Katharine P. Rigby
1816 Belmont Road, N.W, Washington, D.C. 20009
(202) 483-6860 FAX (202) 483-7007
kprigby@yahoo.com

July 6, 2004

Board of Zoning Adjustment
D. C. Office of Zoning
441 - 4th Street, NW, Ste. 210-S
Washington, DC 20001

Board of Zoning Adjustment:

RE: BZA Application No. 17190

I hereby request that you waive the rule requiring submission of additional information 14 days prior to the hearing and accept for further consideration an amendment to BZA Application No. 17190. I want to amend the variance from the alley setback requirement under subsection 2300.2(b) to allow construction of a garage with a setback of 7'-6" from the centerline of the alley.

Since submitting the application, I have learned that the original placement and size of the garage would result in excessive construction costs totaling three times the cost I had expected. This would constitute a hardship and would require re-consideration of the entire project.

To understand the problem, I need to explain the unique topographical situation that is causing major construction problems. This alley and the rear yards along it are on a gradual slope of about 10" per lot. The grade in each yard reflects this gradual slant - until you come to mine and my western neighbors. When their house was constructed around 1910, retaining walls were built to raise the grade of their yard so it was 8 feet higher than mine. This unique grade difference occurs nowhere else on the alley and is the basis for the excessive construction costs.

My intention has been to use my garage first for parking and second to store garbage cans. I researched the most popular cars and discovered that they range from a 15'-10" Honda to a 16'-8" Toyota. I had intended to build a 25 ft. garage with an interior dimension of 23 ft. which would have allowed for cars (16 ft.), space to walk around (2 ft.) at each end), and garbage can storage (3 ft.) Reducing the

BZA
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District of Columbia
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length of the garage will limit how the garage can be used, but the cost of keeping this length is excessive.

My neighbors with the high grade have a garage off the alley that is set back 1'-11" from the alley edge and is 18'-2" deep (exterior dimension). The interior dimension was inadequate for their cars until they removed the doors to allow their car bumpers to extend past the opening.

After meeting with several engineers and contractors, I have discovered that the major construction difficulty will be the area between the rear corners of my neighbor's garage and my proposed garage. My garage was to be 5 feet longer than my neighbor's to allow for a secure door that could be closed over the cars and garbage can storage. It is this 5 ft. length that caused the construction problem.

The extreme grade difference between our yards added to the 4 ft. of additional excavation down to the alley grade means that in this 5 ft. area, the retaining wall between our yards will have to be 12 ft. high! The engineers have all agreed that the new footer for such a high wall will have to extend at least 60% of the wall height back under the higher grade. In addition, to reach the frost level, the footer will have to be 2'-6" below the alley grade. This would mean that for this 5 ft. length, the contractor must excavate 7 ft. back into my neighbor's yard and go down 14'-6". (Attachment A shows the excavation area in the original plan; Attachment B shows the wall cross-section in the original plan.)

To protect the workers from a cave-in during construction, a support wall will have to be built and increased as the excavation is extended. Furthermore, since the excavation will have to be 2'-6" below the alley level (and below the floor of my neighbor's garage), it will also require underpinning my neighbor's garage. Because this excavation will be along my neighbor's garage wall, it will all have to be hand-dug. The first estimate I received was $60,000 - 3 times what I had expected.

The only way to reduce this excessive cost would be to move the rear wall of my garage closer to the rear wall of my neighbor's. To do this would require a combination of a smaller garage length and less of a setback from the alley centerline. Therefore, I am amending my application to allow a 7'-6" setback from the centerline of the alley. I am also reducing the length of the garage, and am proposing two design alternatives.

The first would be a garage 21 ft. long (19 ft. interior length) with a straight rear wall that would act as a retaining wall in two directions -- to the north and to the west. (Attachments C and D show the design overview and plat for Option 1.) The second would have a two-step wall and use the stairway as a retaining wall to the north and to the west. (Attachment E and F show the design overview and plat for Option 2.) I would like the option of selecting one based on its cost of construction.

As I reported in my original application, the alley width is already restricted at many points to 15 ft., and at two points to 13′-10″. Along the alley, 13 existing garages, one carriage house, and three large apartment buildings are exempt from the setback requirement and were built on or close to the alley's edge. Allowing the proposed garage to be built at the edge of the alley with a 7′-6″ setback from the centerline would cause no restriction to alley traffic.

The original application details how the construction will benefit the community by improving the safety, public health, and aesthetic conditions of the alley.

