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January 27, 2003

BZA Application No. 16987 (Rear Deck Addition)

RESPONSE

1. To remove or alter the existing rear deck so as to be in strict compliance with the zoning regulations would create extreme financial hardship for the owner. At best, it would be cost prohibitive to make any alteration to the already existing structure.

2. Granting the application for a special exception will comply with the requirements of §223, and will not create any substantial detriment to the public good. In particular, the existing rear deck will not effect the light and air available to neighboring properties or the privacy or use and enjoyment of neighboring properties. In addition, the rear deck does not substantially visually intrude upon the character, scale or pattern of the houses along the alley frontage. We have previously submitted plans and photographs that show the rear deck and confirm that its existence does not adversely affect the neighboring structures.

3. Granting the special exception application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map. The residential character of the community will not be disturbed, and neighbors will not be substantially adversely affected.

Dates

April 2002
Sign letter of intent with owner to purchase 1207 Clifton St pending completion of complete home renovation, including rear deck. Former owner is to acquire all necessary licenses and permits from the city.

May 15, 2002
Owner fails to meet the original closing date, which is pushed back 15 days to complete property renovation, including rear deck. Interior problems remain unresolved and the rear deck had not been completed.

May 30, 2002
Closing on the property and money is withheld in escrow from owner contingent on his completion and correction of items on the punch list, including construction of the rear

BZA
Case No. 16987
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO. 16987
EXHIBIT NO. 26

deck. Owner given an additional 14 days to finish and correct property necessary for completion of sale and transfer of escrow funds.

June 13, 2002
Owner misses completion date and given an additional 14 days to finish and complete work, including rear deck.

June 24, 2002
Interior home repairs and rear deck remain unfinished by former owner; outside contractor DynAmerica hired to finish front basement landing and rear deck construction at a cost of 15,000.

June 30, 2002
Heating and cooling system fail to work correctly; Washington Gas begins services.

July 14, 2002
DynAmerica completes rear deck addition.

July 25, 2002
Construction inspector Antoine of Dept. of Consumer and Regulatory Affairs issues Stop Work Order. Given 2 days to file application.

July 26, 2002
Met with Inspector who issued Stop Work Order and informed that initial deck permit applied for by former owner was incorrect for Rear Deck Addition. I applied for the permit and was told I needed a Plot from the District of Columbia Office of the Surveyor to complete permit application - a process that would take roughly 2-3 weeks.

July 31, 2002
Traveled to California for vacation.

Aug 1, 2002
Construction inspector Keith Lambert of the Dept of Consumer and Regulatory Affairs issues stop Work Order, allotting 4 days to comply without a fine.

Aug 12, 2002
Returned from California and filed an appeal with the Department of Consumer and Regulatory Affairs. Hearing scheduled for Sept. 25, 2002.

Aug 13, 2002
Plot from District of Columbia Office of Surveyor complete.

Sept 19, 2002
Submitted Complete Permit application for approval. Notified that Board of Zoning approval is required. BZA processing begins for Special Exception.

Sept 25, 2002
Hearing for Stop Work order results in fine.

Dec. 16, 2002
Board of Zoning and Adjustment issues approval for Special Exception and application process.

Jan 3, 2003
BZA application for Special Exception filed.

January 16, 2003
BZA application found to be incomplete.

January 31, 2003
BZA application refilled.