BURDEN OF PROOF FOR VARIANCE APPLICATION

We, Rocio Gonzalez and Facundo Fiorino, are asking BZA for a variance to waive the obligation of providing a parking space in the development of our lot at Kearney St. (now vacant), where we plan to build a single family house for our family.

We provide documentation that prove the following reasons:

1) Physical characteristics of the property:
The lot has a grade change in its front yard (abutting Kearney St.) of about 16 feet and there is no other access to the lot (no alley or street in the back or sides).
These conditions:
-make it difficult to comply with the Zoning Regulations that require a parking space on the side or back yards and
-would create substantial financial hardship to us, because
we would have to dig about 10,000 cubic feet of soil to build a driveway along the side of the lot and we would have to built retaining walls around to support the land.
The cost would certainly add tens of thousands of dollars to our construction budget.

2) Granting the application not only would not be of detriment to the public good, but it would be much better for our immediate neighbors. They would not have to see tons of concrete retaining walls right next to their houses. We would maintain the character of this beautiful residential block, with a landscaped sloped area in the front yards.

3) Granting the application will not be inconsistent with the intent of the Zoning Regulations.
Chapter 21, 2116.6 of Zoning Regulations reads:
"The Board shall determine that it is not practical to locate the spaces for the following reasons:

a) unusual topography, grades, etc…
b) the lack of an alley or appropriate egress…"

Both reasons are met in our case.
In addition to that, there is a Metro Station a mere three blocks away from the lot and there's plenty of legal residential parking in Kearney St., where all the lots are occupied by single family houses. Our lot is 50 feet wide, which means that at least 3 parking spaces can be provided on the street in the front of our lot.

Thank you.

BZA
Case No. 17222
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO. 17222
EXHIBIT NO. 4