D.C. OFFICE OF ZONING
RECEIVED
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Kenneth and Andrea Pogue
1029 4th Street N.E. ▪ Washington, D.C. 20002
(202) 307-8919 daytime ▪ (202) 546-7554 evening

October 25, 2005

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17369
EXHIBIT NO. 26

17369

Re: Board of Zoning Adjustment Application No. 17369 – Posthearing Submission

Honorable Members of the Board:

At the Public Hearing on this application on Tuesday, October 18, 2005, the Board left the record open until 3:00 p.m. on Wednesday, October 26, 2005 for us, Kenneth and Andrea Pogue, the Applicants and owners of property located at 1029 4th Street, N.E., (Square 806, Lot 23), to submit additional information in support of their application for zoning relief to permit the renovation of, and addition to, our property.

A. Property Description

As shown on the survey plat attached hereto at Tab A, the Applicants property is located at the southeast corner of 4th and L Streets, N.E., and a 10-foot public alley abuts the property to the east/rear. As shown on the photos attached hereto at Tab B, the lot is currently improved with a 2-story home (above grade), a rear shed, and a one car garage. According to information provided to the Applicants when we purchased the house, the house was originally built in 1890, which was before adoption of the current Zoning Regulations. The property currently exceeds the permitted lot occupancy and includes a nonconforming rear yard.

B. Description of the Proposed Development

The Applicants plan to demolish the existing rear shed and convert the existing house and

Board of Zoning Adjustment
District of Columbia
CASE NO. 17369
EXHIBIT NO. 26

garage into a single building. As shown on the drawings attached hereto at Tabs C, D and E, the main house will be extended approximately 4.5 feet; a breezeway will be constructed to connect the main house to the garage; the garage will be converted into a two car garage; a second unit will be added above the garage as permitted in the R-4 zone; and the existing rear yard will be increased from zero to 18 inches.

C. Relief Required

The Office of Planning Report, attached hereto at Tab F, discusses the zoning requirements and variance relief on pages 2 and 3 of the report. The property is a nonconforming structure devoted to a conforming use. The property is located in the R-4 zone, which permits a maximum percentage of lot occupancy of 60% and requires 20 foot rear yards. However, the existing structure has a lot occupancy of 79.7% and no rear yard. The Applicant is slightly decreasing the lot occupancy from 79.7% to 79.5%, but relief is still required since the structure will not conform to percentage of lot occupancy requirements. Moreover, the proposed relocation of the garage will not create any new nonconformity of structure and addition combined, nor will it increase the existing non-conformity of the rear yard. However, the rear yard will not meet the 20 foot setback requirement. Thus, the Applicant also seeks relief from the rear yard requirements.

D. Compliance with Burden of Proof

The Board is authorized to grant an area variance where it finds that three conditions exist: (1) the property is unusual because of its size, shape or topography or other extraordinary or exceptional situation or condition; (2) the owner would encounter practical difficulties if the zoning regulations were strictly applied; and (3) the variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity

of the zone plan as embodied in the Zoning Regulations and Map. As discussed below, the Applicant meets each element of the test.

1. Uniqueness

The Court has held in Clerics of St. Viator v. D.C. Board of Zoning Adjustment, 320 A.2d 291 (D.C. 1974) and United Unions v. D.C. BZA, 554 A.2d 313 (D.C. 1989) that in certain circumstances, the uniqueness of a building on a lot can constitute an exceptional situation or condition warranting relief and thus satisfy the first part of the three-part variance test. Although this case does not involve a historic property, this case is similar to the precedents since the existence and layout of the structures on the property creates an exceptional situation.

The property is a corner lot, is non-conforming as to lot occupancy and rear yard, and has two existing structures located on it which the Applicant intends to renovate and enhance. Unlike most other properties in the area, the property is also impacted by a 13.5 foot curb cut that dictates the location/direction of the garage door. (See photos attached hereto at Tab B). Also, as the Office of Planning stated in its testimony at the hearing, the existing structures could not be designed and located as they currently are if the buildings were built today. Moreover, the Applicant conducted a random survey of other properties in the surrounding area, and as shown on the pictures attached hereto as Tab G, there are no other properties in the immediate square (Square 806) that are impacted by the same conditions. In deed, as shown on the photos attached hereto as Tab H there are no other properties in the 8 immediately surrounding, Squares – 773, 774, 775, 805, 807, 829, 830 and 831, that are impacted by the same conditions.

The Applicants recognize that the current condition of the property may not render the land unique; however, the current conditions of the property are an extraordinary and exceptional condition related to the existing building which the Applicant intends to retain the façade. As

testified to at the hearing, underground water and heavy rains have eroded the foundation (footers, support brick columns, etc.) causing the floors to lean, plaster walls and ceilings to crack, wooden framing and trim to decompose, exposed bricks/mortar and door jams to shift, twist and crumble. Rain water is bleeding through the exterior brick, creases in the foundation and through the seals of the recently installed windows. Flood water in the basement severely damaged the existing furnace in the winter of 2004. A new furnace has been purchased which has been temporarily installed on bricks to keep it above the standing water that collects in the basement. Mold and mildew permeate the basement areas resulting in odors and unhealthy air quality that is re-circulated whenever the furnace is on. Moreover, a number of areas in the basement and sub-floor have become a conduit for the infestation of insects, water bugs, mice and rats. Over the past few months, the Applicants have expended a large amount on foggers and traps which have caught or killed a myriad of insects, rats and mice.

In addition, there are utility-based problems and physical defects in the house. For example, the existing, original cast iron sewage lines and galvanized pipes are visibly corroded which negatively impacts the quality of the drinking water and the water pressure throughout the house. Moreover, the existing floor joist are on the verge of collapsing and causing the floors to slant and sag. The dated and overburdened electrical box often throws the furnace breaker in winter (heat) or summer (air condition) upon demand. Moreover, there are excessive and unconnected wires on the roof and exterior of the building that degrade the building's exterior façade.

