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Supplemental Information for:

BZA Application Number 16985
700 Monroe Street N.E.
Washington, DC

FORM 121
APPLICANT'S BURDEN OF PROOF FOR VARIANCE AND SPECIAL EXCEPTION

Subsection 3103.2:

1). *The physical characteristics of the property:*
a. Make 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 topographic or slope, soil problems, etc.

The existing property has a size that is unique and is an exceptional condition for a property within the R-4 district. The existing property is a single recorded property of 18,570 square feet in a neighborhood of properties that are typically 1,800 square feet. Therefore, the subject property is ten times the size of the average site within the R-4 area, which makes it distinctly unique within the area. The property is too large for the by-right development permitted except for potential a church or apartment building. These program uses however would not be financially viable given the current property value. These uses have been reviewed and deemed not the highest and best use for this property by the land appraisers review the purchase of the property (see section b below). The property value has increased due to the distinct separation this property has from the balance of the R-4 zoned area. The property is divided from the R-4 area by Monroe Street N.E. The land sharing property lines is Zoned C-1 and CM-1.

b. Creates financial hardship for the owner in using the property consistent with the Zoning Regulations (use variance).

Mr. George Basiliko, the current owner and seller of the property, as noted in the letter dated March 4, 2003, is experiencing a hardship in the difficult to sell this property due to the size. The current market value of the land is much higher than the development potential of the property given the permitted uses will afford in the R-4 zoning. If the Use Exception is not permitted, this will result in continued hardship to the current owner.

In discussions with Carl Pletik, Director of Planning for Catholic University, the applicant was informed that Catholic University is not interested in purchasing the property due to the current land value, and the cost for rehabilitating the existing building into a dormitory building, which would be allowed under special exception in an R-4.

In addition, the potential purchasers of the land (BCI) commissioned an appraisal of the property from Chaney & Associates Commercial Real Estate and Business Valuation. The findings are the following:

"The cost of the land limits those uses that are financially feasible for the site. Any use of the subject site which provides a financial return to the land in excess of the cost of the

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Board of Zoning Adjustment
District of Columbia
CASE NO. 16985
EXHIBIT NO. 48

land is a use which financially feasible. Land use in the subject neighborhood and submarket are changing from vacant / underutilized to residential and special purpose."

"The subject is improved with a dormitory [building] .....Significant renovation is required for continued or alternative uses."

"The most likely buyer would be an owner-user purchaser" which is how the Bennett Career Institute proposes to operate.

In summary, the Highest and Best Use is not a use allowed by right within R-4, and the current allowable uses have created an undue hardship upon the owner in their efforts to make reasonable use of the property. Contrary to the Office of Planning's proposition, the renovation cost associated with this structure would make it financially infeasible for uses such as apartments, churches and a full daycare facility.

2). *Granting the application will not be of substantial detriment to the public good - i.e. Traffic noise, lighting, etc.*

In contrast, not granting this application will be of substantial detriment to the public good, particularly for the community. The Bennett Career Institute has a proven record of public service within the community that has been reinforced by the ANC and other letters received by your office from the neighborhood. In essence, the community is lobbying for a favorable finding regarding this application for Use Variance. BCI has provided years of affordable higher learning opportunities and training to those who could not afford or did not desire a college education. BCI provides free hairstyling services for senior citizen. BCI provides free hairstyling and a make over for mothers on welfare as they transition into the workforce. BCI has a social agenda for positive change and is provided these services within their community.

FAX MEMORANDUM

Date:	March 11, 2003	
To:	Ms. Booth 202.727.6072	
From:	Todd Ray	
CC:	Bennett Beauty Institute	F.202.526.1405
	Karen Thomas, DCOP	
Project:	Bennett Career Institute	
	Application Number 16985	
Pages:	Cover + 2	

RE: **Supplemental Information for: Burden of Proof**

Ms. Booth;

Per our brief telephone conversation, enclosed please find the Supplemental Information for Burden of Proof we discussed. Please add this the BZA file number listed above.

Thank you for your time,

Sincerely,

Todd Ray

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