May 10, 2004

Office of Zoning
441 4th Street, MW Suite 210-S
Washington DC 20001

2004 MAY 24 PM 1:02
D.C. Office of Zoning
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Re: Supplement to the Detailed Statement regarding BZA filing 17168 -500 Florida Avenue NW LLC

Dear Board of Zoning Adjustment (BZA):

I am writing this supplemental statement as an addendum to BZA filing 17168. This addendum explains the reasons for the variances (2001.3, a variance to alter existing non-conforming structures (to allow egress for the second floor apartment), variance 773.3, a recreational space variance, and variance 2101.1, a variance for parking) requested in further detail.

Non-Conforming Structure:

Under Section 2001- Non- conforming structures devoted to conforming uses, In The District of Columbia Municipal Regulations, sub section 2001.3- Enlargements or additions may be made to the structure provided:

a) The Structure shall conform to the percentage of lot occupancy requirements: the structure currently does not meet those requirements, as it is 14% above the maximum lot occupancy. 500 & 502 Florida Avenue NW currently has 74% lot occupancy. District of Columbia Municipal Regulation 772- Percentage lot occupancy -states that structures zoned C-2-A requires maximum lot occupancy of 60%.
b) We are asking for a variance to add a wood deck onto the second floor west unit. As stated in the regulation, the addition itself or enlargement shall:
    1. Conform to use and structure requirements: the deck will not change the use, and structure requirements. The deck will be 11'x7' on the second floor
    2. Neither increase or extend any existing, non-conforming aspect of the structure or create any new nonconformity of structure and addition combined. The deck will increase the lot occupancy. The projection adds an aesthetic value to the property. This variance requests results for the physical characteristics of the property, and the need to add an additional aesthetic quality to the unit.

Parking:

500 & 502 Florida Avenue NW was built in 1932. In sub-section 2101.1 of The District of Columbia Municipal Regulation Section 2101- Schedule of Requirements for parking spaces, states that the regulation was effective on and after May 12, 1958. The structure in question predates that regulation, and should therefore be exempt form the requirement under residential dwellings zoned C-2 that require 1 space for each 2 dwelling units. At the time the structure was built, parking was not included on the lot, and is not available on the property now. Street parking is available.

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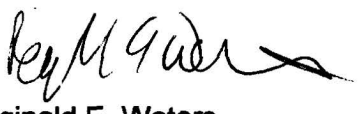
Board of Zoning Adjustment
District of Columbia
CASE NO. 17168
EXHIBIT NO. 23

In addition, the physical characteristics, which make up the property, make it impossible to create 2 parking spaces. We feel that this situation causes exceptional practical hardship because we are unable to create 2 parking spaces on the property, and ask for a relief in the form of a variance for parking.

Recreational Space:

In sub-section 773 of the District of Columbia Municipal Regulations, subsection 773.3 states that for properties zoned C-1, or C-2-A (this property is zoned C-2-A), must have a maximum 20 % recreational space. Section 773.7 requires that no dimension shall be less than 25 ft. This would mean we should need to have 625 sq. ft of recreational space. Section 773.9 stated that recreational space shall be physically accessible to all residents of the building served by that space. Based on our cost effective a approach to the design. Our plans included keeping the existing firewall, and creating a partition wall (bricked) to create a hall wall. We are not planning to gut the building. In keeping this configuration, we have no room for an additional internal stairwell going from the first floor to thee roof. Our design incorporates the existing stairwell .The roof is the only location that can accommodate recreational space. So, our design does not allow for roof access for all residents. No one will have roof access. We will be unduly burdened if we have to change the design to accommodate a stairwell leading from the ground floor to the roof as this would cost more money, and decrease unit space. This stairwell would have to go on the second floor in the North corner of the building,. That stairwell design would take away take away valuable livable square footage from each unit. As we are already working with limited space, we are asking for relief from section of the DC code 773 because we cannot meet that requirement.

We feel that the relief we are asking beatifies the community by taking an existing eyesore property, and developing the property into a corner property that adds an aesthetic value to the neighbored while keeping the spirit and intent of the DC regulation. Please call me with any questions. Thank you.



