



March 14, 2018

Meridith Moldenhauer

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Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20010

RE: BZA Case No. 19629 (Tim and Charlotte Lawrence) - Supplemental Statement

Chairperson Hill and Honorable Members of the Board:

On behalf of Tim and Charlotte Lawrence (the "Applicant"), please find enclosed a supplemental statement and revised plans in advance of the continued public hearing of March 21, 2018. In response to community concerns, the Applicant has made further revisions to the project and reduced the size and height of the one-story private parking garage. The Applicant submits the attached supplemental statement to highlight the revised plans and to provide further clarification on the outstanding issues in advance of the continued public hearing. The Applicant will be presenting the revised plans at the ANC 1D meeting of March 20, 2018.

Thank you for your attention to this matter and we look forward to presenting to the Board on March 21, 2018.

Sincerely,

COZEN O'CONNOR

By: Meridith H. Moldenhauer

MHM

LEGAL\34782363\1

Certificate of Service

I certify that on March 14, 2018, a copy of this supplement statement was served, via email, as follows:

District of Columbia Office of Planning
c/o Anne Fothergill, Development Review Specialist
1100 4th Street SW, Suite E650
Washington, DC 20024
anne.fothergill@dc.gov

District Department of Transportation
c/o Anna Chamberlin
55 M Street SE, Suite 400
Washington, DC 20003
Anna.chamberlin@dc.gov

Advisory Neighborhood Commission 1D
c/o Jon Stewart, Chairperson
jonstewart.anc1d01@gmail.com

Advisory Neighborhood Commission 1D
c/o Stuart Karaffa, SMD Commissioner
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Meridith Moldenhauer

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF TIMOTHY
AND CHARLOTTE LAWRENCE**

**1665 (rear) HARVARD ST. NW
ANC 1D**

SUPPLEMENTAL STATEMENT OF THE APPLICANT

I. INTRODUCTION

This Supplemental Statement is submitted on behalf of the Applicant, Timothy and Charlotte Lawrence (the “Applicant”), the owners of the property located at 1665 (rear) Harvard Street NW, Square 2588, Lot 827 (the “Property”), to permit construction of a new, modest, one-story garage on an alley lot in the RF-1 zone (the “Project”).

In response to Board comments, discussions with the Office of Planning (“OP”), and concerns raised by neighbors, the Applicant has substantially reduced the massing of the garage, reduced its height, and shrunk its location on the site to the western portion of the lot as shown in the architectural plans contained in **Exhibit A** (the “Revised Plans”).

For the reasons stated herein, and as will be addressed at the continued hearing, the Project meets the burden of proof for the requested variance and special exception relief.

II. REDUCED ARCHITECTURAL PLANS

The initial application featured a two-story, one-family alley dwelling measuring 20’ in height and with 100% lot occupancy. Subsequently, the Applicant revised the plans and presented to the Board a 460 sq ft., one-story, two-car garage of red brick, which measured 15’ in height along the alley and sloping down to approximately 13’ in height along the rear lot line of the Property.

During the hearing, party status opponents expressed concerns about the bulk and height of the proposed structure. Cynthia Stevens, a party status opponent at 1704 Harvard Street NW stated that the “(garage) would rise more than double” over the height of the existing six-foot fence. Victor Tineo, a party status opponent residing at 1701 Harvard Street NW, stated that “...15 feet seems like a lot.” He further acknowledged that the existing six-foot fence “might have imposed some sort of obstruction to your view, but a six-foot fence is not the same as a 15-foot garage.” Cornish Hitchcock, the attorney acting on behalf of the residents of 1701 Harvard Street NW, stated in response to a question by Chairman Hill that “height [and] massing” was “a fair summary” of the testimony in opposition presented by the party status opponents.

The Applicant has responded to these concerns by revising the plans to dramatically reduce the height and massing of the Project. First, the Revised Plans propose a 12’ roof at the alley, which slopes down to 10’3” abutting Mr. Tineo’s property at 1701 Harvard Street NW. This represents a three foot reduction in height from the original plans presented at the public hearing. Second, the garage structure has been reduced from 460 sq ft. to 266 sq ft. in size. This change creates a structure that measures approximately 12’ in width by 21’ in length and represents an approximate 43% reduction in size.

Additionally, the mass of the garage has been re-located to the western portion of the lot, thereby significantly opening up the angle at the intersection of the pedestrian alley and main alley in the interest of pedestrian safety. Voluntary safety benefits proposed in the prior design can still be incorporated, including motion-activated lights and fisheye mirrors. The remainder of the lot will be covered with pervious pavers. See **Exhibit A**.

Finally, it should be noted that these updates still incorporate a green area in the rear of the lot where screening can be planted¹ to address neighbor concerns about visibility and privacy. As such, the Applicant believes the concerns raised by neighbors in opposition at the public hearing as reflected in the testimony have been addressed.

III. POST-HEARING FOLLOW-UP

Since the public hearing on February 21, 2018, the Applicant has been responsive to the Board's questions about conditions at the Property with regard to yard clippings. The Applicant bagged the debris for collection. Despite the Applicant's efforts to address this matter, the Applicant received a violation notice of pending abatement action for yard waste. *See* Notice and photos at **Exhibit B**.

Further, the Applicant has engaged in outreach efforts with party status neighbors, OP, and Advisory Neighborhood Commission 1D (the "ANC"). On several occasions, the Applicant's counsel has reached out to Mr. Hitchcock, who represents the residents of 1701 Harvard Street NW, to gain feedback regarding the Revised Plans. Though the Applicant has offered to condition and covenant the Project, no reply has yet been received by the neighbors. The Applicant has communicated with OP on the proposed changes and was informed that a supplemental report would be issued prior to the continued hearing date. The Applicant has also shared the Revised Plans with the ANC, and engaged in a dialogue aimed at addressing concerns expressed in the ANC's resolution letter that was presented at the ANC meeting of February 20th, 2018. The Revised Plans will be formally presented to the full ANC on March 20, 2018.

¹ The type and kind of planting can vary based on the least impact on the existing retaining wall while maintaining an increased benefit to neighbors.

