# DETAILED STATEMENT EXPLAINING HOW THE APPLICATION MEETS THE SPECIFIC TEST IDENTIFIED IN THE ZONING REGULATIONS FOR USE VARIANCE

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**PROPERTY ADDRESSES:** 244 & 244-A 12th Street, S.E.
Washington, D.C.

**Subsection 3103.2**

*As set forth in D.C. Code Ann Section 5-424(g)(3)(1981), "[w]here, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulation, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Code Ann. Section 5-413 to 5-432 (1981) would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon and appear relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; Provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.*

The property at 244 12th Street, S.E. & 244-A 12th Street, S.E., Washington, D.C. is located in Ward Six of the Capitol Hill Historic District. The neighborhood is known for tax purposes as Old City I and the house was built in 1911. The area surrounding the subject site is primarily developed with single-family row dwellings and flats. The R-4 district allows matter-of-right development of single-family detached, semidetached and row dwellings, flats and conversions of structures existing on May 12, 1958 to apartment use with a minimum lot area of 900 square feet per unit. The site is developed with a two-story plus basement brick structure.

BZA
Case No. 17004
Exhibit No. 3

Board of Zoning Adjustment
District of Columbia
CASE NO. 17004
EXHIBIT NO. 3

The physical characteristics of the property are quite unique in that property is subdivided into two flats: 244 and 244-A, as are the other homes in that block. This architectural design is also seen in a majority of the homes in the immediate vicinity. This large corner house is comprised of 3,645 square feet and the land area measures at 1,435 feet.

The design of the home, and the homes on the 200 block of 12th Street, S.E., is unlike many other houses in the District because of the two front entrance doors. According to the Office of Planning, Historic Preservation Office this particular design is also seen in an isolated area of Georgetown. While the property is classified as a single family dwelling, there is one front entrance door at 244 12th Street, S.E. and the other front entrance door at 244-A 12th Street, S.E. Consequently, the property was divided into two flats. The Certificate of Occupancy describes the property as "Flat: one unit basement & First; one unit Second floors."

At the time this Application was submitted to the District's Board of Zoning Adjustment[1], the owners are working to obtain a revised Certificate of Occupancy that reads: "Flat: One Unit Second Floor & Basement; One Unit First Floor. Preliminary approval from the District of Columbia Office

of Zoning has been obtained, provided that the required construction, building permits and inspections are approved. This modification will legally allow a Two-Unit Flat, with a change only in the description of which units constitute the Flats.

The owners are therefore seeking to obtain a Use Variance from the BZA to change from a Single Family use to a Multi-Family use. The granting of this variance would enable the owners to create three separate units. One unit in the basement, one unit on the first floor, and one unit on the second floor. Each of the three units would exceed the nine hundred (900) square feet of lot area per unit as specified in the Zoning Regulations. All of the apartments would have rear exits and two front exits. Each floor including the basement would be converted into an apartment.

The following description has been provided for your review and information:

**BASEMENT (1,214 SQUARE FEET)**

| | | |
|---|---|---|
| SEPARATE ENTRANCE | 2 BEDROOMS | 2 BATHROOMS |
| | 1 KITCHEN | |

**FIRST FLOOR (1,214 SQUARE FEET)**

| | | |
|---|---|---|
| SEPARATE ENTRANCE | 2 BEDROOMS | 1 BATHROOM |
| | 1 KITCHEN | |

[1] February 10, 2003.