STATEMENT

OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

FOR A USE VARIANCE

PURSUANT TO SECTIONS §§350.3 and 3103

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

1700 Q Street, N.W.

(Square 156, Lot 264)

BZA Case No.

D.C. Office of Zoning
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BZA
Case No. 17392
Exhibit No. 5

Board of Zoning Adjustment
District of Columbia
CASE NO. 17392
EXHIBIT NO. 5

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INTRODUCTION

This is a Statement of Explanation and Reasons supporting Application of Babak Movahedi, 1700 Q Street, N.W. (Square 156, Lot 264) (hereinafter "Applicant") for a use variance from Section 350.3 to permit the premises to be used for general office use.

DESCRIPTION OF THE APPLICANT

Babak Movahedi, Esq., purchased the building at 1700 Q Street in 2001. He wishes to use it as an office for his company, Dupont Title & Settlements, LLC. Mr. Movahedi is very active in his local community, currently as commissioner for ANC 2B07.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property is a four-story structure located at the Southwest corner of 17th and Q Street, N.W. on a lot containing approximately 957 square feet.

B. Area Surrounding the Property

The adjacent areas are characterized by moderate density residential and medium-high density commercial uses. The other three corners are commercial. It is a very active corner with numerous retail establishments, including 12 restaurants and night spots within a block of his building.

C. Zoning History and Use History

The subject property is in the DC/R-5-B Zone District which is a moderate-density residential zone in the Dupont Circle Overlay Zone. The building was built as a residence in 1890 and was used for that purpose until 2001.

REASONS IN SUPPORT OF THE APPLICATION FOR A VARIANCE

A. Compliance with D.C. Zoning Regulations

Uniqueness

The property is a corner property with no rear yard and no access to the interior alley. Three windows at the rear of the structure, one on each floor, look out on a building a few feet away.

Extraordinary or exceptional situation or condition creating a hardship

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Exceptional conditions creating a hardship can be found in the fact that the configuration of the building, absence of rear access and rear views, limited light, and proximity to the noise on 17th Street make the building unsuitable for residential use. There is literally no room in the house that is free from the noise at the busy intersection of 17th and Q Streets. This is particularly bothersome at night when the noise makes sleeping difficult, if not impossible. Whereas, other buildings on the block have bedrooms at the rear, away from the noise of the commercial strip, this corner building can offer no such relief.

B. No Adverse Effects

The use of the building for a title insurance office or similar use will not add to the noise, light, or other factors that impact on residential properties generally. Neighbors we have spoken to have been very supportive of this variance. We are confident that many people will sign petitions indicating such support prior to the hearing.

CONCLUSION

The Applicant should be granted the right to use the subject building as an office. Moreover, such a use will be in harmony with the purpose and intent of the Zoning Regulations.

Respectfully submitted,

Stephen N. Gell, Esq.