The unique topographical situation causes a substantial practical difficulty, namely the excessive cost to overcome it. The requested zoning relief is consistent with the general intent and purpose of the regulations and would be a benefit to the public good. I ask you to approve my amended application based on this additional information.

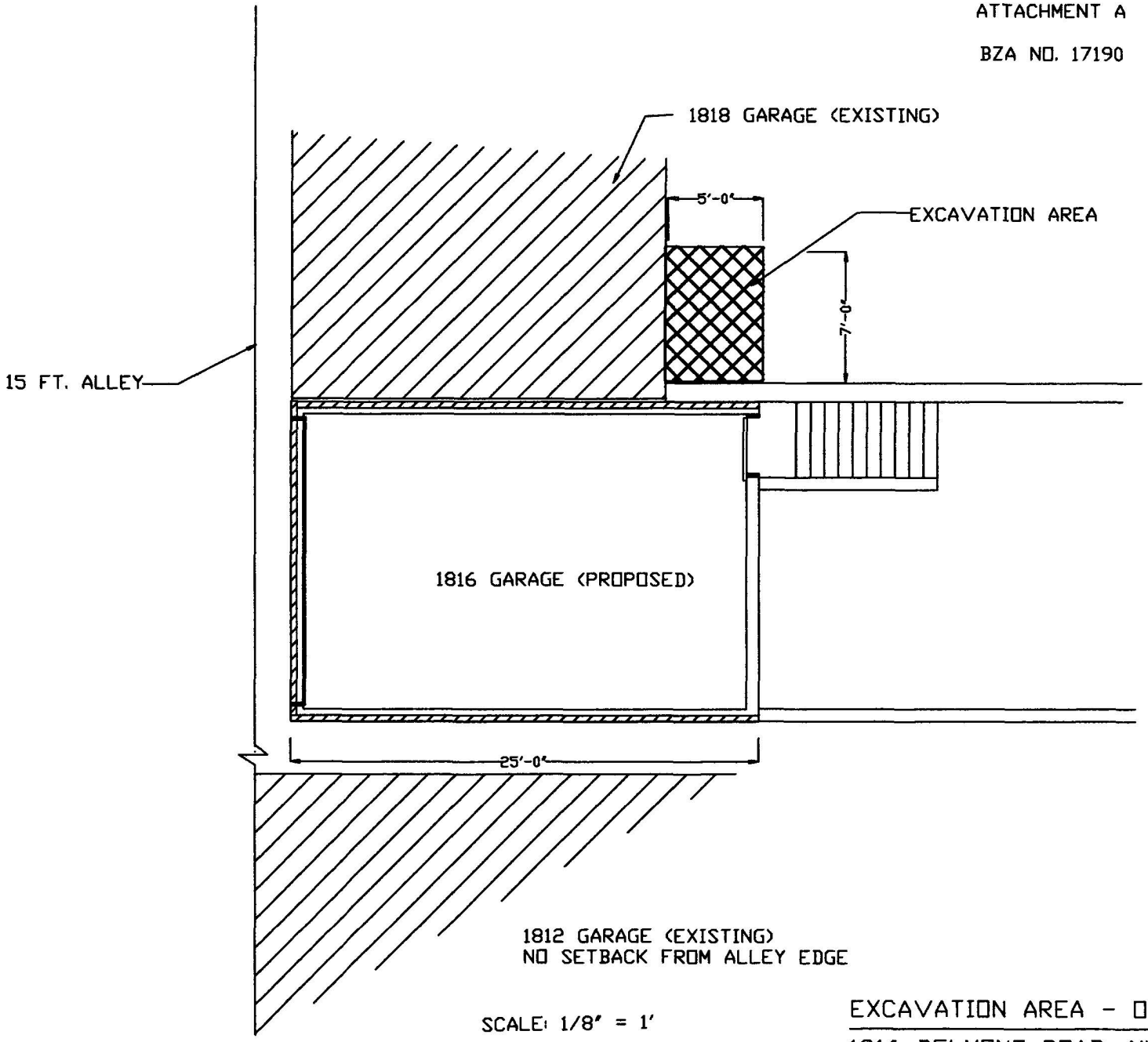
Sincerely,

Katharine P. Rigby

Cc: Office of Planning
ANC 1C

ATTACHMENT A

BZA NO. 17190

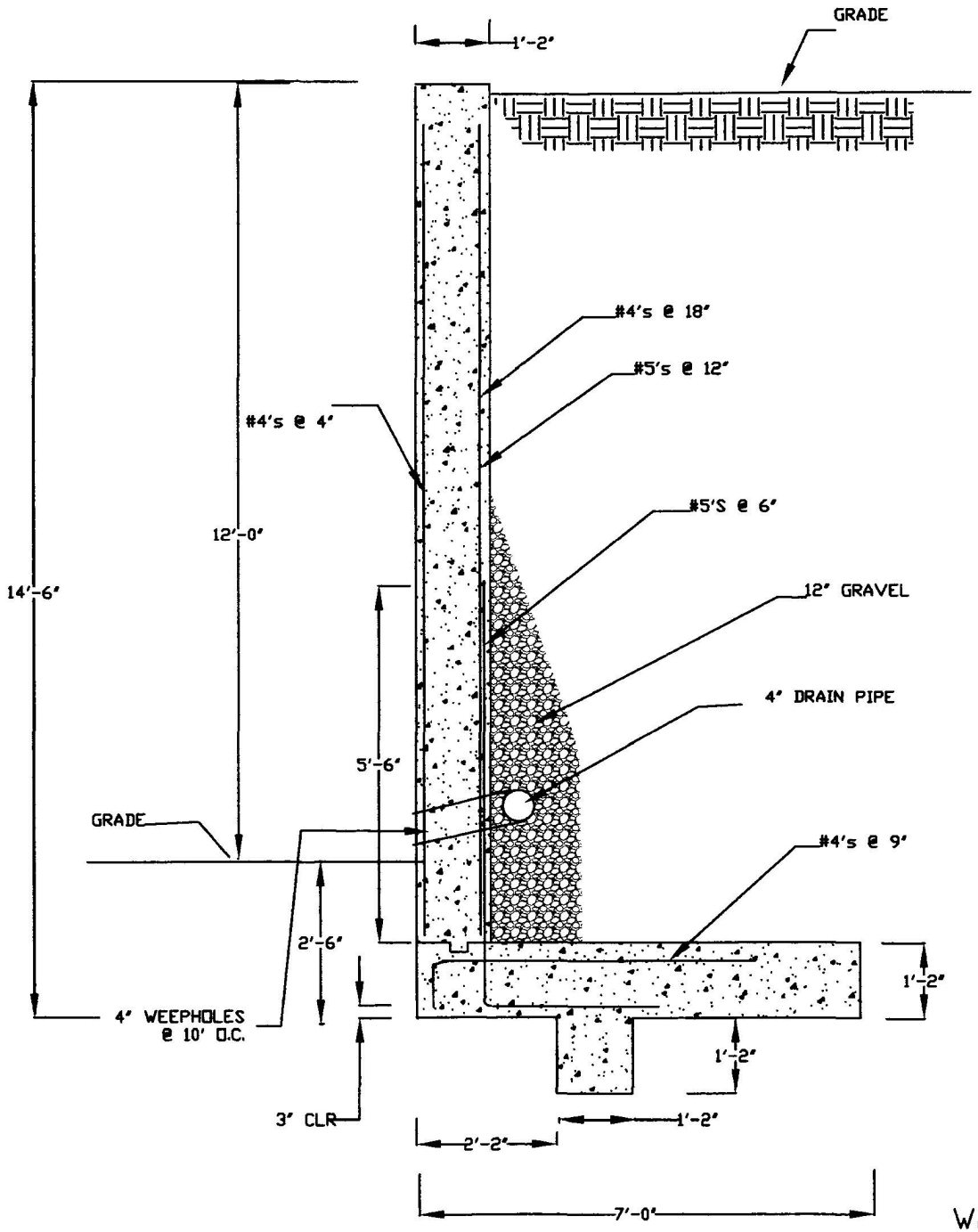


SCALE: 1/8" = 1'