IV. SUBDIVISION RELIEF FALLS CLEARLY IN BOARD'S PURVIEW AND VARIANCE RELIEF IS APPROPRIATE

As discussed at length in the Applicant's prehearing statement and at the hearing, subdividing a tax lot into a record lot typically involves a mere procedural and administrative process. Many landowners discover the difference between tax and record lots when applying for building permits. Landowners can purchase, finance, and pay taxes (at the same rate) on a tax lot, without knowing the difference. Therefore, in the case of a street-facing lots, the Zoning Regulations impose no additional hurdles for tax lots.

However, in the case of alley lots, the normal subdivision process is no longer administrative but requires zoning review and compliance with Subtitle C § 303.3. This regulation requires that new alley record lots must front upon a public alley or alley network of at least 24' in width. Additionally, Subtitle C § 303.3 requires the lot contain a minimum of 1,800 sq ft. of land area. Depending on the structure or type of use proposed for a new alley lot, requiring conditions or review seems reasonable. However, imposing limitations on a lot that makes it non-compliant the day the Zoning Regulations take effect and creating a policy that precludes the possibility of gaining support for the variance test is improper, and perhaps unconstitutional.

A. The Board's Authority is Not Limited In this Case and The Area Variance Standard Should Be Applied

The Board is authorized, when it finds the test has been met, to grant area variances. In certain instances, the Zoning Regulations limit the Board's authority to grant a variance. However, there is no such limit in this case. OP's report states, "In the recently adopted zoning regulations, the intent was to allow future development of existing alley record lots even if they were substandard, **but to limit** the creation of new nonconforming record lots. As such, the

regulations require that any new record lot (including new alley lots) meet the requirements for lot size, among other standards (Subtitle C § 302.1).” [emphasis added]

Though the regulations require new record lots to comply with the lot size and alley width limitations, nowhere did the Zoning Commission **limit** the Board’s authority to grant variance relief from the subdivision requirements. In this situation, the Applicant requests the Board approve the relief for subdivision to permit a modest garage on an alley lot. The Applicant has reduced the structure, removed areas of relief, and proffered conditions² to restrict future expansion.

Further, the context of the case is critical. The 1,800 sq ft. minimum lot size is required for habitable dwelling units or other habitable uses. At 557 sq ft., the existing historic alley tax lot provides a sufficient area to construct a modest single-car garage that is situated away from abutting property and the pedestrian alley. Analysis of the variance test and the approval of a new record lot must be viewed in connection with the structure and use proposed.

Established case law asserts that the essential use of the land is directly tied to one’s ability to erect a structure upon it: “It seems unlikely that common-law principles would have prevented the erection of **any** habitable or **productive improvements** on petitioner’s land; they rarely support prohibition of the “essential use” of land...” (David L. Callies, Robert H. Freilich & Thomas E. Roberts, *Cases and Materials on Land Use* (3 ed. 1999), pg. 290) [emphasis added]. The Applicant acknowledges that zoning laws provide restrictions and limitations on land (so that, for example, a tobacco plant is not built next to an elementary school) but also stipulates that common law principals of zoning do not stand for the absolute prevention of any means by which a property may be built upon.

² In communication with opposing counsel, the Applicant has noted its willingness to condition potential approval and covenant against expansion; yet, no response has been received.

OP's prior report states that "the application does not demonstrate how adherence to the regulations would be a practical difficulty to the applicant as the current use as surface parking could continue." The request before the Board is not that of a use variance in which the Applicant would have to prove that no other alternative use is plausible; here, the DC Court of Appeals confirms an area variance is a lower standard. *See Palmer v. District of Columbia Bd. of Zoning Adjustment*, 287 A.2d 535, 540–41 (D.C. 1972) ("[A]rea variances have been allowed on proof of practical difficulties only while use variances require proof of hardship, a somewhat greater burden."). *See Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1170 (D.C. 1990). The Applicant has clearly shown that the property is unique and but for its unique location and historic classification as a tax lot, no structure could be erected on the lot. The absolute prohibition against improving the property with any reasonable structure creates practical difficulty.

An absolute prohibition against alley subdivision relief for new alley tax lots would run afoul of jurisprudence and would be arbitrary. This is especially the case here, as the Applicant has proven that this is not a request to subdivide and create a brand new alley record lot, but rather for a lot that has existed since 1948. Furthermore, the subdivision request does not pertain to the construction of a "McMansion," but rather a modest garage for which the lot size and the alley width create no detriment to the public good or zone plan.

B. The Variance Test is Met Because the Property Faces Exceptional Conditions that Result in Practical Difficulties if the Zoning Regulations are Strictly Applied

In light of the foregoing argument, we submit that the Applicant satisfies the variance standard. The Property exhibits exceptional conditions because the tax lot predated the 1958 Zoning Regulations, and has been owned separately and apart from the street fronting lot since

1948. This longstanding fragmented ownership contributes to the exceptional condition of the Property because it prevents the assemblage of the nonconforming alley lot into the Applicant's principal lot. The Applicant submits that these exceptional conditions create a practical difficulty because a building permit could not be obtained, even to construct a small shed.

OP's position that "the application does not demonstrate how adherence to the regulations would be a practical difficulty to the applicant as the current use as surface parking could continue" applies a use variance standard and is inappropriate. In BZA Case 19479 of 1 Library Court SE, the Office of Planning supported subdivision relief for a non-compliant lot.³ In its report in that case, OP did not submit that the homeowner could "continue using the home" but rather asserted that practical difficulty existed because "a building permit could not be obtained, even for home renovations." Therefore, it is logical and equitable that the Application here results in similar practical difficulty, as without such relief no structure or permit could be obtained for the Property.

Simply put, there is no plausible regulatory path open for the Applicant to have any improved use at the Property without obtaining zoning relief from the subdivision requirements. As such, not granting relief for a new record lot would result in practical difficulty.

C. There is No Substantial Detriment to the Public Good

Given the reduced scope of the Project and the fact that the use will not change, there will be no substantial detriment to the public good introduced by the Project.

