STATEMENT OF EXPLANATIONS AND REASONS

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

FOR AN AREA VARIANCE

PURSUANT TO SECTIONS 2101.1 and 3103 OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

1220 Evarts Street, N.E.

(SQUARE 3936, LOT 9)

BZA Case No.

BZA
Case No. 17267
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO. 17267
EXHIBIT NO. 4

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INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of Jack Merwin, (hereinafter "Applicant") for a variance from Section 2101.1 of the Zoning Regulations to permit construction of a house on a vacant lot at 1220 Evarts Street, N.E., with no on-site parking.

DESCRIPTION OF THE APPLICANTS

Mr. Jack Merwin is a mortgage broker and housing developer who recently purchased this lot with the intention of constructing a single family house.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is located at 1220 Evarts Street, N.E., Square 3936, Lot 9. The house can be built within zoning requirements with one exception. It will be too expensive to provide a driveway on the premises given the fact that the house will sit on top of a thirty-foot hill which rises from the sidewalk at a 45-60 degree angle.

B. Area Surrounding the Property

The Property is on the North side of Evarts Street, N.E. in an R-1-B residential district. The property is surrounded by older single family dwellings, hardly any of which have on site-parking. It is in the jurisdiction of ANC 5B04.

C. Zoning History and Use History

The area is zoned R-1-B

REASONS IN SUPPORT OF THE APPLICATION FOR A VARIANCE

A. Compliance with D.C. Zoning Regulations

Uniqueness and extraordinary or exceptional physical conditions

The subject lot, measuring 50 by 150, is one of the few unimproved lots in the area. The front of the lot is a slope which descends some 30 feet to the adjacent sidewalk. While the entrances to most of the houses on this block of Evarts Street are considerably higher that the grade of the street, this lot is among the highest and steepest in the neighborhood. All of the other properties, similarly situated, have been developed. This lot has a history of failed attempts to develop.

Practical difficulty

Development under the circumstances is costly relative to the market value of the houses in the neighborhood. Building a driveway for on-site parking would require carving out the hill at a cost of some $50,000 which would push the selling price beyond the market value to a prohibitive degree.

B. No Adverse Effects

Neighbors are supportive of the change requested here. Few houses on the North side of the street have on-site parking because of the steep grade. While nearly all rely on street parking, the availability of such parking is aided by the absence of curb cuts. Accordingly, there is likely to be little or no impact on the neighbors.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use

This single family house fulfills the objectives of the R-1-B District. The use is residential, in keeping with the zoning and the comprehensive plan for the Nation's Capital.

CONCLUSION

The Applicants should be granted a variance to build a house in this residential district without the obligation to provide parking. Such a use will be in harmony with the purpose and intent of the Zoning Regulations.

Respectfully submitted,



Stephen N. Gell, Esq.