17104

D.C. ZONING
2003 NOV -4 PM 12: 22

Special Exeption for New Construction.

To: BZA
From: Jim Roy, owner of 4 vacant lots at 36th Place and Alabama Ave SE
Respectfully submitted 11/3/03

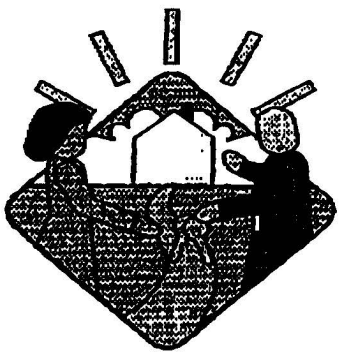
Section 3104.1
This project was approved using the plans I am using over 15 years ago. At that time, the project was completed with the exception of this piece of land where I shall build 4 more townhomes. Clearly, by building these townhomes in a neighborhood that was constructed using the same plans, the new construction will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning maps and will not tend to adversely affect the use of neighboring properties.

Section 410
This group of one-family dwellings/townhomes may be deemed a single building for the purpose of this title, as they will all be built simultaneously and there will be no exterior stairways. (410.1, 410.2, 410.11, 410.5)
All the front entrances of the group shall face Alabama Ave, a street. (410.3 and 41.9)
The rear entrance will not abut a street, front yard, or front court. (410.4)
There shall be adequate free access to the street from each separate dwelling. Each will have a driveway that extends to Alabama Ave which will also allow more than adequate access for fire protection and other purposes and there shall be adequate yards (both front and back) allowing plenty of light and air for each dwelling. (410.6 a-c)
There is no building between what I am building and the public street. (410.7 for purposes of measuring height)
As I am only building on 4 townhomes each with one front entrance, not more than 4 will face a street (410.8)
As the property meets sections 410.1-410.11, 410.12 is not applicable. (410.12)
We are in R-5-A (410.13 and 410.14)
Vehicular access to the group of homes should be deemed appropriate as it is in the interest of public convenience (as fewer cars will be on the street) and a very safe location to turn into and out of a driveway. (410.15)
The erection of the group of buildings shall not adversely affect the present character or future development of the neighborhood as I am building homes that are virtually identical to the properties that were built in the mid 1980's that are phases 1 and 2 of the same project. I am only interested in completing phase 2, this is the only unimproved parcel of land left from the originally approved, permitted and nearly completed project.

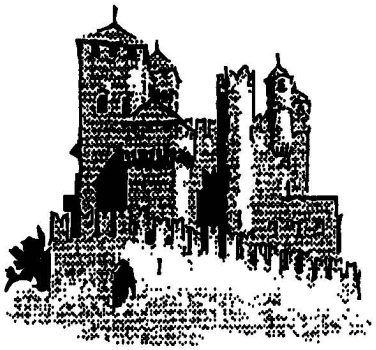
Section 353
The board shall refer the builder, as it deems necessary, to the appropriate organizations. The following have been submitted, 4 site plans, and 2 sets of typical floor plans and elevations, grading plans (as can be seen on the site plan, the 4 townhomes are being constructed on level land), there are no landscaping plans and there should be no effect on rights-of-way and easements.

BZA
Case No. 17104
Exhibit No. 23

Board of Zoning Adjustment
District of Columbia
CASE NO. 17104
EXHIBIT NO. 23



Long & Foster



To: Rick Nero

Fax #: 202-727-6072

Date: 11/4/03

Number of Pages Including Cover Page: 2

From: **Jim Roy**
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D.C. ... ZONING
2003 NOV -4 PM 12:21

Comments:

Rick,

Here's the letter you requested. Thanks for letting me know which sections I needed to address + for taking a look at it.

Respectfully,

J. Roy