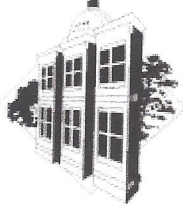


CAPITOL HILL RESTORATION SOCIETY



**P. O. Box 15264 Washington DC 20003-0264
202-543-0425**

February 22, 2016

Sara Benjamin Bardin
Director, Office of Zoning
Suite 210
441 4th Street, NW
Washington, DC 20001

RE: BZA# 19196

Dear Director Bardin,

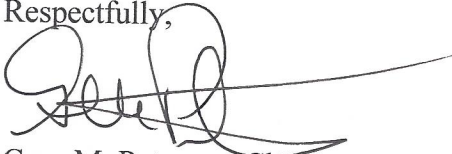
This case involves the application of 1247 ESE, LLC for variance relief from section 401.11, the so called "900 square foot rule." You previously had a case involving this property where variances were granted to allow a restaurant on the first floor, BZA 18701, and variances were granted to allow office use in the basement and ground floor, BZA 15694.

The subject property is a former candy factory and candy store that currently has four apartments, four parking spaces, and vacant space on the first floor and basement that is allowed to be used as restaurant. The property is large, 3,514 square feet, and the four apartments are already nonconforming as regards the 900 square foot rule. With the addition of a fifth unit the property ends up with 700 square feet of lot area per unit. If you count the restaurant as a sixth unit, the area drops to 585.

The CHRS Zoning Committee heard this case at its meeting on February 11, 2016 and the CHRS Board voted to oppose the application at its meeting on February 16. The Board found that the applicant had not met the burden of proof to justify the increase in density and the 22% decrease in 900 square foot rule. There is no practical difficulty in the use of the property as it exists. The basement can be used for storage or even as a

fitness room. The decrease is also to the detriment of the public good and zone plan because it unduly increases the density. For these reason we oppose the application.

Respectfully,

A handwritten signature in black ink, appearing to read 'Gary M. Peterson', with a long horizontal flourish extending to the right.

Gary M. Peterson, Chair
Capitol Hill Restoration Society
Zoning Committee