STATEMENT

OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

FOR A SPECIAL EXCEPTION

PURSUANT TO SECTIONS 223.1, 405, and 3104

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

3934 McKinley Street, N.W.

(SQUARE 1747, LOT 60)

BZA Case No.

RECEIVED
D.C. OFFICE OF ZONING
2003 APR 11 PM 2:55

BZA
Case No. 17019
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO. 17019
EXHIBIT NO. 4

INDEX

INTRODUCTION

DESCRIPTION OF THE APPLICANT

THE SUBJECT PROPERTY

A. Location and Description of the Property
B. Area Surrounding the Property
C. Zoning History and Use History

REASONS IN SUPPORT OF THE APPLICATION FOR SPECIAL EXCEPTION

A. Compliance with D.C. Zoning Regulations
B. No Adverse Effects

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use
B. Historic Preservation

CONCLUSION

EXHIBITS

Plans
Pictures of the site

INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of Steven Seelig and Charlet Wang, (hereinafter "applicants") for a special exception, pursuant to Sections 223.1, 405, and 3104 of the Zoning Regulations of the District of Columbia, to build a garage on the alley behind their house.

DESCRIPTION OF THE APPLICANT

Mr. Seelig and Ms. Wang own their home at 3934 McKinley Street, N.W.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is a single family dwelling located at 3934 McKinley Street, N.W., Square 1747, Lot 60. The dwelling is in the R-2 Zone District which permits single family and duplex residences. The lot is essentially triangle-shaped with the front entrance facing McKinley Street (but without direct access to McKinley Street.) Belt Road is the hypotenuse of the right triangle.

B. Area Surrounding the Property

To the north is a small hook from the neighboring residential lot which also borders the subject property on the east. To the northwest is Belt Road and on the south by a public alley.

C. Zoning History and Use History

The area is zoned R-2.

REASONS IN SUPPORT OF THE APPLICATION FOR SPECIAL EXCEPTION

A. Compliance with D.C. Zoning Regulations

The Special exception is needed to permit the establishment of a non-conforming side yard under section 405 for a single family dwelling in the R-2 Zone. Instead of an 8 foot side yard adjacent to the alley, the garage would be constructed one foot from the alley. The applicant satisfies the requirements for grant of the Special Exception. The Board is authorized to grant special exceptions where, "in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property ..." 11 DCMR §3104.1

B. No Adverse Effects

The construction of this garage one foot from the alley will not adversely affect any of the adjacent or opposite neighbors. The alley is fifteen feet wide. Even if the house across the alley were extended to the alley line, a highly unlikely prospect, there would still be a 16 foot separation, which is the standard for residential properties in the District.

Prior to the addition, the house had only two bedrooms, which is small for the neighborhood. It was expanded into the existing garage to create a third bedroom. There is still a need for a garage and this placement is the better of two options. If the garage were built as of right, it would be placed on the side of the house visible from McKinley Street, which is viewed as the front lawn. It was thought that tucking it into the side adjacent to the alley would be more sensitive to neighbors' financial and aesthetic preferences.

In addition, the garage will accommodate two cars, more than the number of spaces required in the R-2 Zone District, and will free up much-needed street parking on McKinley Street. There is a serious parking crisis in the neighborhood. For instance, since McKinley Street is a bus route, parking is limited to the north side of the Street. Accordingly, west of Belt Road, where there are only 3 spaces for 7 adjoining houses. Within 50 feet of the subject house, there are only 6 on-street parking spaces for 14 adjoining houses. This lack of parking was most keenly felt during the recent snow emergency which may have been alleviated with additional off-street, garage-based parking. In addition, it is likely that parking will become an even greater challenge once the Avalon Theater reopens and theatergoers again fill neighborhood streets.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use

A garage is an appropriate residential use and will serve to reduce the demand for street parking. It is also common to the neighborhood. At least half of the houses on the south side of McKinley Street within 200 feet of the subject property have garages on the alley.

B. Historic Preservation

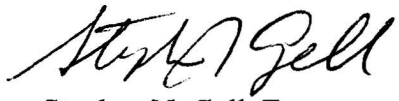
The property is not a designated landmark, nor is it in a Historic District.

CONCLUSION

The Applicants should be granted a Special Exception to allow the construction of a two-car garage within the side yard. Such a use is unlikely to have any negative effects

on the neighborhood and will be in harmony with the purpose and intent of the Zoning Regulations.

Respectfully submitted,



Stephen N. Gell, Esq.