Reginald E. Waters
Authorized Agent
500 Florida Avenue NW LLC,
Square 475, Lot 19

Agent Authorization Amendment to BZA filing Application Number 17168

I, Ann Spiegel owner of 500 & 502 Florida Avenue NW have created 500 Florida Avenue LLC, A Spiegel Entity, to administer matters associated with the property . I am amending my authorization letter pursuant to BZA Application No. 17168 to authorize Reginald E. Waters to act as my representative/agent on all matters brought to the Board of Zoning and Adjustment for 500 Florida Avenue LLC. The property was changed to 500 Florida Avenue LLC on April 23, 2004 after the original BZA filing of BZA application 17168 on April 22, 2004. A letter of authorization is on file authorizing Mr. Waters to act as an agent for 500 & 502 Florida in the BZA file number 17168.

Please feel free to call me on 301.946.3000 with any questions. Thank you.

Ann Spiegel
Member
500 Florida Avenue LLC.
Washington DC 20001
Square 475, Lot 19

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BZA
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Exhibit No. 23A

Amendment to BZA filing Application Number 17168

I, Reginald Waters Authorized Agent for 500 & 502 Florida Avenue NW, am filing this amendment to BZA filing application number 17168 to note that both properties are now administered through 500 Florida Avenue LLC. I am the registered agent for that property, as authorized by the owner Ann Spiegel; see filed amendment to the agent authorization letter. The property was changed to 500 Florida Avenue NW LLC on April 23 2004. BZA application 17168 was filed on March 22, 2004. Please feel free to call me on 301.683.2110 with any questions. Thank you.

Reginald E. Waters
Authorized Agent
500 Florida Avenue NW LLC,
Square 475, Lot 19

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BZA
Case No. 17168
Exhibit No. 23-B

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., October 29, 2003

Plat for Building Permit of SQUARE 475 LOT 19

Scale: 1 inch = 10 feet Recorded in Book B Page 171

Receipt No. 07774

Furnished to: REGGIE WATERS

Surveyor, D.C.

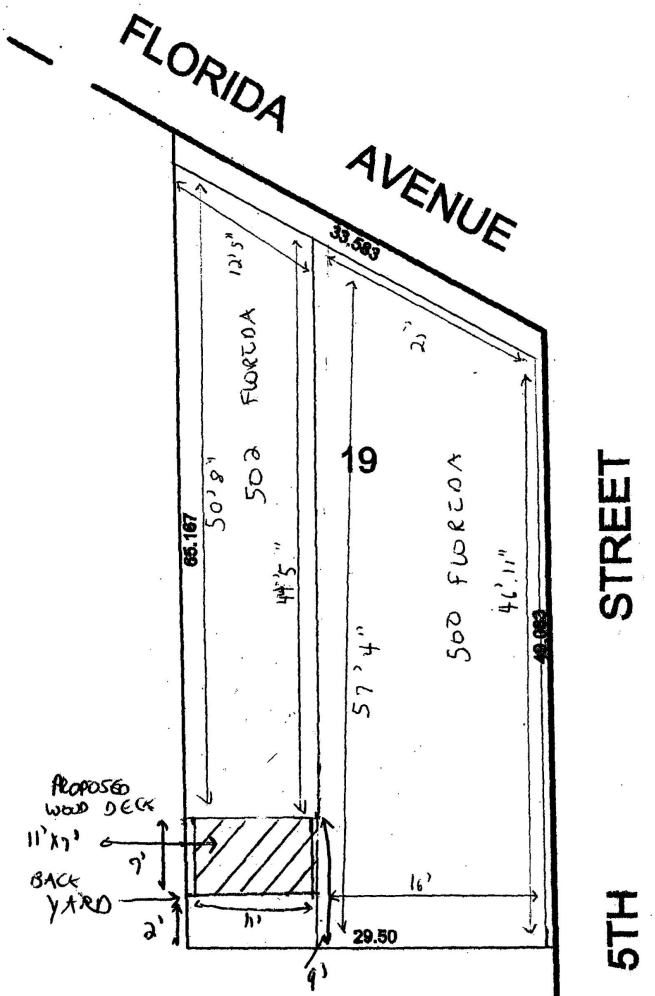
By: L.M.A.

