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The District of Columbia Board of Zoning Adjustment
Request for Variance
Lot 003, Square 932, Zone R-4

May 4, 2004

I. Background:

The subject property (lot 003 square 932), with premises address of 903 9th Street, NE, is located near the end of the block toward H Street shopping corridor. The block and adjacent block are mainly residential (one family occupancy) town homes. The rear of the lot consists of an alley between lots with town homes adjacent on all four sides. The alley is the rear entrance for the town homes to get to onsite parking. The subject lot has a concrete slab in the rear yard for parking with a wood 6' wood fence /gate to the north. It is believed that there once was a garage on the slab. The original brick wall of past garages still remains between the property and lot 002. When he purchased the property there was an existing automatic garage door and framing across the rear of the lot supported by wood framing.

The required parking for the town homes is in the rear yard. A number of the town homes have the original carriage houses built in the late 1800's when the block was built. These carriage houses extend the entire width of the lots and are now used as garages. Some of the existing garages are metal and others brick. Others have concrete slabs where previous garages once were. The present property has a town house used for single family residential and to be continued in use as single family residential. The Owner of the above mentioned property proposes to construct a fire rated frame garage on the existing slab at the rear.

In order to accomplish the proposal, the applicant seeks the following items of variance relief from the Zoning Regulations: (1) variance from the required percentage of lot occupancy requirement of 60%; (2) variance from the required 20' rear yard requirement.

BZA
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Exhibit No. 5

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The present existing lot occupancy is 54%. The garage would increase the total lot occupancy to 72%. The present rear yard is 52'-10". The garage would leave a 19'-11" between the garage and the rear of the house.

II. Burden of Proof:

1. Physical Characteristics:

The rear yard is the only and the required parking area for the property. The rear is used for parking and always will be, making that area vehicle occupied. This is not a pleasant view from the yard or from the alley entrance. The garage would enhance the view from the alley and give the yard privacy from the alley traffic. The proposal seeks to provide a safe and weatherproof enclosure for vehicles, as well as a pleasant enclosure instead of viewing vehicles or a variety of mix match fences from (wood, to chain link), ugly metal garages and other things as presently exist along the alley where garages do not exist. Security of the vehicle and rear of property is an important factor in this proposal. The 12' set back from the centerline of the alley creates a unique condition that takes 5'-0" of the property away from the 20'-0" rear yard.

2. Public Good:

Light and air: The proposed garage would be at the end of the lot facing an existing brick wall from the house across the alley. It is only one story and would not block the air and light of the adjacent neighbors. There are no trees in the alley to block light and air. There exists an 8-foot high brick and masonry wall between the neighbors on lot 002.

Neighbor privacy: The privacy of the adjoining neighbors is not impaired. Each adjacent lot 002 and 004 now has a 6-foot to 8-foot high solid fences now.

Character: The character of the new structure blends in with the original design character of these houses. The proposed warm siding would add to the present alley corridor. The character of the new structure would blend in with the existing conditions and character of these houses. The garage would be vinyl siding on the yard side (west) and masonry on the north side. The south side is already brick. The only exposed to view side would be the alley, which will be the same warm wood framing with a metal garage door extending the width of the property less framing. The existing wood fence on the north side would remain from the house to the face of the garage.

Drawings: Enclosed are drawings showing the intent including elevations. Also is a site plan of the block showing the existing buildings and the proposal.

3. Zoning Regulations Intent:

The garage would not be inconsistent with the general intent and purpose of the zoning regulations and map, because it would improve the appearance of the property, insure security for property and outdoor possessions, and restore some of the beautiful original architectural design of the site which is a part of the Historical Preservation Intent. Contrary to being a detriment to the public good it will serve to architecturally improve an otherwise ugly alley.

Respectfully Submitted

Joseph Tortorici