In sum, the overall house is in need of full demolition down to the joist and full renovation; complete with the installation of a full perimeter French drain/sump pump system. All of the utility systems need to be upgraded to increase energy savings and establish a more

healthy and habitable environment. The Applicants have thoroughly researched and evaluated a number of potential contractors who were identified through home expos, professional publications, and referrals. Estimates have varied from a few hundred thousand to one-million dollars (see Tab I). The Applicants have determined that, based upon experience, references and market research, the most realistic estimates are $350,000.00 to $450,000.00, which represents a significant financial outlay for the Applicants. Nevertheless, the Applicants are compelled to make the investment to save the property from its eventual demise.

2. Practical Difficulty

The strict application of the zoning requirements will result in a practical difficulty. In order to meet the lot occupancy requirements, the Applicants would have to demolish 19.5% of the building footprint, which will also result in the loss of floor area for the living quarters. Moreover, the property cannot be expanded because it is bounded by an existing structure on the south and public space on three other sides. In order to comply with the rear yard requirement, the Applicants would have to demolish the entire existing garage. The existing curb cut is approximately 10.5 feet from the alley at the rear of the property. The existing curb cut is approximately 13.5 feet wide and it lines up exactly with the existing garage and adjacent car port. The Applicants propose to expand the proposed garage to the limit of the car port thus it would be consistent with the existing drive way and its curb cut. However, if the Applicants were required to demolish the existing garage, a new garage would have to be built abutting the main house. If the garage were to be accessed from the alley, this would result in a practical difficulty. The width of the lot is approximately 19.5. An average garage door is 8 feet wide, and a 2 car garage would utilize approximately 16 of the 19.5 feet. That would leave a 1 foot space between each car and a 1 foot space between each car and the structural walls of the garage

itself. Thus, it would be extremely difficult, if not impossible, for a driver to enter or exit their vehicle. Moreover, if the garage were to we accessed from L Street, the Applicants would have to try to obtain public space permits to expand the existing garage entry curb cut from approximately 13.5 feet to approximately 16 feet, and construct a corresponding driveway in public space. These options are also practically difficult due to the time and expense involved.

Moreover, the practical difficulty of not being able to renovate the property because of complying with the lot occupancy and rear yard requirements, when compared to the severity of the relief requested weighs in favor of granting the requested relief. As testified to at the public hearing, the Applicants are providing accommodations for their in-laws (two 70 year old senior citizens). Because of the unhealthy environment at the property, the in-laws are forced to stay with other family members in Stafford, VA one to two times a week. This requires the Applicants to expend additional time and resources commuting. However, this loss of time and resources can be alleviated by the proposed addition. Moreover, during renovation of the property, the Applicants cannot afford the additional costs of renting since the anticipated monthly payment on the equity loan ($400,000) required to do the work on the property is approximately $2,800.00. Once renovation of the main house is completed, the flat will provide additional, much need living space for the family.

3. No Substantial Detriment or Impairment

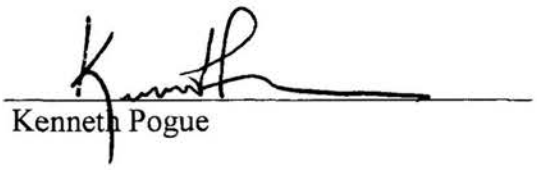
As noted in the Office of Planning's report, the proposal will have no substantial detriment or impairment. The proposed additional unit is allowed as a matter-of-right. Moreover, the Applicant is not increasing the existing lot occupancy and is not increasing the nonconformity of rear yard. In fact, the Applicants are slightly decreasing the lot occupancy and increasing the size of the existing rear yard. Moreover, the rear yard abuts a 10-foot public alley

that provides open space that is otherwise imposed in the rear yard requirements. Finally, the Applicants have responded to every question raised by people reviewing this project and have modified their plans in accordance with the required guidance. The Applicants have the support of the ANC (see Tab J), the Office of Planning (see Tab F) and their neighbors and community (see Tab K).

E. Conclusion

For the reasons stated above and the Applicant's testimony at the public hearing, the Applicants respectfully request that the Board grant the application.