OP's report substantiates that the Project would not be detrimental to the public good, stating that "[a]llowing relief from the minimum alley width requirement of the subdivision would not be detrimental to the public good since that requirement is generally related to access to dwelling units by emergency services and not specifically for garages on alleys."

³ A more detailed chart of cases that were highlighted as part of the Applicant's powerpoint presentation is attached at **Exhibit C**. The chart includes OP's justification for practical difficulty in each case.

Furthermore, during the hearing, individuals in opposition raised concerns regarding adverse impacts to the traffic conditions and use of the main alley and pedestrian alley. Despite these statements, the District Department of Transportation (“DDOT”) reviewed the Applicant’s requested relief and found the “proposed action will have no adverse impacts on the travel conditions of the District’s transportation network.” DDOT also acknowledges that the purpose of alleys are to “...provide convenience access points to buildings, **garages**, garbage pick-up, and loading docks.”⁴

Accordingly, the Applicant has met the three prongs of the area variance standard, as demonstrated during the hearing and in the record. It follows that the Board should grant the requested variance relief from the subdivision requirements.

V. **SPECIAL EXCEPTION REQUEST - NO ADVERSE IMPACT ON NEIGHBORING PROPERTY OWNER AND NO DETRIMENT TO PUBLIC GOOD**

As described in detail in the prehearing statement, the Project will be in harmony with the purpose and intent of the Zoning Regulations and related maps. The RF-1 zone permits parking on alley lots as a matter-of-right and by special exception. It is worth noting that the Revised Plans now satisfy all five conditions as set forth in Subtitle U § 600.1(e), including the minimum lot area requirement of 450 sq ft. (Subtitle U § 600.1(e)(2)) and access to an improved public street through an improved alley no less than 15’ wide and located within 300’ of an improved public street. By satisfying the requirements of a more-intensive use within the zone, the Project directly aligns with the intent of the Regulations. Further, rear and side yard relief are in harmony with the general purpose and intent of the Zoning Regulations, and provide a prime

⁴ <https://ddot.dc.gov/alleypalooza>

opportunity for the Applicant to fulfill an important planning goal – namely, constructing a low-impact, in-fill garage upon a vacant alley lot.

Perhaps most importantly, the requested relief will have no undue adverse impact on the use of neighboring property. As detailed above, the Applicant has now revised the plans by dramatically reducing the height and massing. As a result of the reduced size of the Project from 460 to 266 sq ft., the Applicant no longer seeks parking use relief from Subtitle U § 600.1(d)(3)(b) which requires that the building not exceed 450 sq ft.

The Revised Plans propose height along the rear property line with 1701 Harvard Street NW measuring 10'3", or only about three feet higher than a matter-of-right fence. In prior instances, the Board has made it clear that District residents are not entitled to views across another person's property without an expressed easement.⁵

Additionally, based on images provided from neighbors at the public hearing, it appears that views from the sunken patio in the rear yard of 1701 Harvard Street NW will not be tend to be adversely affected by the proposed reduced small garage. See **Exhibit D**. This is particularly the case since the width of the structure has been reduced from approximately 20' to only 10', or a 43% reduction, and is now situated on the western side of the lot. In addition to reducing the degree of alley centerline setback relief along the alley, this reduction will allow a great deal of light and free flow of air to pass along the eastern portion of the Property into the neighbor's rear yard. The installation of pervious pavers is proposed for the remainder of the Property, thereby greatly minimizing the risk of runoff to the rear yard of 1701 Harvard Street NW.

The Project's parking use is identical to its current use as a parking pad. The construction

⁵ See BZA Order No. 18787, a case granting an applicant's variance request for an 8-unit development over the objections of nearby neighbors that the development would impact their views, light and air. In this case, the BZA found, "the project will not impermissibly impact the homes at 2216, 2218, and 2220 Flagler Place by blocking sunlight and existing views" and that "a property owner is not entitled to a view across another person's property without an express easement", citing to DC Court of Appeals case *Hefazi v. Stiglitz* (862 A.2d 901, 911 (D.C. 2004)).

of a small, brick garage is an entirely practical use of a lot abutting an alley and will not cause detriment to the public good.

In short, the Applicant believes the Revised Plans address neighbors' concerns relating to safety, privacy, and noise. Accordingly, the Application satisfies the requirements for special exception relief.

VI. CONCLUSION

For all of the reasons stated above, the Project meets the applicable standards for variance and special exception relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

