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BZA 19256/1716 Hobart Additions

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Sent: Tue 4/12/16 8:55 AM

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☐ 2 attachments

4-12-16 Draft ANC Resolution Re 1716 Construction.docx (13.9 KB) , Petition As at 4-12-16.pdf (2.2 MB)

To The Members of ANC1D

We are writing on behalf of concerned residents who live within 200ft of 1716 Hobart St NW. Many of us received a notification dated 3/11/16 from the Board of Zoning Adjustment regarding a request from the Owner of 1716 Hobart St NW for an area variance (**BZA case # 19256**). This email follows a 'heads up' we sent to Arturo on Sunday evening. As far as we know the plans posted on the BZA website in early March have not changed.

The variance is required because existing lot occupancy at 1716 Hobart St is 74%, whereas the maximum allowable in this neighborhood is 60%. The variance may only be granted if the Owner has demonstrated that there are extraordinary circumstances inherent in the property that create exceptional practical difficulties and if the granting of the proposed variance would not impair the public interest.

The variance, if granted, would permit the Owner to build a third floor (above a full basement and two floors) addition to the existing two story residential house and to allow construction of a rear extension (3ft beyond existing wall lines, see designs posted on BZA website and attached herein).

We do not believe that the Applicant has met the burden of proof required for the BZA to grant a variance under §3103, **and ask ANC1D to pass a resolution against the proposed area variance at**

Board of Zoning Adjustment
District of Columbia
CASE NO. 19256
ENCLOSURE

its April 25, 2016 meeting (see attached suggestion).

Our reasoning is as follows:

First, the special circumstances cited by the Applicant – steep topography, location in a historic district, large trees, non-conforming structures -- are the same ones affecting, individually or in combination, all the properties in the same row as 1716 Hobart St NW. To the contrary, the very essence of the properties in this portion of the 1700 block of Hobart St is their similarity. **Prior case law holds that, in such circumstances, an Applicant must seek to have the zoning regulations changed (rather than requesting an exception as is the case here).**

Second, the proposed additions are contrary to the public good. There are not currently any vertical additions of the type proposed anywhere on Hobart St NW, nor any rear additions above the first floor anywhere on the south (1700-1732 Hobart St NW) or north side (1701-1759 Hobart St NW). Granting the variance would set a precedent that would invite the proliferation of structures that would fundamentally change the character of the neighborhood and in some cases right of residents to enjoy unimpeded light, air and privacy. **For these reasons, many of the residents who live within 200ft of 1716 Hobart St NW do not believe that the proposed zoning variance should be granted (see attached petition).**

We plan to attend and speak against granting of the proposed variance at the ANC hearing on April 25, and are available for discussions prior to that date if needed.

Very respectfully,

Geoffrey Dow and Christina Werth

1714 Hobart St NW

Liz Dalton & Dan Dalton

1718 Hobart St NW

Jeff Gutman

1712 Hobart St NW

Cynthia Pratt & Larry Rickards

1710 Hobart St NW

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