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September 7, 2004

2004 SEP -7 PM 2:50
GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

Re: 2512 I Street, N.W. Square 17, Lot 35
Prehearing Statement and Request for Additional Variance BZA Case No. 17204

Dear Mr. Griffis:

Our Prehearing Statement incorporates the previously submitted Application for variance at 2512 I Street, N.W., along with the supporting Statement of Explanation and Reasons, a cover letter dated June 10, 2004, and various attachments. The statement has been changed to reflect the absence of a basement and to request a variance from the provisions of 11 DCMR §1523.1 which forbids additions, replacements, or expansions of a building unless in conformance with the requirements of the underlying R-3 District.

Inasmuch as the nature and extent of the variance, drawings, and other details have already been made public, it is our belief that additional notice is not necessary and that the hearing can be held on September 21 as scheduled.

We regret any inconvenience this may cause and we will be happy to answer any questions or provide any additional information the Board might desire.

Yours very truly,

Stephen N. Gell

Enclosures
cc: Richard Donnell
Margaret Clarke, AIA
Ms. Dorothy Miller
Ms. Maria Tyler

BZA
Case No. 17204
Exhibit No. 31

Board of Zoning Adjustment
District of Columbia
CASE NO. 17204
EXHIBIT NO. 31

REVISED STATEMENT OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION TO THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

FOR AREA VARIANCES

PURSUANT TO SECTIONS 403.2, 404.1, 1523.1 and 3103 OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

2512 I Street, N.W.

(SQUARE 17, LOT 35)

BZA Case No. 17204

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INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of Richard and Christina Donnell, (hereinafter "Applicants") for a variance from Sections 403.2,and 404.1, and 1523.1 of the Zoning Regulations to permit lot occupancy of 75% and eliminate the rear yard for a two-story structure in the FB/R-3 Zone District.

The building is a pre-1958 structure with an accessory carport which extends to the rear lot line.

DESCRIPTION OF THE APPLICANTS

Mr. and Mrs. Donnell purchased this house a little over a year ago from Melita Rodick, an architect who lived nearby until recently when she moved to a nursing home. They lived in Foggy Bottom for 4 years before purchasing their home. They have a 6 month old son and plan to expand their family. They have been living in the house since the purchase and are anxious to begin the renovation and expansion.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is located at 2512 I Street, N.W., Square 17, Lot 35. It is a two-story single family dwelling with a basement level carport accessed by an alley. There had been little maintenance on the property while it was rented to waves of students. Ms. Rodick owned it since the 1960's and lived in a home nearby. Extensive renovation needs to be performed such as replacing the electrical, mechanical, and plumbing systems. The house had been divided into two apartments using cinderblock walls and steel doors, and the individual units on each floor were further subdivided into separate rooms. There are numerous water problems: leakage in the roof, ceilings, walls, windows, and skylights.

The Donnells plan to renovate the structure completely as a single family home. Where possible, they plan to preserve historical features inside, including the original wood flooring, and exposing original fireplaces and brick walls which were covered up when the house was balkanized.

B. Area Surrounding the Property

The Property is on the South side of I Street, N.W. It is the end unit of a row of 8 houses in the Federal style. The neighborhood is mostly residential with a mix of single family and multifamily dwellings. It is in the FB/R-3 zone but surrounded by R-5-E and R-5-B, in addition to the Watergate complex PUD. The adjacent lot is cleared and it is not unreasonable to assume construction of a single family dwelling in the future.

C. Zoning History and Use History

The area is zoned FB/R-3. The property is subject to the Zoning regulations generally applicable to buildings in the R-3 Zone District. The house was built as a single family dwelling but has been used to house groups of GW students for many years. The architect who has owned the property since the 60's lived in another house nearby and rented the property to successive waves of students.

REASONS IN SUPPORT OF THE APPLICATION FOR A VARIANCE

A. Compliance with D.C. Zoning Regulations

Extraordinary or exceptional physical conditions

This is a lot of 100 feet with a 25 foot setback at the front. The site is sloped from front to rear, causing a one-story difference in grade. There is no basement but a basement-level carport on grade at the rear has existed for many years. Moreover, this lot is much smaller than the other lots in the row. It is 100 feet long while the adjoining lots to the West are over 140 feet long. One may speculate that space from the subject lot was taken to create a turnaround in the rear alley. This results in a lot and structure that are considerably shallower than its neighbor to the West.

Practical difficulty

Mr. and Mrs. Donnell purchased this house after it had been used and abused by scores of student tenants. Inside, it had been divided by cinder block walls and steel doors into two apartments and several separate rooms. It is in very poor condition and needs considerable work to renovate it even in its present configuration. The cost of renovation is expected to be very high. Such expenditure can only be justified if the house can be enlarged by the addition of a modest third story and expansion to the rear.

Even when renovated in accordance with the attached plans, it will still be one of the smallest houses on the block. Adding to the aforesaid difficulties, the house is a contributing structure in the Foggy Bottom Historic District. In order to meet Historic Preservation Staff concerns, the third floor was drawn back from the front of the building some 29.25 feet. That is in addition to the 25-foot front yard setback area which makes expansion to the rear essential for gaining living space.

B. No Adverse Effects

Neighbors are supportive of the change requested here. 8 close neighbors have signed a petition approving the expansion to a third story and in the rear. Because the adjacent houses are larger and because they have considerably more lot area than the subject, impact on them is anticipated to be minimal if at all.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use

This single family house fulfills the objectives of the R-3 District. The Foggy Bottom Overlay District regulations (11 DCMR §1521) call for a scale of development consistent with (1) moderate density development and (2) preservation of "[t]he characteristics of the low scale harmony of rhythmic townhouses of a purely residential neighborhood that formed the basis on which the area was designated a historic district." §1521.3 (2) (a)

The overlay regulations also seek to "Protect the integrity of the historic district, its small scale, and open spaces; require compatibility of any development with the purposes of the Hstoric Landmark and Historic District Protection Act of 1978... and preclude demolitions or partial demolitions that would lead to an increase in height and floor area ratio inappropriate to the area..." We are planning a modest increase in height over the old and new additions. The third story will not be visible from the street and the rear expansion will be compatible with the buildings on the alley.

Finally, the overlay district is intended to "(c) Enhance the residential character of the area by maintaining existing residential uses." §1521.3 (c)

While the Donnell residence has always been designated a single family residence, its most recent use, prior to purchase by the applicant, had been rental to groups of GW students. The interior had been altered to allow for several private living spaces, much like a rooming house or dormitory. The Comprehensive Plan for the National Capital Area, as amended February 19, 1999, notes a concern about,

> Conversion of housing units...to transient use...to university dormitories and offices, and to medical offices/clinics is a major cause of the depletion of the housing stock. §1325.3

The Comprehensive Plan also seeks to "protect residential neighborhoods from disruptive uses." §1102.1(e) and to "Promote the conservation, enhancement, and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses." 1104.1 (a) The Donnells have lived in Foggy Bottom for 5 years and have every intention of remaining a long time.

Historic Preservation

Section 1319.19(b) of the Comprehensive Plan calls on the District "to preserve and reuse historic landmarks and buildings in historic areas in Ward 2." There are numerous other exhortations in the Comprehensive Plan to preserve the historic character of designated neighborhoods, all of which are faithfully fulfilled by the Donnell's renovation and addition plans.

CONCLUSION

The Applicants should be granted a variance and special exception to build over the current parking structure. Such a use will be in harmony with the purpose and intent of the Zoning Regulations.

Respectfully submitted,

Stephen N. Gell, Esq.