Respectfully submitted,

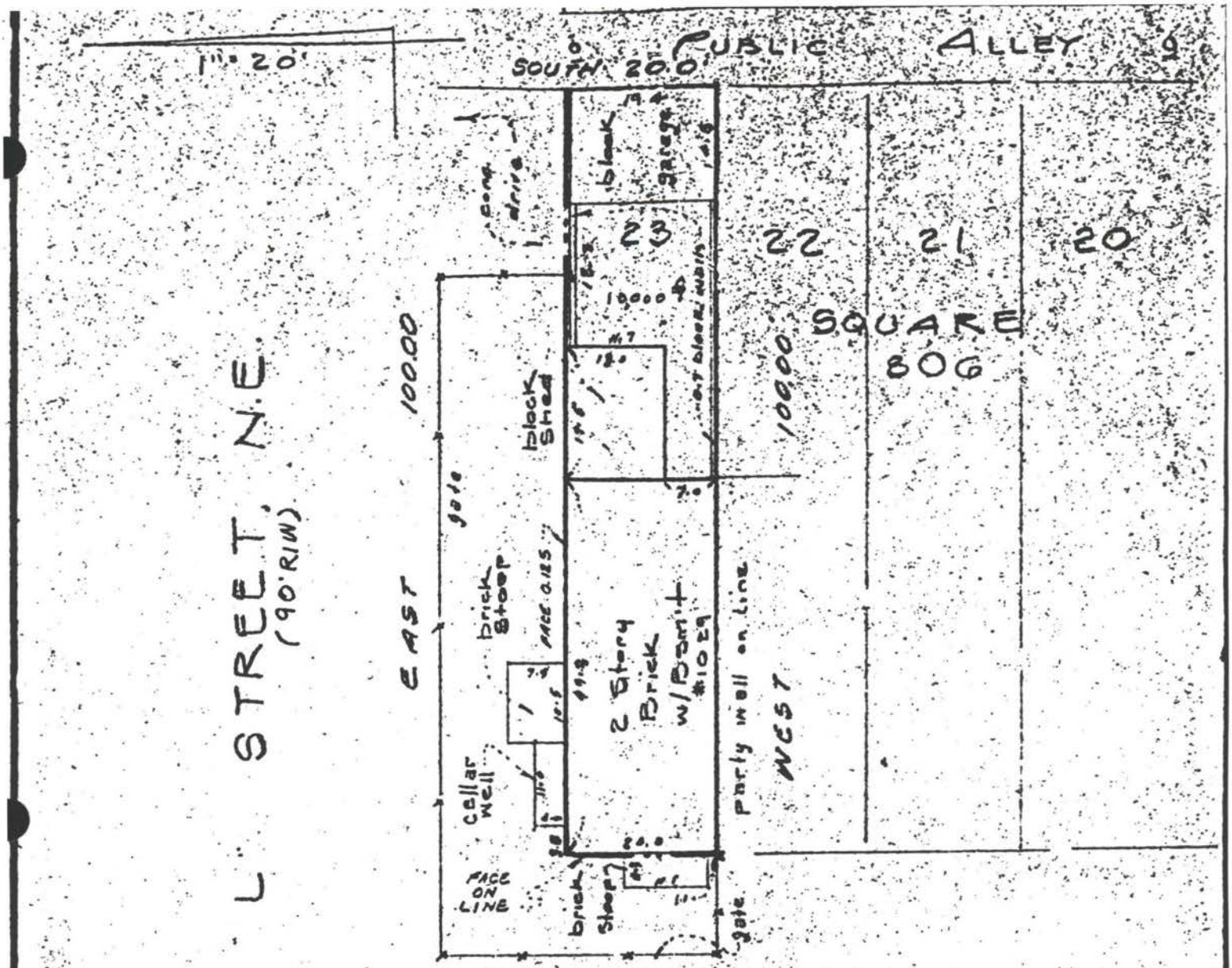


Kenneth Pogue



Andrea Pogue

A



Notes:

Prepared without the benefit of a title report.

Area not in flood plain as per: 110001 00 20 D

Not to be used for construction.

Lot corners have not been set by this survey unless otherwise indicated.

I hereby certify that I have surveyed the property shown hereon for the purpose of locating the improvements only, that the improvements are located as shown. Existing property corners have not been established or set. We assume no responsibility or liability for any right-of-way or easement recorded or unrecorded not appearing on the record plat or mentioned in the title deed referenced hereon.

JOHN KENNY KEITH
No. 10414
STATE OF MARYLAND

9-20-94
Date

Rec.

LIGHT, ELLIOTT & ASSOCIATES, INC
ENGINEERS, PLANNERS, SURVEYORS
8808 ADELPHI ROAD
ADELPHI, MARYLAND
20783
ADELPHI 422-6080
WALDORF 843-4927

Book no. 2554-14
Job no. L-82739
Dwg. by DEE

CE by
Case no. 1645
REclavitch

HOUSE LOCATION SURVEY

1029 4TH Street, N.E.

Lot 23 SQUARE 806

WASHINGTON, D.C.

Plat Book —
Plat —

File no. SH-75094

B

Tab B – Square 806 (Subject)



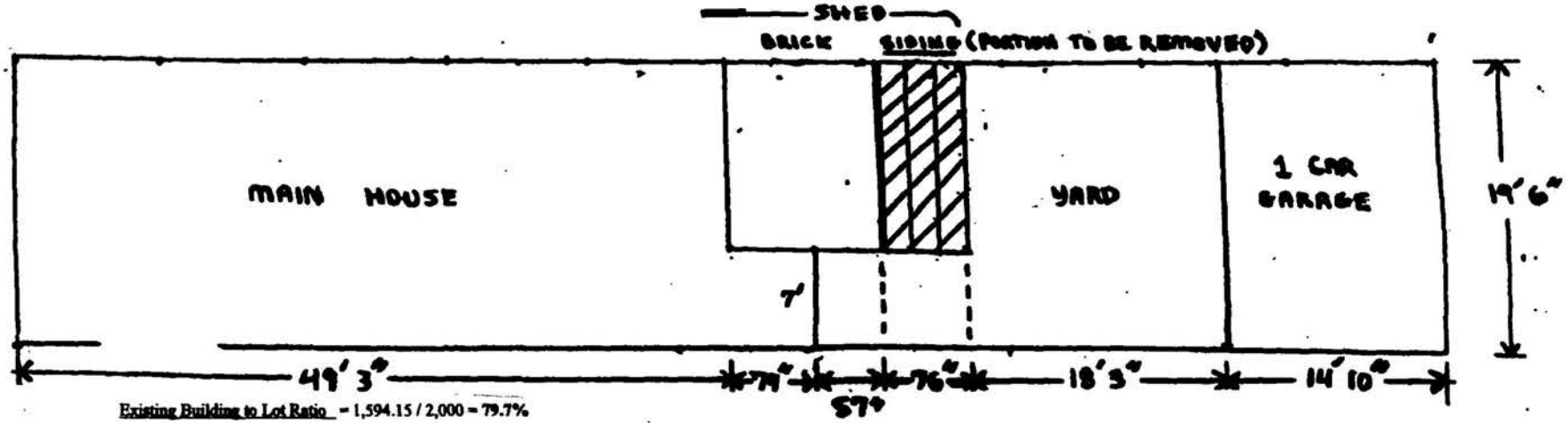


Tab B – Square 806 (continued) (Subject)





