floor retail and apartments. A block to the West is the Harriet Tubman Elementary School.

C. Zoning History and Use History

The area is zoned R-4. The house was built in 1910 and was a residence until its abandonment twenty years ago.

REASONS IN SUPPORT OF THE APPLICATION FOR VARIANCE

A. Compliance with D.C. Zoning Regulations

The R-4 district is designed to include "those areas ..... within which there have been a substantial number of conversions of the dwellings into dwellings for two (2) or more families." (§ 330.1, Title 11, DCMR). Large row dwellings subdivided into 3 or 4 family flats are a common feature of the Columbia Heights neighborhood, and are a cherished factor in the economic and cultural diversity of the neighborhood. In recent years this diversification of housing product has been threatened, as new development has focused on huge townhouses or luxury condos. In addition, the condo project proposed by the owner will allow low and moderate-income families to avoid displacement and remain in the neighborhood.

In addition, the reconstruction of the property will eliminate certain non-conforming aspects of the current construction, such as the non-conforming court.

Uniqueness

The lot is hemmed in on three sides by other properties. There is no alley, so access to the rear is difficult. At 1637 square feet, the lot is smaller than the minimum lot for the Zone District. In addition, its frontage is less than 18 feet. However, the depth of the lot is nearly 100 feet and no rear yard variance would be required.

The property, which has been vacant for over twenty years, was originally acquired through the Tax Sale process in July of 1999. Due to the nature of the Tax Sale process, the current owner purchased the property at great risk and without the ability to conduct detailed studies and proformas. It took until February 2002 until the current owner was able to obtain clear title from the District Government. In 2001 the DC Department of Consumer and Regulatory Affairs (DCRA) erroneously placed the. property on the condemned property list and began to demolish it, despite the pleas of the current owner. The demolition action was stopped after two days only through the intervention of Councilmember Jim Graham. As of result of DCRA' s actions, the only usable elements of the property are the front facade, the two side walls, and a portion of the rear wall. The damage is so severe that entry into the building is dangerous. The safe removal of the interior damaged elements alone will cost in excess of $15,000.

Extraordinary or exceptional practical difficulties

The property will require complete reconstruction, more akin to new construction than rehabilitation. This will require bringing all construction elements up to current code standards, including new water and sewer service, sprinklers and other fire safety requirements, enhanced structural elements, full insulation, and other costly improvements which would not be called for in a standard renovation. The current budget for this reconstruction is $335,000, not including acquisition, soft costs, and financing costs.

Over the last year single family in the immediate vicinity of the property have sold for a range of $100,000 to $200,000, with only two selling in excess of $300,000. No lending institutions approached by the applicant will provide construction financing

for the property as a single-family house. Conversely, the applicant has developed and sold condominiums on the same block in a price range of $100,000 - 200,000, and has secured a lender's commitment for the property as a four-unit condominium building.

B. No Adverse Affects

The development should not affect traffic and parking in the area. The proximity to the Columbia Heights Metro Station will encourage residents to reduce their reliance on automobiles. Moreover, 11th Street is 90 feet wide and there is a good supply of on-street parking.

BENEFITS OF PROPOSED USE

The property is situated on the periphery of the Columbia Heights neighborhood, 2 ½ blocks from the Columbia Heights Metro Station. Development near the Metro stops is a high priority for the District and this renovation would bring another abandoned house back into residential use. Moreover, it would enhance the ambiance of the block, and encourage others to improve their properties. Finally, the proposed development would add four taxpaying households to the neighborhood. The alternative would be to leave this abandoned eyesore to continue to blight the neighborhood.

This application is supported bv the immediate neighbors of the property, all members of ANC 1A contacted by the applicant to date and Ward 1 Councilmember Jim Graham.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use

While the property is in the R-4 residential zone, it only a few doors from a C-2-A commercial zone. This would justify a modest increase in density.

CONCLUSION

3221 Eleventh Street, LLC, should be granted a variance to allow conversion of a single family house to a four unit condominium. oan addition at the rear of the property on the alley. Permitting the variance will have no additional affect and will be in harmony with the purpose of the Zoning Regulations.

Respectfully submitted,

Stephen N. Gell, Esq.