August 15, 2002

BZA
Case No. 16939
Exhibit No. 27

16939

Board of Zoning Adjustment
441 4th street NW – suite 210
Washington, DC 20001

In regards to the application for a special exception to allow the construction of an addition to the single-family detached house at 4651 Massachusetts Ave, N.W. Washington DC. 20016. We would like to address the criteria by which a special exception may be granted by the Board of Zoning Adjustment. We believe the property at 4651 Massachusetts Ave. meets the requirements necessary for BZA approval, and are requesting a special exception pursuant of section 223.3 to allow the construction of an addition on the lot zoned as R-1-b. As is stated by the regulation, the addition with the existing structures shall not exceed 50% of the current lot occupancy.

We also believe that our request meets the three main provisions as outlined below:

1. The physical characteristics of the property:
    a. Makes it difficult for the Owner to use the property in compliance with the Zoning Regulations (area variance) – i.e. shape and size of the property, unusual topography or slope, soil problems, etc.

The size of the lot located at 4651 Massachusetts Ave. is 4,000 sf. That is 1000 sf less than what is prescribed as the minimum allowable lot size according to the current R-1-B zoning regulation. This makes it impossible to alter the footprint of the house without exceeding the maximum allowed lot occupancy (40%). However, if the lot was of conforming size, that is 5000 sf, there would be no special exception requested because the proposed addition/alteration would cover 39.5% of the property and therefore meet the lot occupancy of the current zoning regulations.

2. Granting the application will not be of substantial detriment to the public good – ie. traffic, noise, lighting, etc.

It is the belief of the Owner that since careful consideration has been given to the impact that the renovation/addition would have on the neighborhood through massing studies, landscape design, and model making, the proposed work would not negatively impact the neighbors. (Refer to the proposed views in the photo packet which show the paper model collaged into the photographs of the existing site.) You will notice that although the height allowed in an R-1-B district is 40'-0", the front façade stays within similar height lines as established by the neighboring houses. The same logic has been applied to the façade that faces the alley. The roof of the structure pitches in such a way so as to minimize the impact the studio addition would have to the alley. The shallow roof pitches were designed in such a way so as to minimize the negative impact the addition would have on the neighbors' light and views.

It should also be noted that the Owner and Architect are working with a landscape architect to design how the house sits on the property. It is believed that re-landscaping will not only benefit the Owner's views into his surroundings but also his neighbors. The gardens and vignettes will be meticulously designed with a wide variety of plants, trees, grasses and shrubs which will settle the house into the landscape.

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3. Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations and map.

As has been demonstrated above, the proposed renovation/addition would not be inconsistent with the general intent and purpose of the Zoning Regulations and Map. Because the lot does not conform to the minimum lot requirements of 5000 sf, the Owner of the property would not be able to alter the footprint of his existing home. By allowing the proposed addition to occur, the lot coverage would still be less than the 40% lot coverage had this been a conforming lot of 5000 sf. It has also been set forth that through the special exception pursuant of section 223.3 to allow the construction of an addition on the lot zoned as R-1-B if the lot coverage does not exceed 50% of the current lot occupancy, which it would not (49.5%). This therefore would not negatively impact or change in any way Zoning Regulations and Map for this property.

The Owner is only pursuing the special exception based on the non-conforming site since all other parts of the proposed renovation/addition meet zoning criteria.

Sincerely,

Gregory A. Kearley
Inscape Architects