C



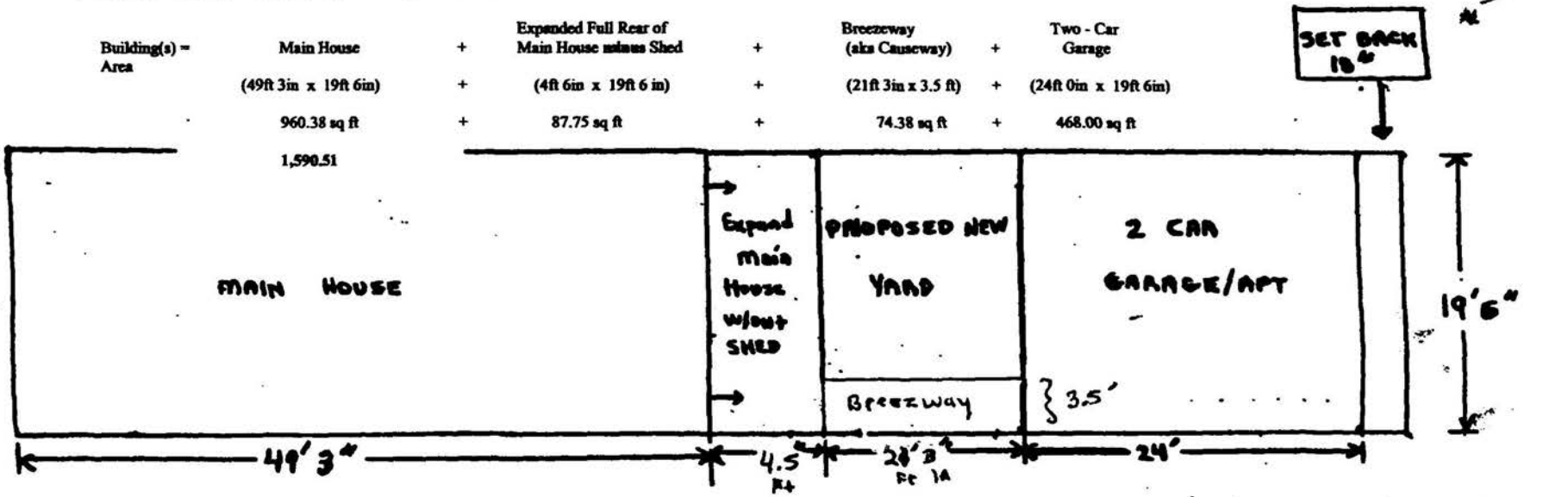
Existing Building to Lot Ratio = 1,594.15 / 2,000 = 79.7%

Building(s) = Area	Main House	+	Shed (1 story) Rear Portion of Main House	+	One - Car Garage	
	(49ft 3in x 19ft 6in)	+	(17ft 8in x 19ft 6 in)	+	(14ft 10in x 19ft 6in)	
	960.38 sq ft	+	344.57 sq ft	+	289.20 sq ft	
	1,594.15					

Proposed Building to Lot Ratio = 1,590.51 / 2,000 = 79.5%

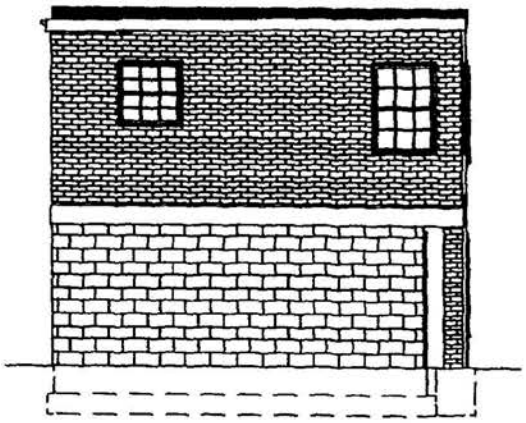
Building(s) = Area	Main House	+	Expanded Full Rear of Main House minus Shed	+	Breezeway (aka Causeway)	+	Two - Car Garage
	(49ft 3in x 19ft 6in)	+	(4ft 6in x 19ft 6 in)	+	(21ft 3in x 3.5 ft)	+	(24ft 0in x 19ft 6in)
	960.38 sq ft	+	87.75 sq ft	+	74.38 sq ft	+	468.00 sq ft
	1,590.51						