EXCAVATION AREA - ORIGINAL PLAN

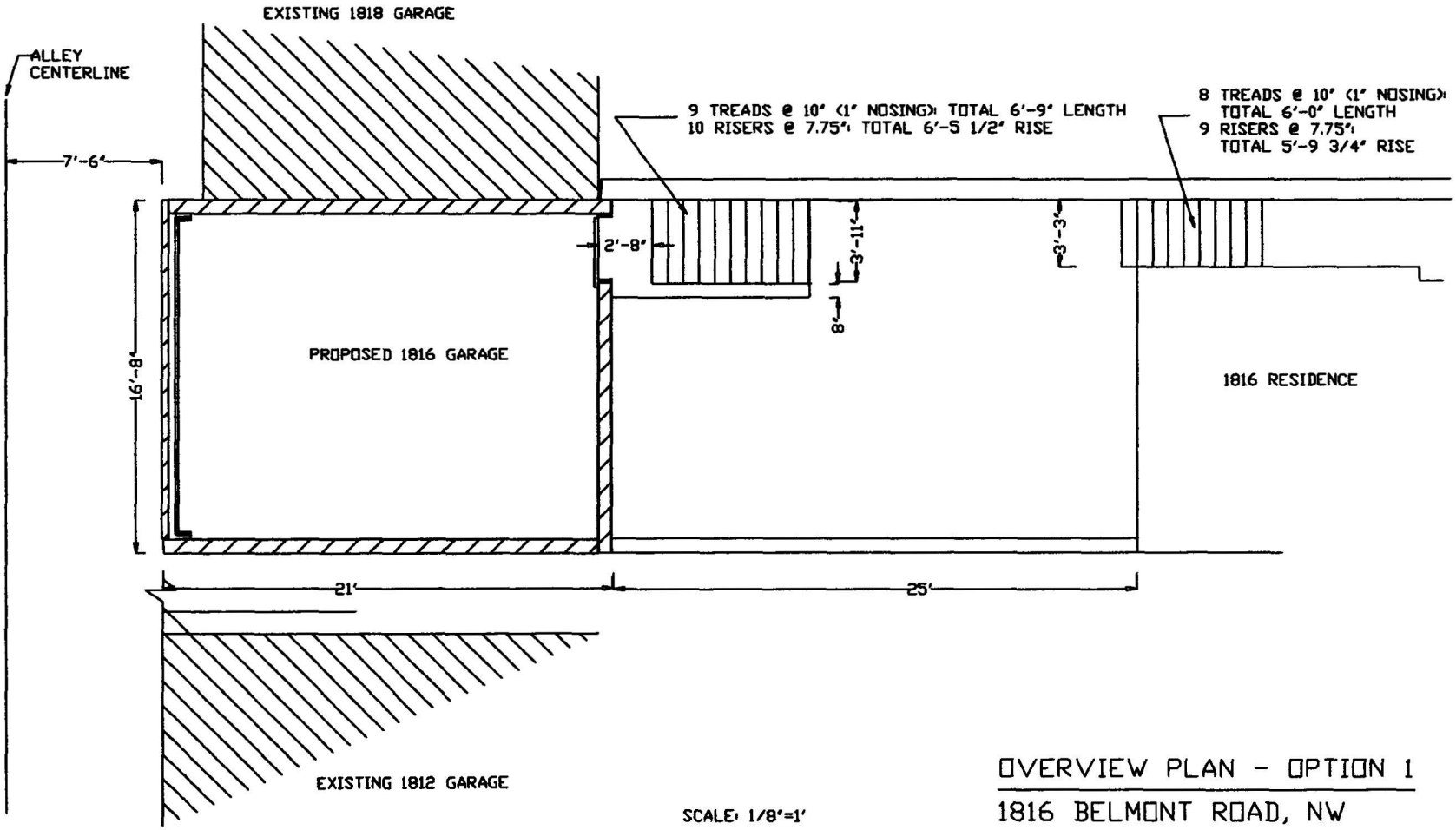
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ATTACHMENT B
BZA NO. 17190



WALL CROSS-SECTION - ORIGINAL PLAN

ATTACHMENT C
BZA NO. 17190



SCALE: 1/8"=1'

OVERVIEW PLAN - OPTION 1

1816 BELMONT ROAD, NW

DISTRICT COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., April 13, 2004

Plat for Building Permit of SQUARE 2552 LOT 36

Scale: 1 inch = 20 feet Recorded in Book Co.12 Page 59

Receipt No. 10868

Furnished to: KATHARINE RIGBY

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 size 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: _____