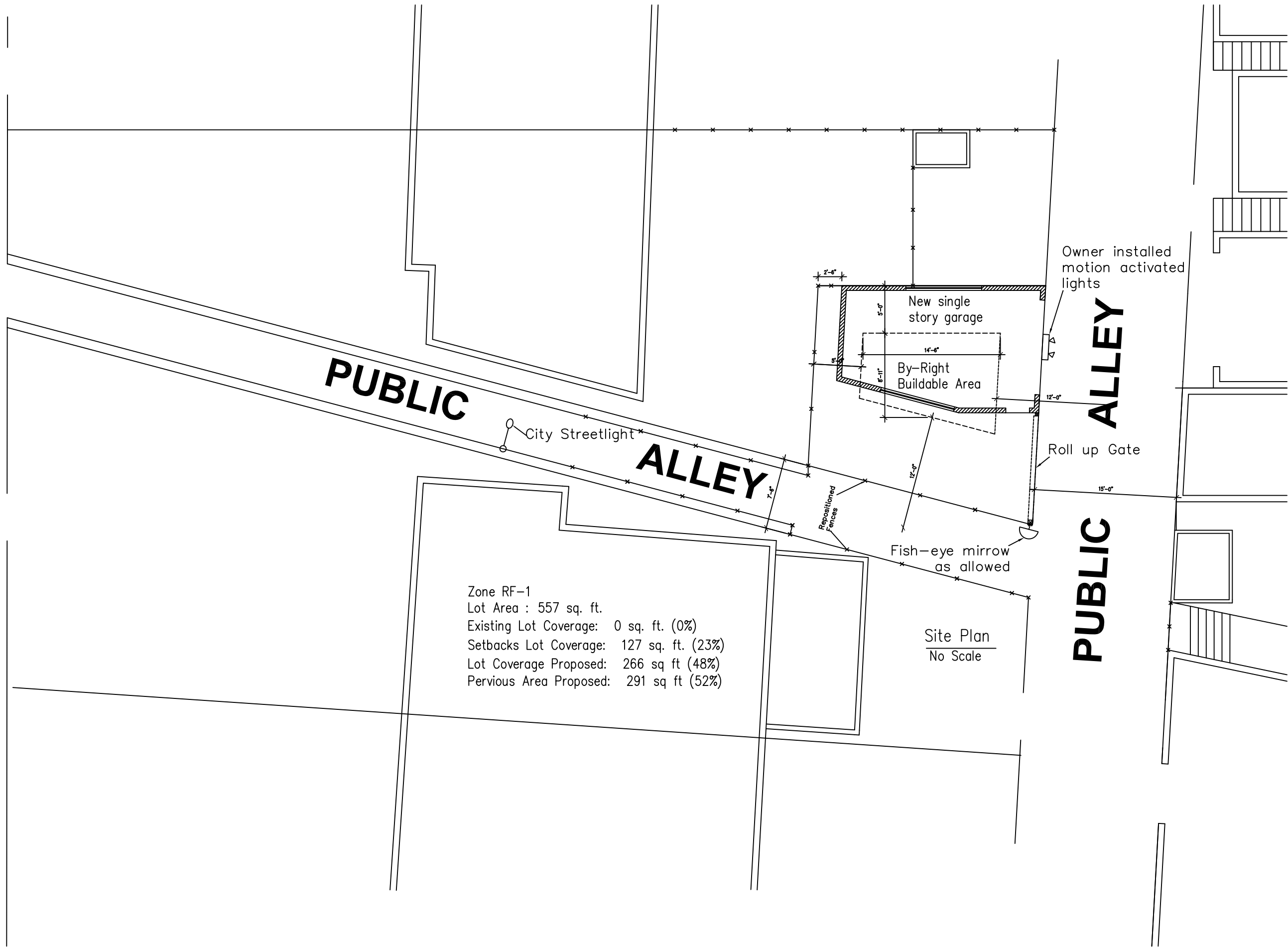
Respectfully Submitted,
Cozen O'Connor

A handwritten signature in blue ink, appearing to read 'M. Moldenhauer', is written over a light blue horizontal line.

Meridith H. Moldenhauer
1200 19th Street NW
Washington, DC 20036

EXHIBIT A

HARVARD STREET



Zone RF-1
 Lot Area : 557 sq. ft.
 Existing Lot Coverage: 0 sq. ft. (0%)
 Setbacks Lot Coverage: 127 sq. ft. (23%)
 Lot Coverage Proposed: 266 sq ft (48%)
 Pervious Area Proposed: 291 sq ft (52%)

Site Plan
 No Scale

No.	Revision/Issue	Date
1	Comments	10/13
2	Garage revision	011318
3	Garage revision	020718
5	Garage hght	030918

