STATEMENT OF BURDEN OF PROOF FOR VARIANCE RELIEF

1701 18th Street, LLC (the "**Applicant**"), requests variance relief so that it may renovate and convert an existing chancery building into a residential apartment building. The subject building is located at 1701 18th Street, N.W. (the "**Property**"). The Applicant is entitled to variance relief pursuant to 11 DCMR §3103.2, because it can demonstrate that: (1) the physical characteristics of the property make it difficult for the owner to use the property in compliance with the Zoning Regulations; (2) granting the application will not be of substantial detriment to the public good; and (3) granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map.

The physical characteristics of the building on the Property ("**Building**") make it difficult for the Applicant to use the property in compliance with the Zoning Regulations. Specifically, the conversion of the chancery into an apartment requires the replacement of a three-story-high room with one-story floors and ceilings to convert such space into three separate floors. This renovation will increase the currently non-conforming floor area ratio. Additionally, the height of the existing open court will be increased, thereby increasing the required minimum width of that court. The actual width of the court will not change. The Building is currently a non-conforming chancery building that was constructed prior to the enactment of the 1958 Zoning Regulations. The existing building is non-conforming as to: height, floor area ratio (FAR), lot occupancy and open court width.

All proposed expansion is internal, merely increasing the FAR by internal renovations. Therefore, the proposed renovations will not be of substantial detriment to the public and will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map. For all of these reasons, the Applicant will be able to satisfy the standards necessary to grant variance relief in this case.

BZA
Case No. 17116
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
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