CAPITOL HILL RESTORATION SOCIETY
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12 March 2004

Jerrily R. Kress, FAIA
Director, Office of Zoning
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

RE: BZA# 17124

Dear Director Kress,

The Capitol Hill Restoration Society Zoning Committee at a meeting held on 11 March 2004 considered the above case. The Committee voted unanimously to oppose the application for a variance from the lot occupancy requirements and to support the application for the variance from the off-street parking requirements.

BZA 17124 involves the application of Howard Heu for variances from the lot occupancy requirements and the off-street parking requirements to allow the construction of a new two-family dwelling at 601 Massachusetts Avenue, NE. The property is currently occupied by a small one-story cinder block building that is used as a drycleaners. Mr. Heu proposes to keep the drycleaners and build the dwelling on top and behind the existing building. Under the proposal, once the construction is finished, the new building will occupy 85% of the lot. The committee voted unanimously to oppose the area variance and to support the parking variance. No grounds were given to support the variance that would meet the test for granting a variance.

As you know, there is a three-part test for a variance and the applicant must qualify under all three parts. The applicant must demonstrate that: (1) the property is unique, (2) that there is practical difficulty created by the Zoning Regulations, and (3) the variance will not be substantially detrimental to the public good or the zone plan. The applicant has failed to establish that he has met this three-part test.

Respectfully,

Gary M. Peterson, Chair
Capitol Hill Restoration Society
Zoning Committee

BZA
Case No. 17124
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO. 17124
EXHIBIT NO. 29