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat;and that by reason of the proposed improvements to be erected as shown hereon the side of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

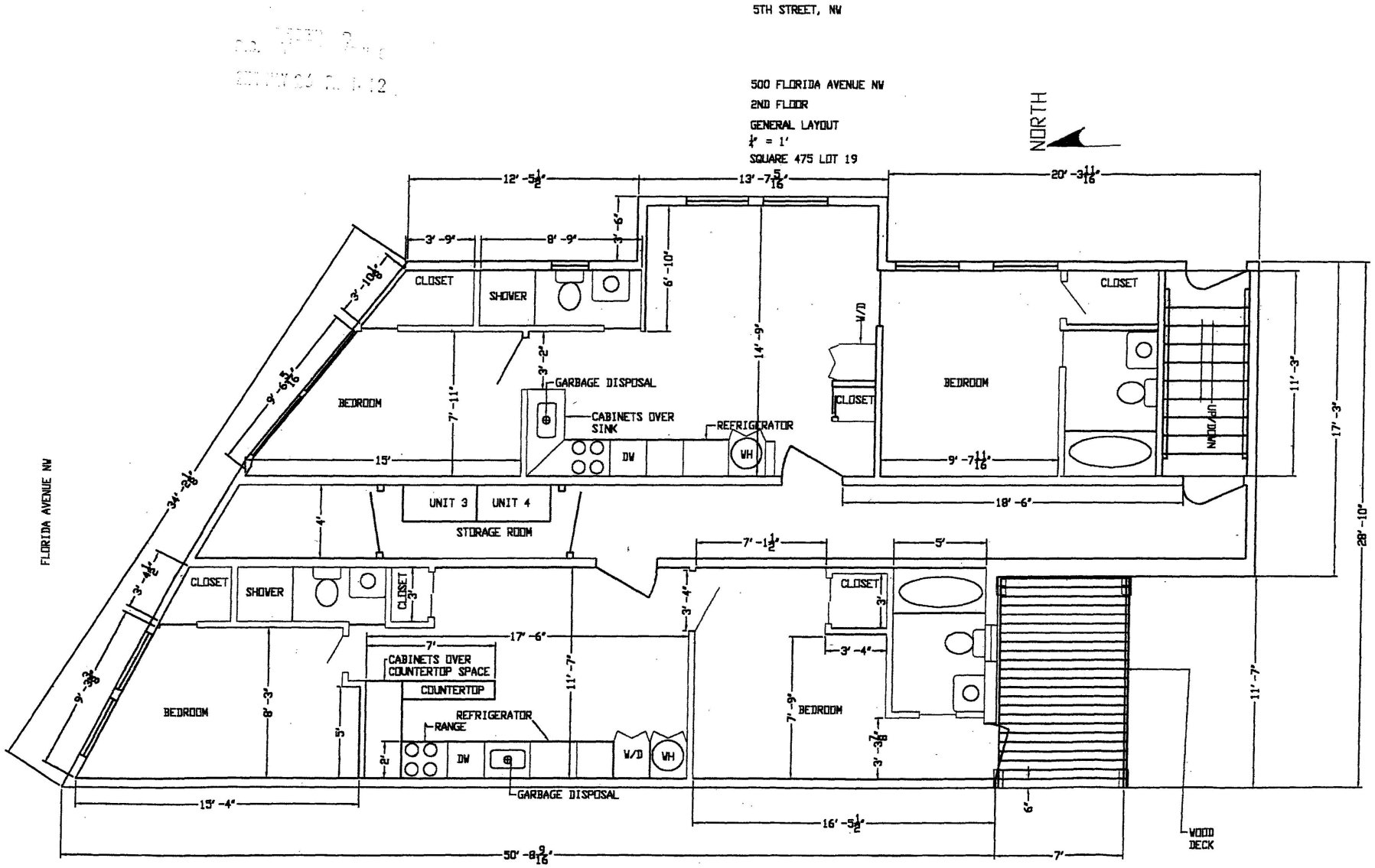
Date: 5/10/04

(Signature of owner or his authorized agent)