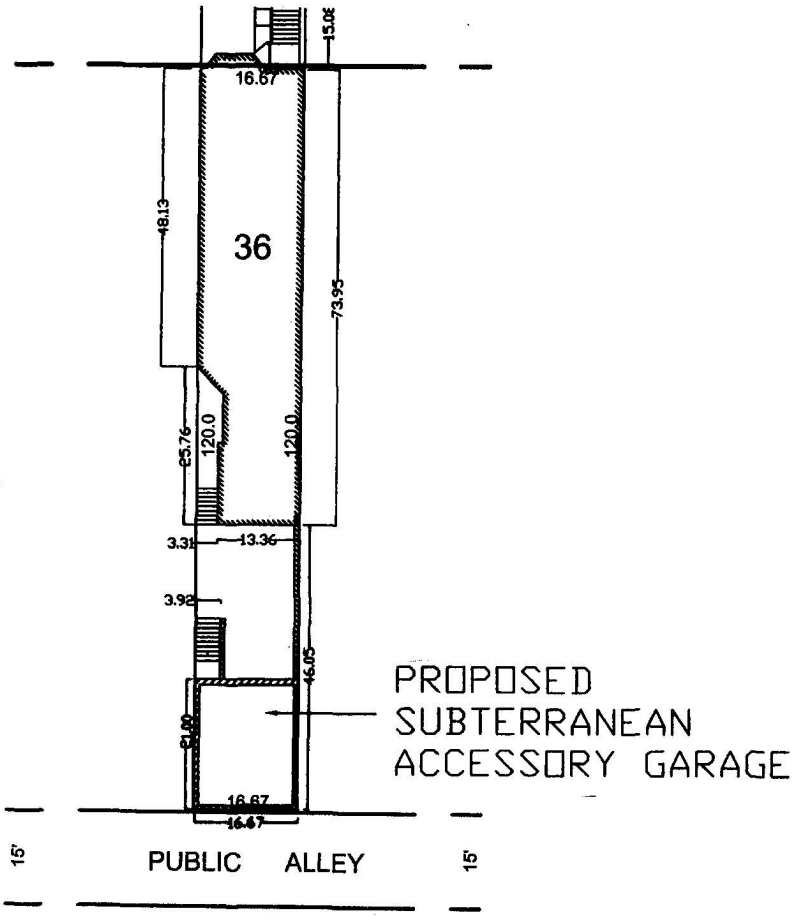
_____
(Signature of owner or his authorized agent)

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.