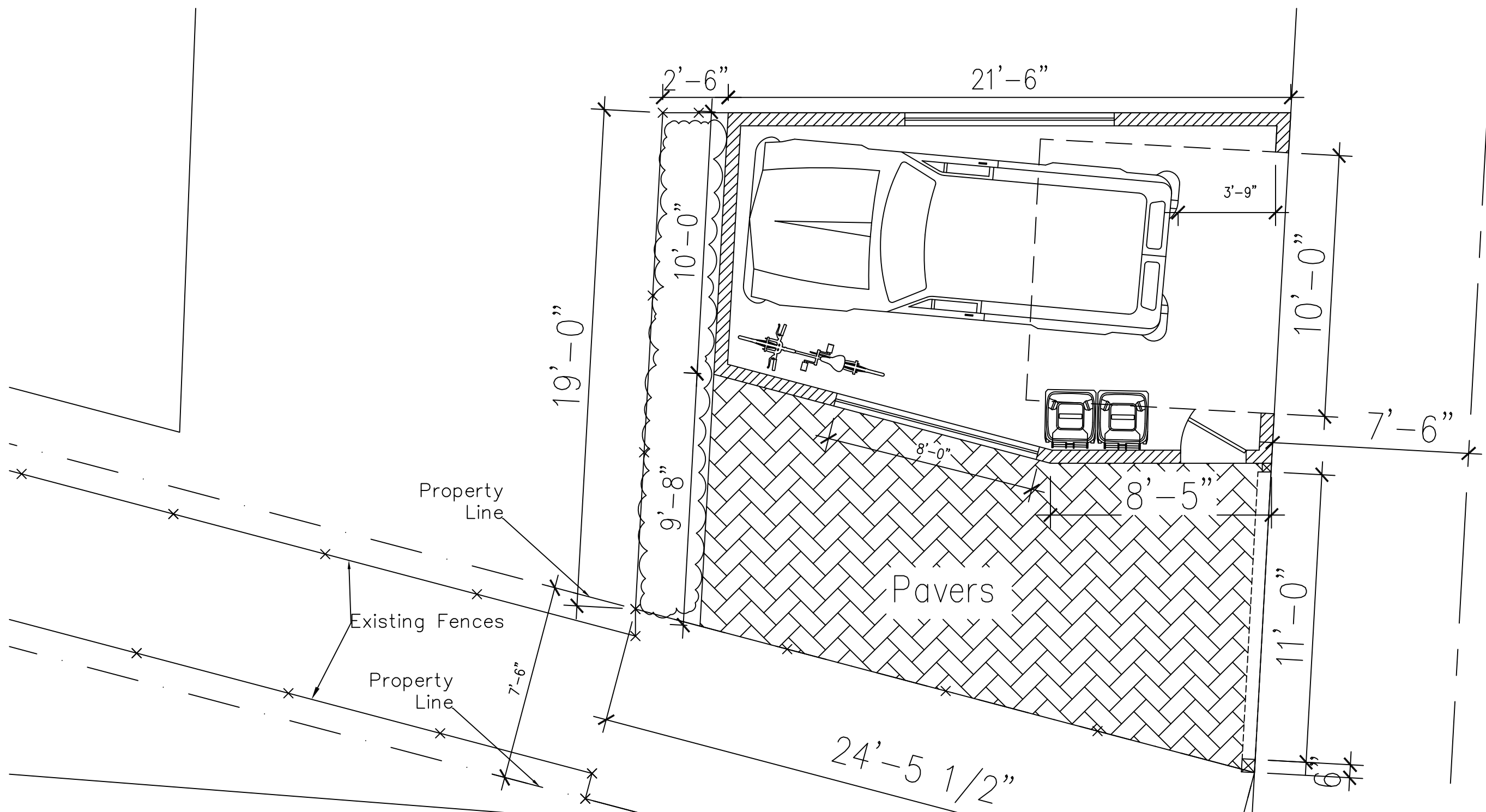
1665 Harvard St NW - Rear
 Site Plan

Sq. 2588
 Lot 827

Inner City Development, LLC
 1516 12th St NW
 WDC 20005

Ms. Charlotte Lawrence
 Mr. Timothy Lawrence
 1665 Harvard St NW
 Washington, DC 20009

Project 1708	Sheet C20
Date August 28, 2017	
Scale 1/4" = 1'-0"	



No.	Revision/Issue	Date
1	Comments	10/13
2	Garage revision	011318
3	Garage revision	020718
4	Garage revision	022018
5	Garage hght	030918

sq. 2588
 Lot 827
 1665 Harvard St NW - Rear
Single Car Garage Plan

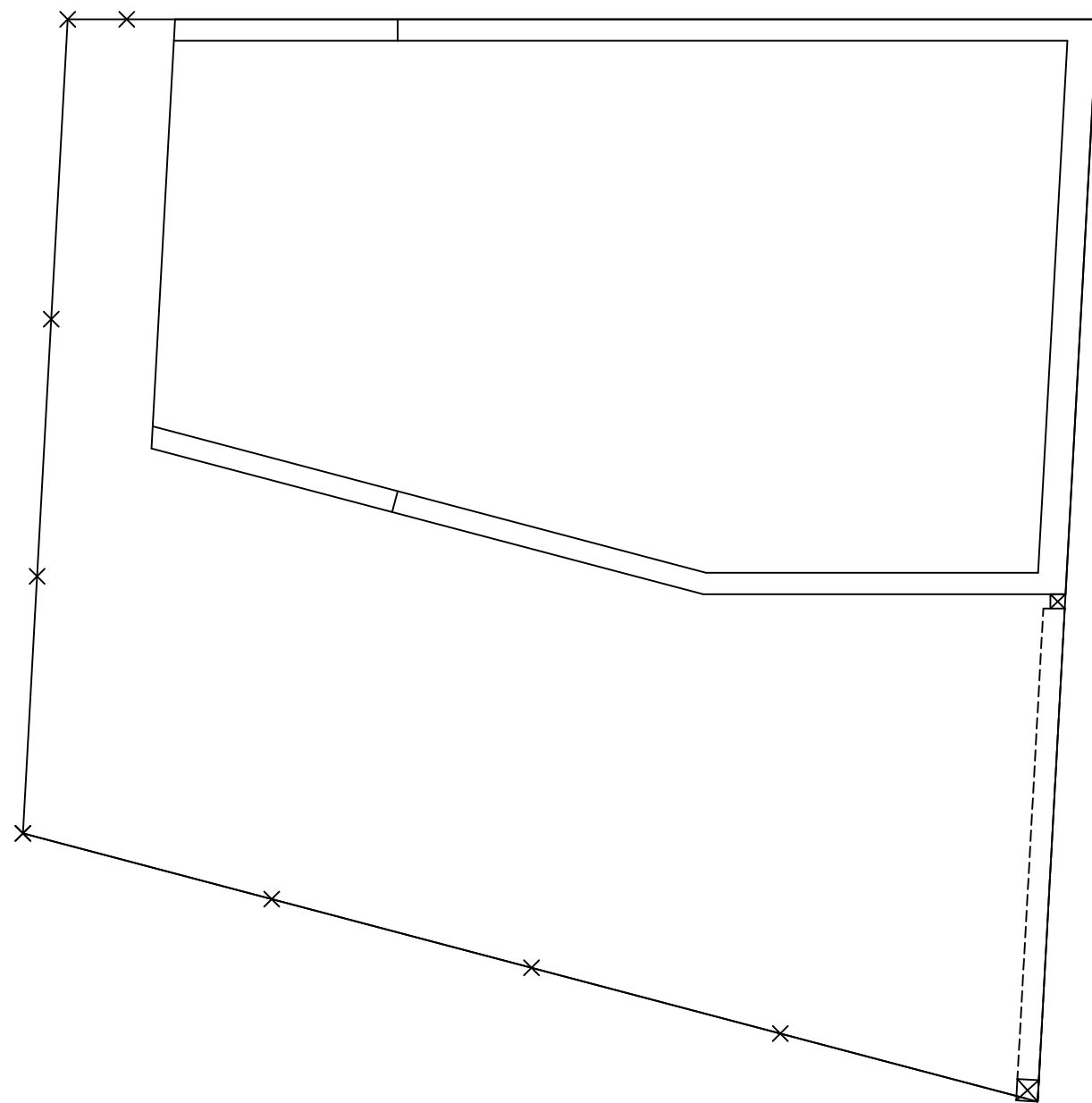
Inner City
 Development, LLC
 1516 12th St NW
 WDC 20005

Ms. Charlotte Lawrence
 Mr. Timothy Lawrence
 1665 Harvard St NW
 Washington, DC 20009

Project: 1708
 Date: August 28, 2017
 Sheet: A-21
 Scale: 1/4" = 1'-0"

Lot Area : 557 sq. ft.
 Existing Lot Coverage: 0 sq. ft. (0%)
 Lot Coverage Proposed: 266 sq ft (48%)
 Zone RF-1

Floor Plan
 Scale: 1/4" = 1'-0"



Roof Plan

Scale: 1/4" = 1'-0"