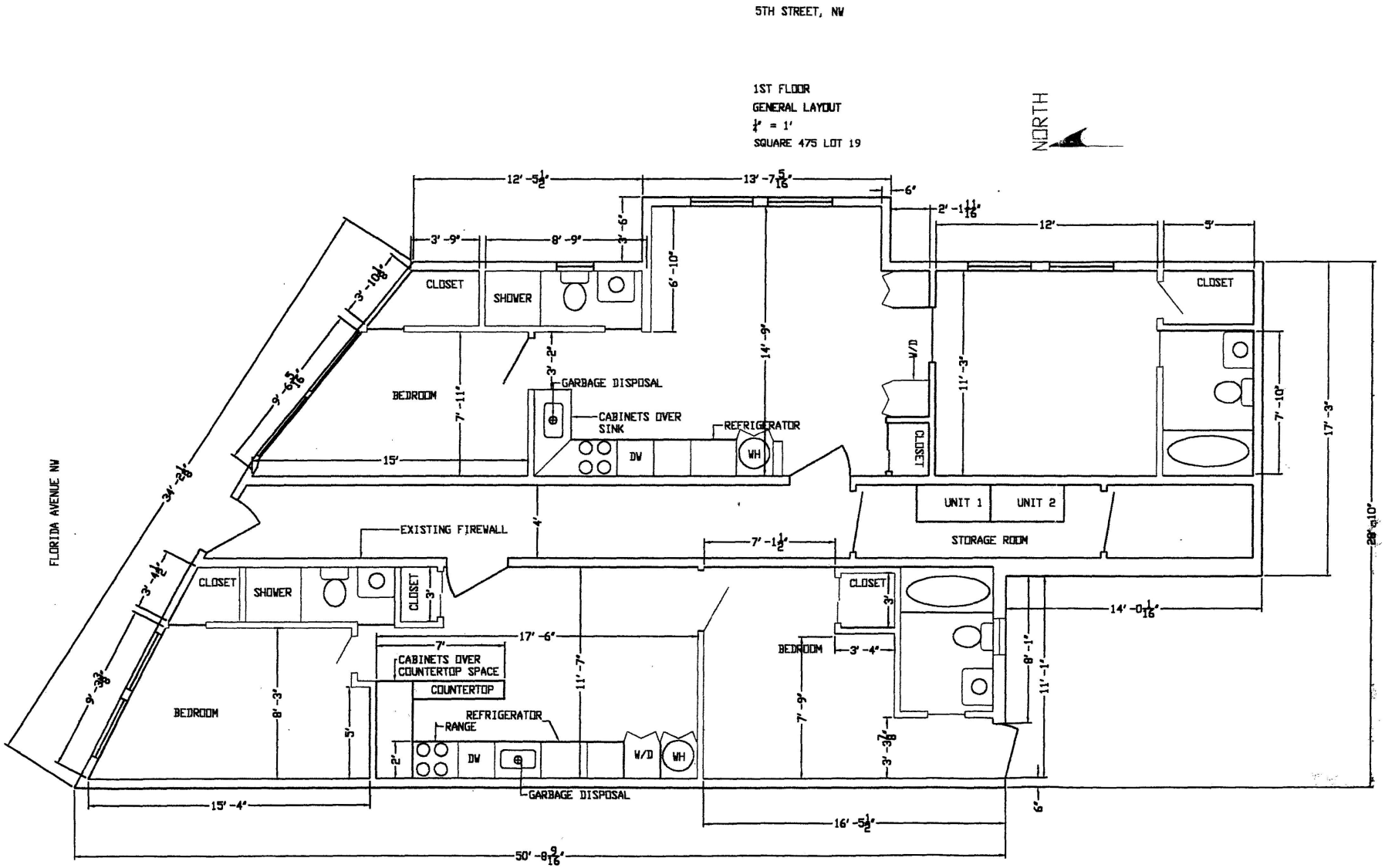
NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



BZA
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Exhibit No. 23-C



BZA
Case No. 17168
Exhibit No. 23-D


5TH STREET, NW
1ST FLOOR
GENERAL LAYOUT
1/4" = 1'
SQUARE 475 LOT 19
NORTH
FLORIDA AVENUE NW
CLOSET
SHOWER
BEDROOM
GARBAGE DISPOSAL
CABINETS OVER SINK
REFRIGERATOR
DW
WH
W/D
CLOSET
UNIT 1
UNIT 2
STORAGE ROOM
EXISTING FIREWALL
CABINETS OVER COUNTERTOP SPACE
COUNTERTOP
RANGE
12' -5 1/2"
13' -7 5/16"
6"
2' -1 11/16"
12'
5'
3' -9"
8' -9"
3' -6"
6' -10"
3' -10 1/8"
9' -6 5/16"
34' -2 3/8"
3' -4 1/2"
9' -3 3/8"
14' -9"
11' -3"
7' -10"
17' -3"
28' -10"
3' -2"
7' -11"
15'
4"
7' -1 1/2"
14' -0 1/16"
17' -6"
7'
3' -4"
8' -1"
11' -1"
11' -7"
8' -3"
5'
7' -9"
3' -3 7/8"
2'
15' -4"
16' -5 1/2"
6"
50' -8 9/16"