UPDATED 9-30-05

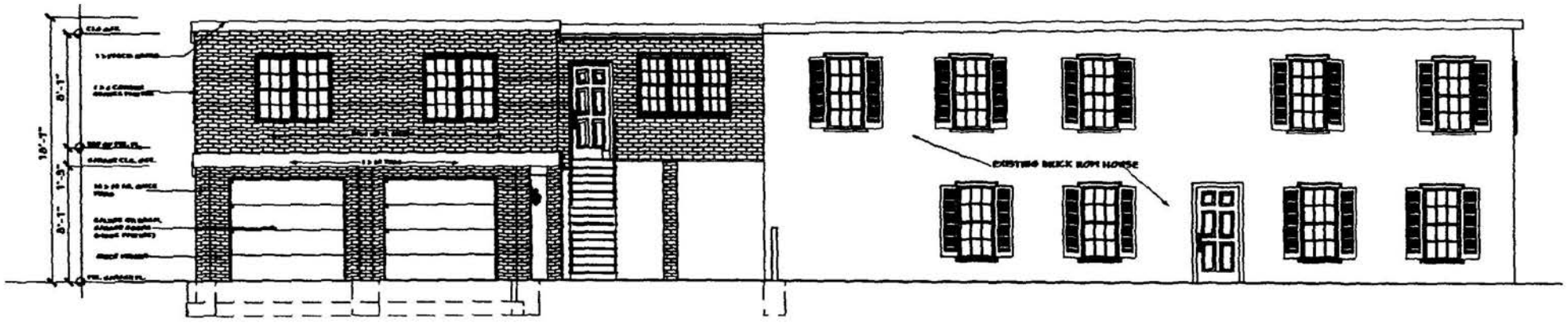


TOTAL LOT 100ft x 20ft = 2000 sf

D

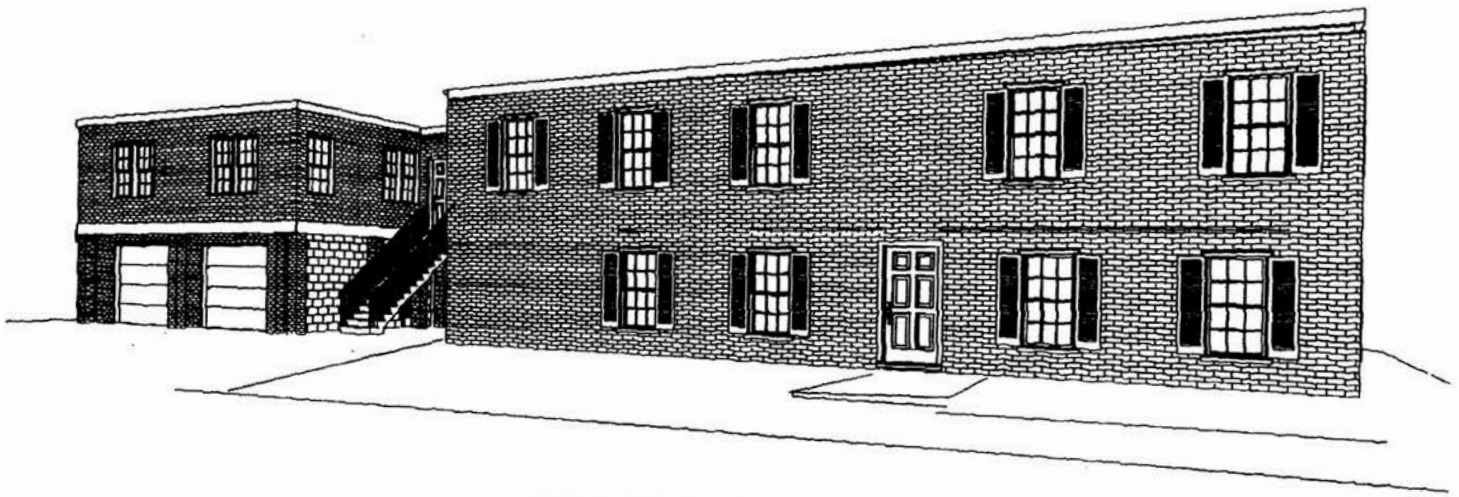


PROPOSED REAR ELEVATION
N.T.S.



PROPOSED SIDE ELEVATION
N.T.S.

E



PERSPECTIVE DWG. N.T.S.

F

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

DATE: October 11, 2005

TO: District of Columbia Board of Zoning Adjustment

FROM: Ellen McCarthy, Director

SUBJECT: Board of Zoning Adjustment Case No. 17369
1029 4th Street NE

Summary

The applicant is seeking to connect his house and garage into one building and add a second level to the garage. The applicant seeks a variance from 2001.3 to add on to the existing structure. The Board may also decide that the applicant needs a variance from the lot occupancy provisions of Section 403.2 although no additional lot occupancy is proposed. The Office of Planning **recommends approval** of the *amended* variance request based on the analysis below.

Site and Area Description

The subject property is located at 1029 4th Street N.E., Square 806, Lot 23. The lot is 2,000 square feet and is located on the southeast corner of the intersection of 4th Street and L Street N.E. The property currently contains a 960 square foot home facing 4th Street with a 290 square foot unattached garage to the rear. Both the subject property and the surrounding neighborhood on all sides are zoned R-4. The neighborhood is made up predominately of row houses.

Project Description

The applicant proposes to build a connection between the existing house and garage in order to put a second unit above the existing garage. The applicant will be removing a small shed attached to the rear of the house and expanding the garage while adding a second story connection between the two structures. The lot occupancy is currently at 79.5%. The proposal will change the layout of the lot, but leave the overall lot occupancy unchanged. The amended plan is attached to this report.