No.	Revision/Issue	Date
1	Comments	10/13
2	Garage revision	0113/8
3	Garage revision	0207/8
4	1 Car Garage	0219/8
5	Garage hght	0309/8

Sq. 2588
 Lot 827
 1665 Harvard St NW - Rear

File Name and Address

Inner City
 Development, LLC
 1516 12th St NW
 WDC 20005

Project Name and Address

Ms. Charlotte Lawrence
 Mr. Timothy Lawrence
 1665 Harvard St NW
 Washington, DC 20009

Project

1708

Date

August 28, 2017

Scale

1/4" = 1'-0"

Sheet

A-2

No.	Revision/Issue	Date
1	Comments	10/13
2	Garage revision	011318
3	Garage revision	020718
4	1 Car Garage	021918
5	Garage hght	030918

Sq. 2588
Lot 827

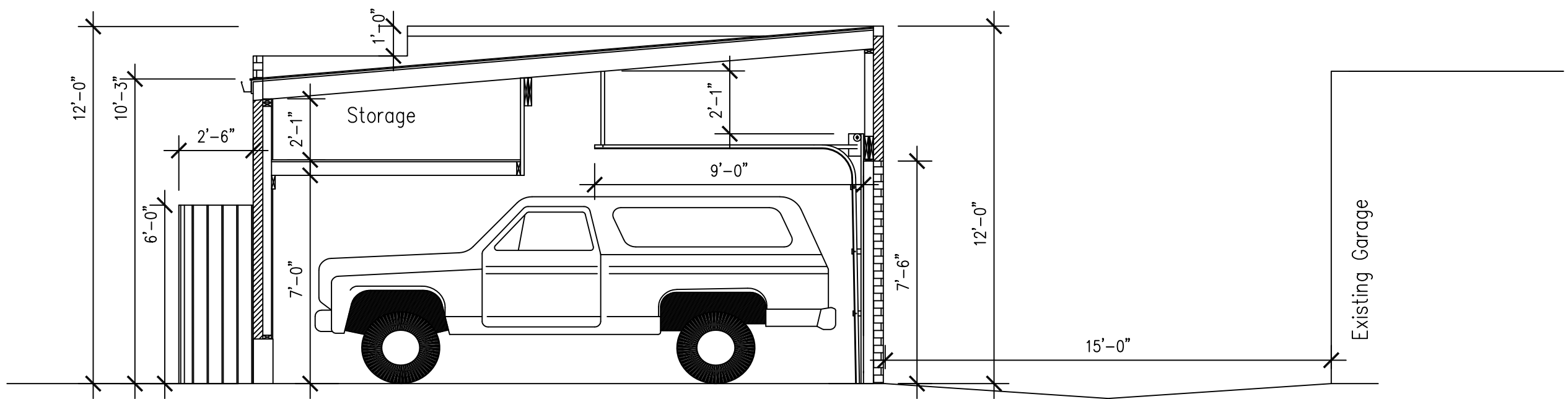
1665 Harvard St NW - Rear

Section

Inner City
Development, LLC
1516 12th St NW
WDC 20005

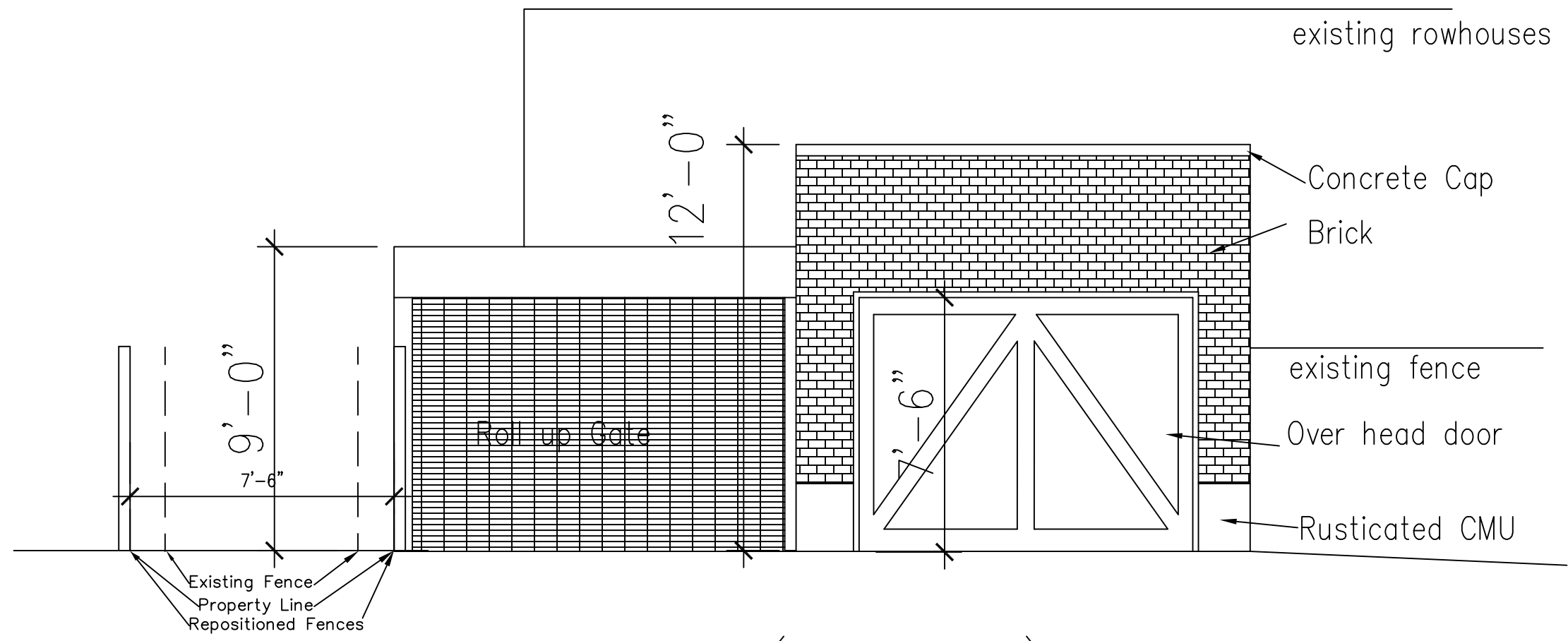
Ms. Charlotte Lawrence
Mr. Timothy Lawrence
1665 Harvard St NW
Washington, DC 20009

