February 14, 2003

RE:Square 306 Lot 4

HOW THE APPLICANT MEETS THE BURDEN OF PROOF

As set forth in D.C. Code Ann Sec.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 regulations, 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. Sec.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 an appeal 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 Map."

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Subject property has historic footprint that does not comply with Zoning Regulations. A previous owner constructed addition to rear of property so that it now covers more than the allowable percentage of the lot. Purchase price and financial feasibility analysis were performed using existing footprint and square footage of interior space.

The small size of this property is what prompted previous owners to build rear addition. Reducing the existing size or removing the rear addition will create financial hardship for the owners. It would also not comply with historic preservation goals.

Granting the application will not be a substantial detriment to the public good. There will not be more traffic or noise or less light.

W H & Lena Ellis

William and Lena Ellis

BZA
Case No. 17006
Exhibit No. 8

Board of Zoning Adjustment
District of Columbia
CASE NO. 17006
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