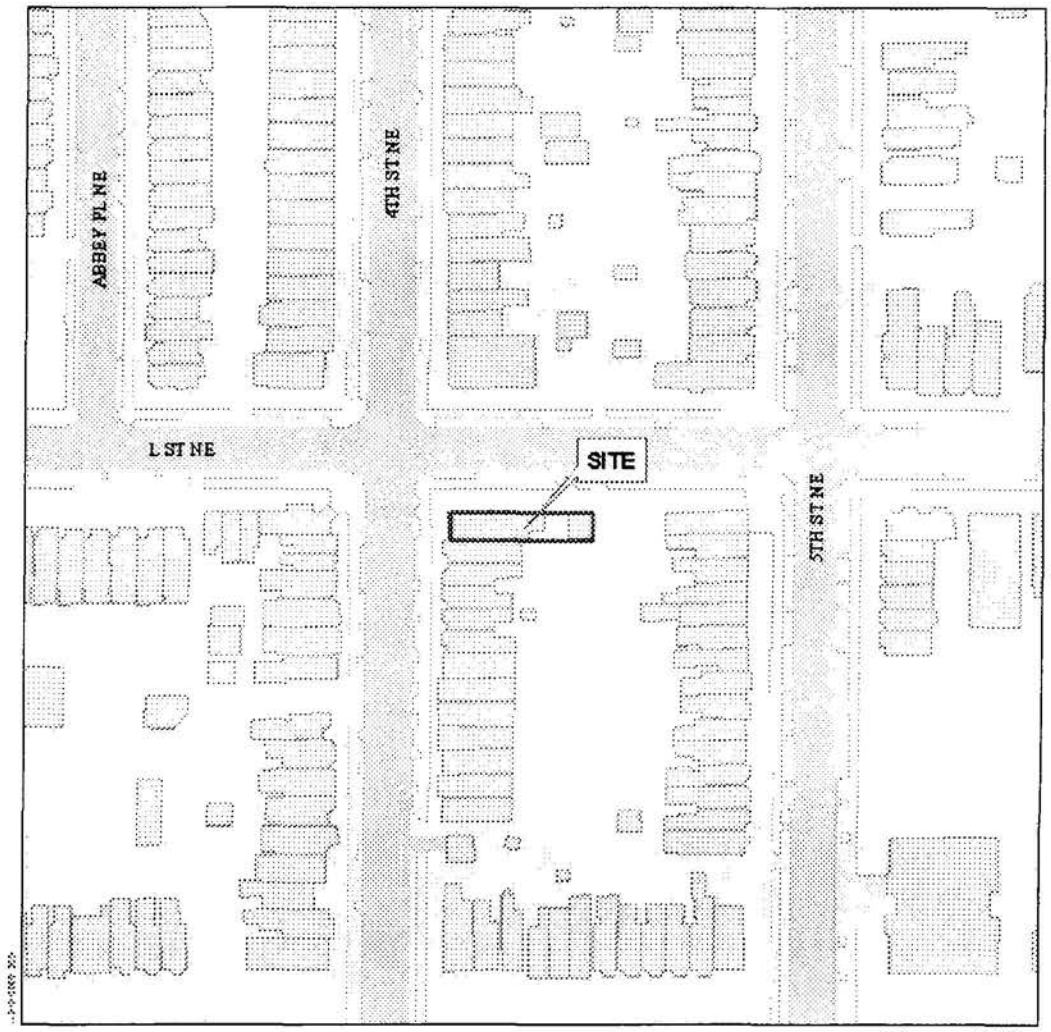


Figure 1: Site Area

Zoning Requirements

The applicant is requesting a variance from Section 2001.3 to allow an addition to a non-conforming structure. The existing building is currently non-conforming for lot occupancy and rear yard. The proposal will not increase the non-conformity of the existing lot occupancy or rear yard.

Section	Item	Required/Allowed	Existing	Requested	Variance
400.1	Height	3 stories	2 stories	2 stories	N/A
403.2	Lot Occupancy	60%	79.5%	79.5%	19.5%
404.1	Rear Yard	20'	0'	1.5'	18.5'
405.9	Side Yard	0'	0'	0'	N/A

Variance Analysis

The provisions of §3103.2 require the applicant to show a unique physical aspect or other extraordinary or exceptional situation or condition of a specific piece of property that creates an undue hardship or practical difficulty. In addition, there should be no harm to the public or to the zone plan.

The applicant is seeking a way to add a second unit to the building as permitted in R-4. The original plan called for an addition on top of the existing garage. This plan required a difficult variance to allow an accessory dwelling on the lot as well as variances to height and living quarters in an accessory garage. Upon consultation with OP, the applicant has eliminated the need for these three variances by providing a second story connection between the house and garage that have connected the two structures into one for the purposes of the zoning ordinance. In addition, the rear of the house will be reconfigured so that the new lot occupancy will be slightly less after the addition than as it currently exists. The proposed changes have eliminated the need for three variances and only leave the need for a variance from Section 2001.3 to allow the addition when the existing lot occupancy is above the 60% allowed as a matter-of-right in the R-4 district.

Exceptional Situation & Practical Difficulty

The exceptional situation in this case results from the existing condition of the property. The applicant has an existing situation where the lot is non-conforming for lot occupancy. The applicant has also laid out a long list of necessary repairs to the existing house on the property. These include foundation problems, flooding problems, and various rot and mold issues arising from seeping water. The problems described appear to be unique damage to the property in question and do not allow for habitation of the building while it is being repaired. The damage to this existing structure presents an exceptional situation of unlivable conditions and presents a practical difficulty in meeting the strict requirements of the zoning regulations.

Even with the changes to the plan to eliminate the majority of variances needed by this project, the site is currently over lot occupancy, eliminating any matter-of-right options to make the proposed changes. The applicant has correctly designed the project to prevent any increase in lot occupancy, but would be denied any further options to pursue a flat on this lot without the single requested variance.

Substantial Detriment

The proposal would have no substantial detriment to the zone plan or map. The applicant will maintain the existing lot occupancy on the lot. The proposal will not have more than the two units allowed as a matter-of-right in the R-4 district. The strict prohibition of Section 2001 against additions on buildings not conforming to lot occupancy will not be compromised because of the unique circumstances of this case and the fact that the addition will not increase any non-conformities on the lot.

ANC Recommendation

OP has received no report from ANC 6C and is aware of no further comments on the application or opposition to this project from the neighborhood.

Recommendation

The Office of Planning concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3103.2 of the Zoning Regulations, for the granting of the requested variances and, pursuant to 11 DCMR 3104 of the Zoning Regulations, for the granting of the requested variance as amended. The request can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the Zoning Regulations. The Office of Planning **recommends approval** of the variance to allow relief from Section 2001.3 at 1029 4th Street N.E.

Attachment: Amended proposal

EM/tp

G

Tab G – Square 806













H

Tab H – Square 773









Tab H – Square 774












FRY Plumbing
(REAR) 327 L









Tab H – Square 775





Tab H – Square 805







Tab H – Square 807







Tab H – Square 829











Tab H – Square 830



Tab H – Square 831



I

September 21, 2004

Ken Pogue
1029 4th Street, NE
Washington D.C., 20002

PRELIMINARY DESIGN & FEASIBILITY STUDY

Draft Copy for Review

PROJECT DESCRIPTION: Whole house remodel

JOB LOCATION: 1029 4th Street, NE, Washington D.C., 20002

JOB PHONE NUMBER: 1-202-307-8919

We, The Alexander Group, Inc. agree to provide design services for conceptual plans and outline material specifications for Contractor=s own use in constructing proposed:

Whole house remodel

1. Target budget range $750,000 to $1,000,000. Budget shall be adjusted depending upon design scope per owner owner.

2. Plans to consist of [ ] Foundation Plan, [x] Floor Plan(s), [ ] Elevations, [ ] Section, [ ] Perspective, [ ] Other

3. When the design services have been completed, The Alexander Group will arrange a meeting to include its representative, the homeowner(s) and, if desired by the homeowner(s), the designer for the presentation of a fixed price proposal and construction agreement.

4. If the scope of either the proposed construction work or design phase work is changed after the authorization of this agreement, the design fee will be adjusted.

5. The plans and specifications described in this proposal are the property of The Alexander Group, Inc. and are for its sole use in the analysis and definition of the project. No liability or responsibility is assumed for construction by any other person or company using these plans and specifications.

6. The Alexander Group, Inc. proposes to furnish the above design services according to the above terms and in consideration of:

Preliminary Design Fee & Feasibility Study Fee $ 30,000.00. $15,000.00 due upon acceptance of this agreement, $7,500.00 due at 50% completion of the study and the remaining $7,500.00 due at the completion of the study.