Project 1708	Sheet A-23
Date August 28, 2017	
Scale 1/4" = 1'-0"	



Section A-A
Scale: 1/4" = 1'-0"

No.	Revision/Issue	Date
1	Comments	10/13
2	Garage revision	0113/8
3	Garage revision	0207/8
4	1 Car Garage	0219/8
5	Garage hght	0309/8



Alley (North) Elevation

Scale: 1/4" = 1'-0"

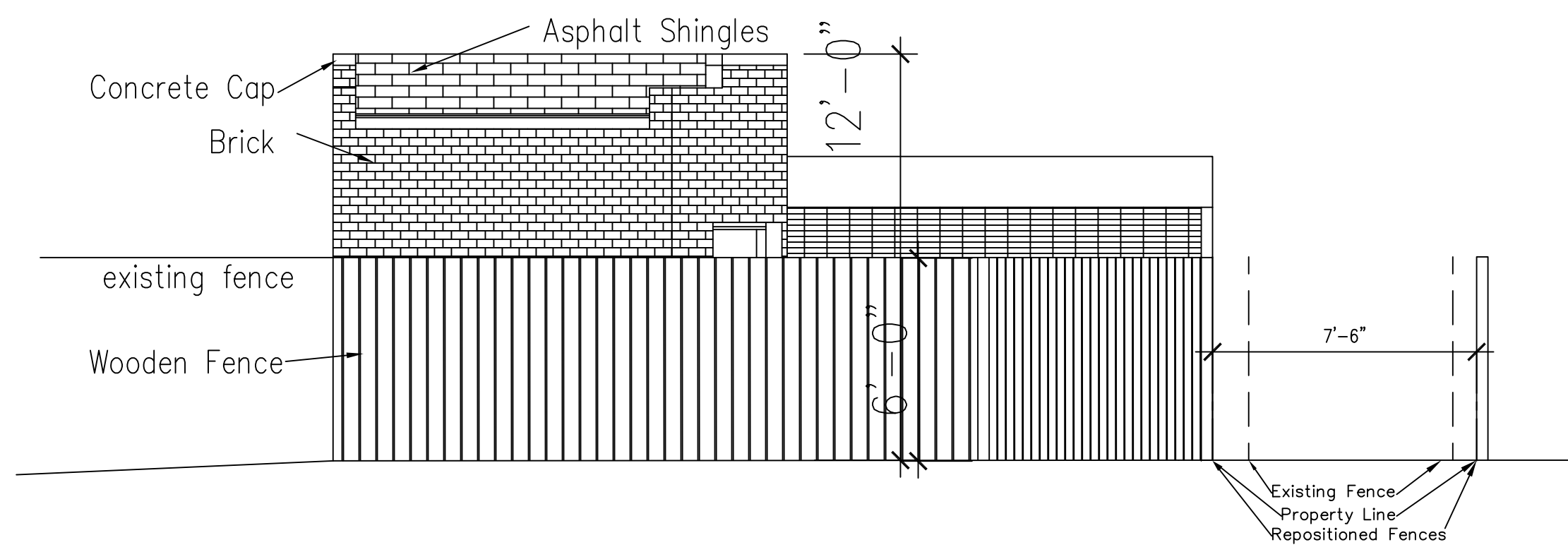
Sq. 2588
 Lot 827
 1665 Harvard St NW – Rear
 Alley (North) Elevation

Inner City Development, LLC
 1516 12th St NW
 WDC 20005

Ms. Charlotte Lawrence
 Mr. Timothy Lawrence
 1665 Harvard St NW
 Washington, DC 20009

Project: 1708
 Date: August 28, 2017
 Sheet: A-24
 Scale: 1/4" = 1'-0"

No.	Revision/Issue	Date
1	Comments	10/13
2	Garage revision	0113/8
3	Garage revision	0207/8
4	1 Car Garage	0219/8
5	Garage hght	0309/18



South Elevation

Scale: 1/4" = 1'-0"

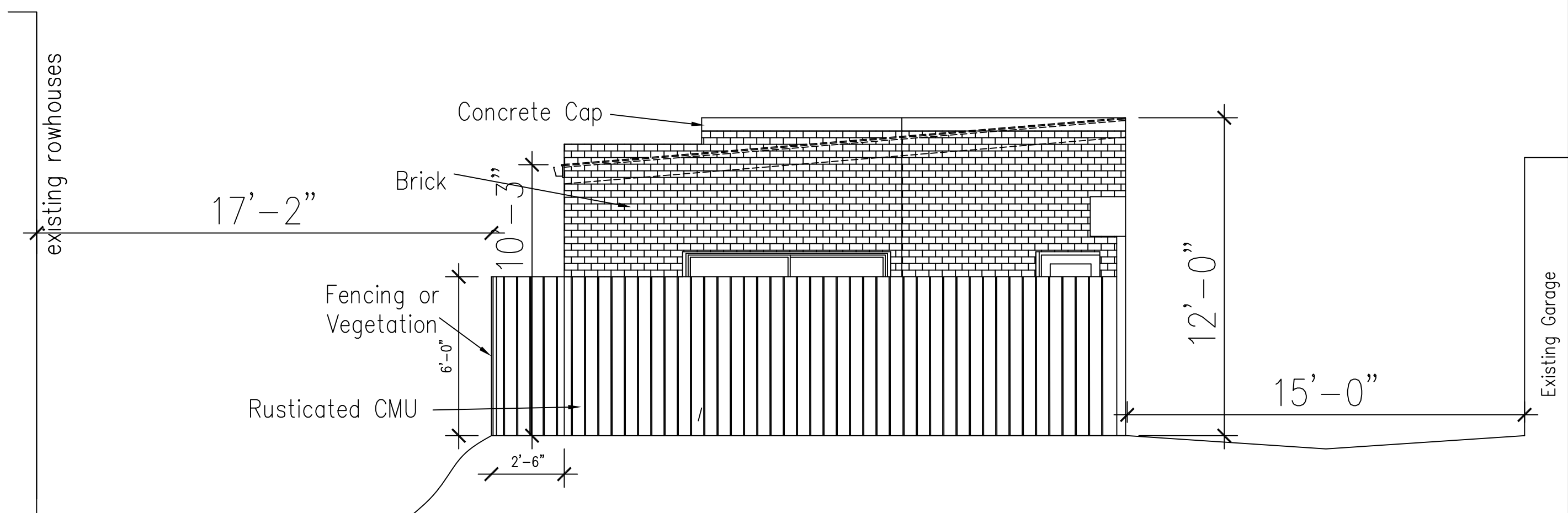
Sq. 2588
 Lot 827
 1665 Harvard St NW – Rear
 South Elevation