ATTACHMENT D
BZA NO. 17190

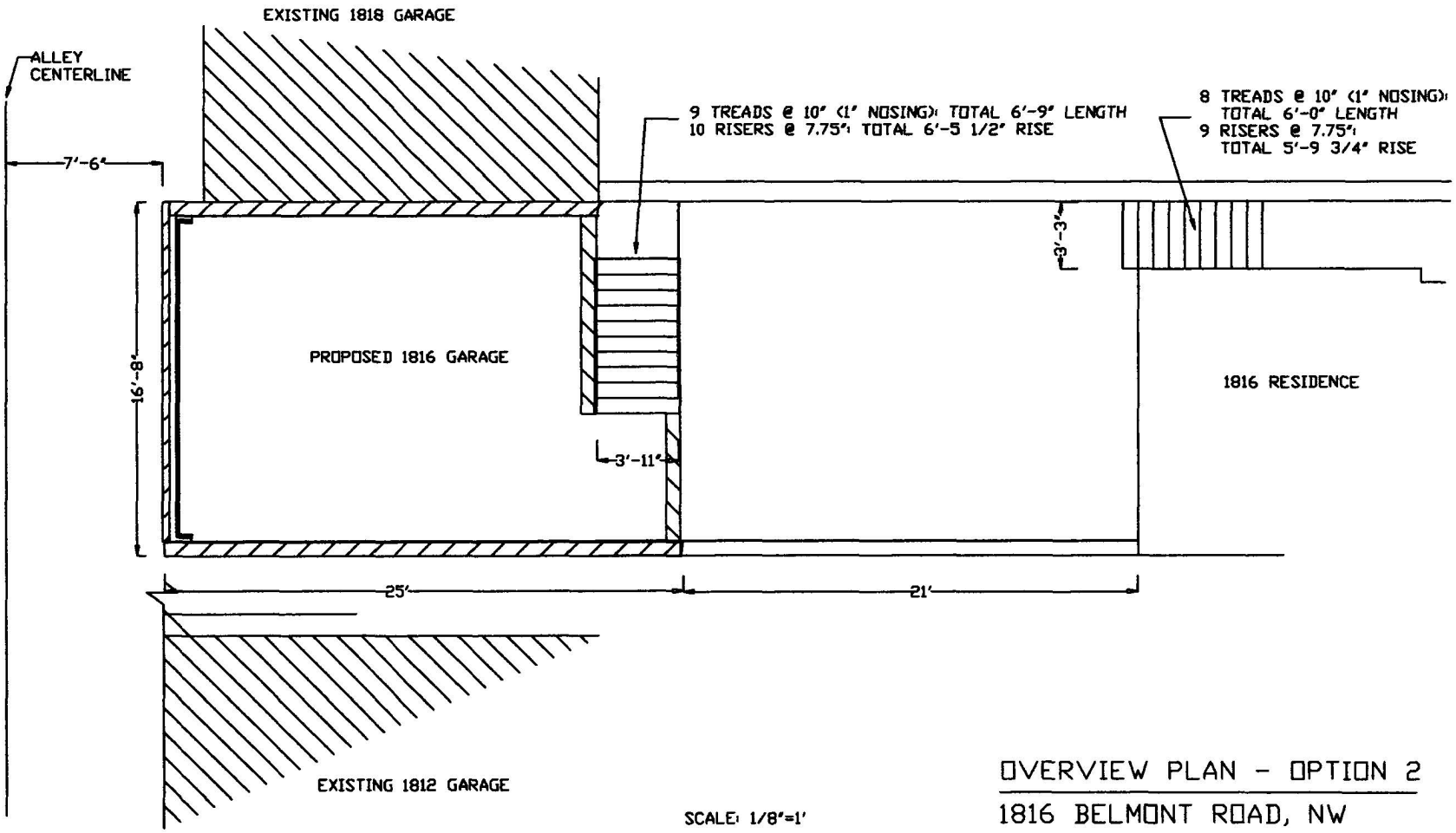
PROPOSED

BELMONT ROAD



SO-10868(2004)

ATTACHMENT E
BZA NO. 17190



SCALE: 1/8"=1'

OVERVIEW PLAN - OPTION 2

1816 BELMONT ROAD, NW

DISTRICT COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., April 13, 2004

Plat for Building Permit of SQUARE 2552 LOT 36

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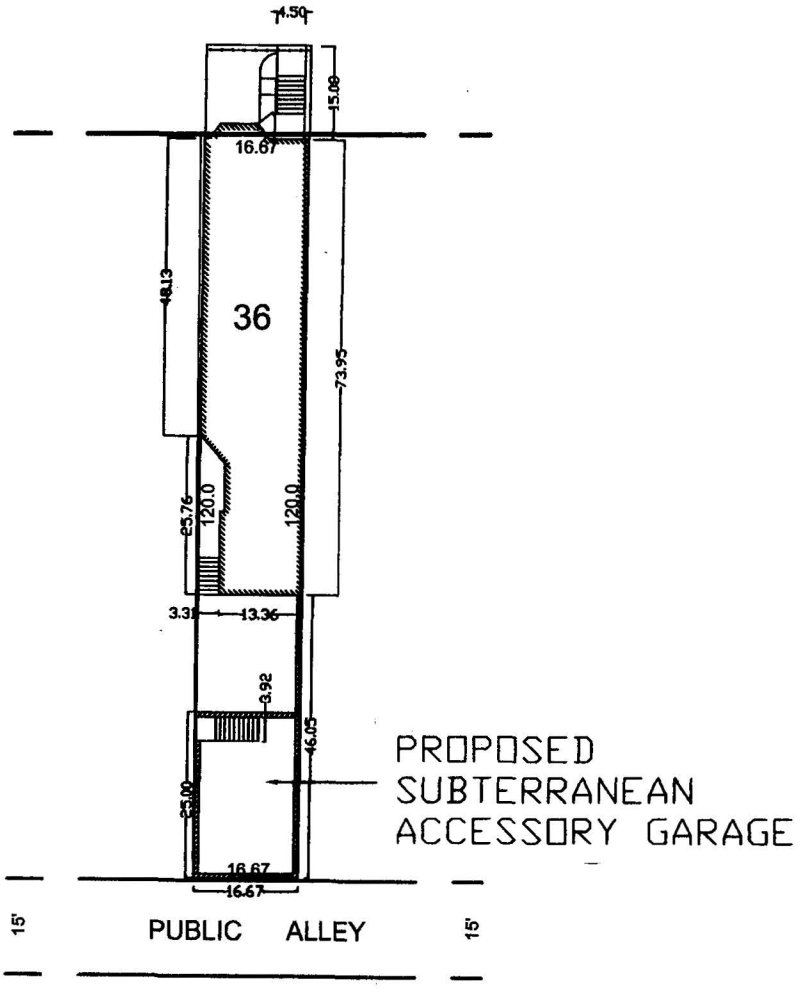
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ATTACHMENT F
BZA NO. 17190

PROPOSED

BELMONT ROAD



SO-10868(2004)