It is acknowledged that the above noted fee is not a statement of the value of the architectural work to be performed in connection with this Agreement, and should the Owners opt to purchase the drawings from the Company, the total fee for the architectural work shall be ten percent (10%) of the price of the Project as quoted by The Alexander Group, Inc.

THE ALEXANDER GROUP, INC.

Authorized Signature: _____ Date: _____

THE ALEXANDER GROUP, INC.

LANDIS CONSTRUCTION CORPORATION

NARI® NATIONAL ASSOCIATION OF THE REMODELING INDUSTRY

AIA

KENNETH POGUE
1029 4th St N.E.
Washington, DC 20002
202-307-8919
wakepogue@comcast.net

September 14, 2004

Dear Kenneth;

It was a pleasure to meet you in your home to discuss your remodeling projects. As promised, I have listed the separate projects your are considering and have assigned each menu item a preliminary budget range.

(1) Convert detached 1 car garage with a frame roof into a detached 2-car garage with a 2nd floor addition. Addition would be separately metered with 2 bedrooms, 1 bath, living room and a simple kitchen. The exterior would be modeled to look like a carriage house. $130,000 to $180,000
(2) Convert 1 Br / 1 Bath basement unit into separately metered 2BR / 1BA / Kit Au par unit. Lower basement 6 inches and re-establish at a level equal to the other ½ (assumes footer is deep enough and no underpinning is necessary). Retrench basement perimeter to accommodate sump pump. $60,000 to $80,000
(3) Re-establish existing furnace and hot water tank from the basement to the main floor to supply main and upper levels of the house. Install separate gas furnace and low boy 30 gallon hot water tank in basement unit. $9,000 to $12,000
(4) New hard wood flooring in living room, dining room and kitchen. $9,000 to $11,000
(5) Remove and replace w/drywall as needed throughout house. Install pre-fab gas (direct vent?) fireplace in living room. Remove and reinstall kitchen cabinets and countertops and replace cook top and wall oven with gas and manual non-digital controls/switches - $10,000 to $20,000
(6) Check/upgrade electrical panel and plumbing risers and basement piping $7,000 to $12,000
(7) Redirect 1st 3 exterior concrete basement steps by 90° to enlarge basement window view and sculpture walkways inside the side yard to accommodate gated entry to rear yard and adjustment to exterior basement stairs. Reestablish cinder block brick walls that frame rear yard area between the main house and the garage with side rod-iron gate that exits to the side yard and pour a slab of concrete that covers entire rear yard area between garage and main house
(8) Extend 2nd floor over 1st floor addition for new bedroom. $60,000 to $70,000
(9) Build 3rd level addition with two three seasons porches with master suite with sitting area and gas fireplace. $180,000 to $220,000.

Total Range $465,000 to $615,000

The numbers above are preliminary and are intended for budgeting purposes only. The actual cost will depend upon the final design, the corresponding final scope of work as well as the fixtures and finishes chosen.

R.P. RENOVATIONS, INC.
2203 MANOR SPRING TERRACE
SILVER SPRING, MD 20906
Phone (301)949-5727
Cell (240)876-5115

QUOTE FORM

Date	Invoice #
10/20/2004	67

Bill To
Ken Pogue Job Address: 1029 4th St N.E Washington, DC 20002

P.O. No.	Terms	Project	Visit At
			www.rprenovations.com

Item	Description	Rate	Qty	Amount
	General Job descriptions For This Projects Include: * price Basic on scope of work provide by Mr. *This forms is just a break down quote for each job * All specification and details will be in writing after job is approved Which Include original contract forms for each job and all the warranties. 1. To build up new two car garage and second floor addition			
Grand Total	* Total Price basic on all the lists provide to R.P Renovations.	58,700.00	1	58,700.00
Grand Total	2. To finish basement complete. * Total Price basic on all the lists provide to R.P Renovations.	39,800.00	1	39,800.00
Grand Total	3. To finish all the second floor and third floor * Total Price basic on all the lists provide to R.P Renovations.	56,780.00	1	56,780.00
	*Important Note: All this projects include to require to meet all codes for plumbing, electrical, gas, a/c and heating system, and all architectural I work * R.P Renovations Inc. Will provide all the equipment, materials, labor and supervision in order to complete this job.			

Total	$155,280.00
Payments/Credits	$0.00
Balance Due	$155,280.00

Rolando J. Pluas
Owner
Carlos Rivas
Sales Representative

R.P. RENOVATIONS, INC.
Interior - Exterior Painting & Remodeling

301-949-5727 Office
240-876-5115 Cell
301-949-5845 Fax
240-876-8669 Carlos

2203 Manor Spring Terrace
Silver Spring, MD 20906

INBOX: wakepogue

Help Sign Out



Storage 1% used

Move to Folder

INBOX (2)
Draft
SentMail
Trash [EMPTY]
My Folders [EDIT]
My Mailboxes
Address Book
Mailbox Manager
Email Options
Help
Sign Out

INBOX: Email 1 of 43

From: "K&C Builders" <kcbuildersinc@msn.com> **[Add to Address Book] [View Source]**
To: wakepogue@comcast.net
Cc: c_bajan34@hotmail.com
Subject: estimate
Date: Thu, 26 Aug 2004 23:28:03 +0000

Hello, Ken

Per the scope of work provided and subject to a detail evaluation of your property my estimates are as follows.

Item 1. The renovation/ upgrade of car garage to Au Par Unit #1=$45,000
Item 2. The basement improvements and upgrade to Au Par Unit #2 =$35,000
Item 3. Relocate Furnace and Hot Water Tank =$4,500
Item 4. Extension of 2nd floor =$22,000
Item 5. Build 3rd floor addition =$47,000

Estimated total of all items = $153,500

The design and development of the drawings is 6% of the estimated items above = 9,210

Total of all work to be performed =$162,710

Please be aware that the estimates are based on the scope of work provided and do not take in to factor the specific materials and space design that will be used, and the coast of this project is based on builder grade materials.

thanks, Corey

K & C Builders Corporation
Corey Thompson, President
Kenann Thompson, VP
(202) 320-2287
KCBuildersInc@msn.com

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>From: wakepogue@comcast.net
>To: kcbuildersinc@msn.com

J

District of Columbia Government
Advisory Neighborhood Commission 6C
Chairman Mark Dixon
Post Office Box 77876 Washington, D.C. 20013-7787

July 13, 2005

Meeting took place at NPR
635 Massachusetts Avenue, N.W.
Washington, D.C.

Government of the District of Columbia
D.C. Office of Zoning
Board of Zoning Adjustment
Attention: Director Jerrily R. Kress, FAIA
441 Fourth Street, N.W. Suite 210
Washington, D.C. 20001

BZA Case Number 17369:

Members of 6C Commission present during the ANC 6C meeting of the whole on July 13, 2005. Michael Sherman, Daniel M. Pernell, III, Anthony Rivera, Mark Dixon, Karen Wirt, Charles Docter, Lena Brown and Bill Crews.

Chairman Mark Dixon brought the meeting of the whole to order. He then established a quorum of 8, (eight) members present.

Mr. Kenneth Pogue came before the ANC 6C Commission on July 13, 2005, to inform the Commission his proposed Addition of a Living Quarters on 2nd., Level of the Existing Accessory Garage located at 1029 4Th., Street, N.E. on Lot 23, In Square 806, in a zone R-4 Community.

He requested a variance pursuant to Section 2001.3 for addition of a living Quarters in The existing accessory garage in the R-4 Residential Zone district (Section n 3103.2). Variance pursuant to Section 2500.4 for an accessory garage exceeding one-story height in the R-4 Residential Zone District (Sect. 3103.2).

Variance pursuant to Section 2500.5 for a living quarters not devote to domestic employee on 2nd., level of existing accessory garage in the R-4 Residential Zone District)s Sect. 3103.2 and a variance pursuant to Section 2500.6 for required side yard setback two story accessory garage in the Residential Zone District (Section 3103.2.

After the ANC 6C Commission members heard Mr. Pogue presentation, the chair then allowed the public to speak and make comments. Commissioner Anthony Rivera motion to support and the motion was second by Commissioner Mark Dixon.

The motion carry with 6 Commissioners voted in favor of, and two Commissioners voted against to support the "Proposed Addition of a living quarters on 2nd, level of the Existing Accessory Garage located at 1029 4Th., Street, N.E.

Mark Dixon

Mark Dixon

Signed by Chair of ANC 6C Commission 07/13/05

Daniel M. Pernell

Daniel M. Pernell, III

Signed by SMD ANC 6C04 07/13/05

K

To: Board of Zoning Adjustment

Date: October 17, 2005

Re: Board of Zoning Adjustment hearing//Pogue Garage Project

From: Lisa Blas/Kelley Waldrip—Property owners

We are neighbors of Ken and Andrea Pogue, and are submitting this letter of support in lieu of our presence at the Board of Zoning Adjustment hearing.

We have become aware of concerns yielded by the Capitol Hill Restoration Society in regards to upcoming renovations on the Pogue garage, which faces L Street NE, between 4th and 5th Street.

First, we would like to say that the Pogue garage appears to be a cinderblock structure, circa 1980s, the exterior of which contains no historical façade. Their desire to renovate such structure will only enhance their property and its visual appearance, and hence, the surrounding properties and neighborhood in general. Renovations will in no way denigrate the historical character of this neighborhood, or take away from its intrinsic value.

Historical preservation is indeed important, however, the focus of such efforts should be directed towards property owners and developers who allow homes to exist in a chronically broken-down state (i.e. broken windows, trash strewn, graffiti), stay boarded up for years on end, and languish behind barbed wire fences for the unforeseeable future. These are the properties that become gathering places for criminal activity and deplete the intrinsic value of a neighborhood. Such environment encourages continued disrespect and disregard for historical preservation in general. Drug dealing, prostitution, muggings, robberies and other illegal activities have persisted in our neighborhood for many years----a direct result of delinquent properties as mentioned in the above-underlined statement.

To close, please accept this letter as full support of the Pogue renovation, as we have discussed at length, and will experience first hand, the overall improvement of our neighborhood and properties vis-à-vis their project.

Lisa Blas
Kelley Waldrip
1024 5th Street NE
Washington, DC 20002

Survey of Property Owners - RE: BZA Case No. 17369

(Homeowners within 200 Feet of 1029 4th Street NE, Washington, DC 20002)

The undersigned homeowners (within 200 feet of the 1029 4th Street NE, Washington, DC 20002) were surveyed for their opinion and/or support for the proposed garage renovation currently under consideration by the Office of Planning Board of Zoning Adjustment (RE: BZA Case No. 17369). I/We the undersigned hereby confirm that Mr. Pogue has disclosed the full and complete details of the proposed garage renovation, and that as a neighboring property owner I/we have no objection to the proposed project.

Glenda Lyassu	1100 4th ST. N.E. WDC	
Stephanie Standifer	331 L St. NE WDC	
Brian Bucklew	329 L ST NE WDC	
MARK MANLEY	333 L'T NE DC	
JESSICA ZIPPIN	333 L'T NE DC	
SHUSHAN ISRAEL	501 L ST. NE WDC	
Brian J. Hilliard	1037 5TH ST. NE WDC 20002	
SEAN W. TOLNER	1025 4th St. NE WDC 20002	
Kel Tolliver	1025 4th St. NE WDC 20002	
C. Jenkins	1037 5th St. N.E. 20002	
D Mooney	1035 5TH ST NE	
Meredith Mooney	1031 5th St NE	
Joyce Fisher	1026 4th St NE 20002	
Anita Bellamy Shelton	1013 4th Street NE	
Haywood Riddick	1015 4th NE Wash DC.	
Joel Schmidgall	1011 4th St NE 20002	
~~Douglas Buchanan~~	~~1101 4th St. N.E. Wash 20002~~	~~Douglas Buchanan~~
Jaime [illegible]	1101-4 N.E Wash 2002	
Reginald Johnson	1104 4th St NE Wash 20002	
Charlette Tilghman	1102 - 4th St NE WASH 20002	
[illegible]	1103 4th Street NE, Wash 20002	