Inner City Development, LLC
 1516 12th St NW
 WDC 20005

Ms. Charlotte Lawrence
 Mr. Timothy Lawrence
 1665 Harvard St NW
 Washington, DC 20009

Project 1708	Sheet A-25
Date August 28, 2017	
Scale 1/4" = 1'-0"	

No.	Revision/Issue	Date
1	Comments	10/13
2	Garage revision	0113/8
3	Garage revision	0207/8
4	1 Car Garage	0219/8
5	Garage hght	0309/18



East Elevation

Scale: 1/4" = 1'-0"

Sq. 2588
Lot 827

1665 Harvard St NW - Rear

East Elevation

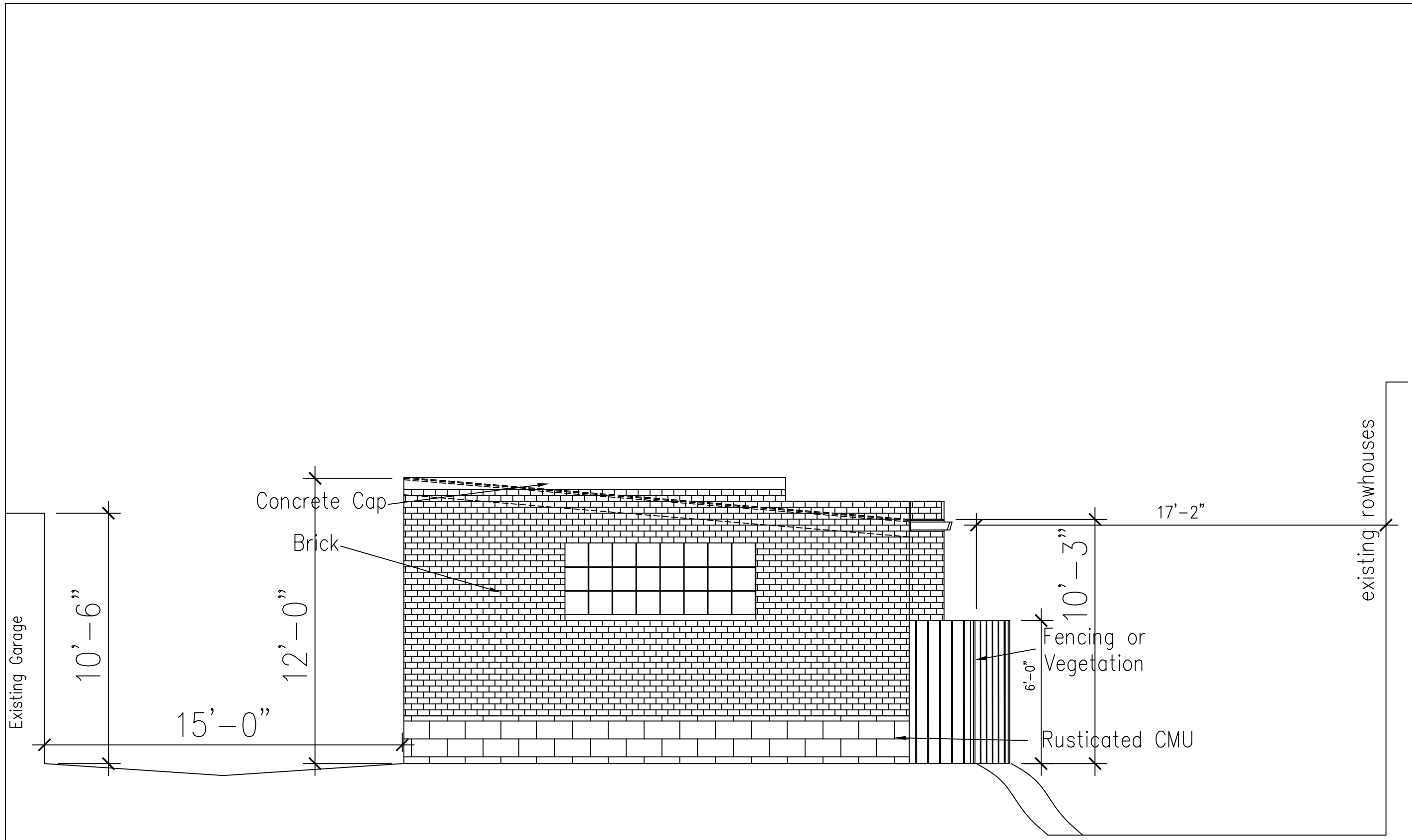
Inner City Development, LLC
1516 12th St NW
WDC 20005

Ms. Charlotte Lawrence
Mr. Timothy Lawrence
1665 Harvard St NW
Washington, DC 20009

Project: 1708
Date: August 28, 2017
Scale: 1/4" = 1'-0"

Sheet: A-26

No.	Revision/Issue	Date
1	Comments	10/13
2	Garage revision	011318
3	Garage revision	020718
4	1 Car Garage	021918
5	Garage hght	030918



Sq. 2588
 Lot 827
 1665 Harvard St NW – Rear
 West Elevation

Inner City Development, LLC
 1516 12th St NW
 WDC 20005

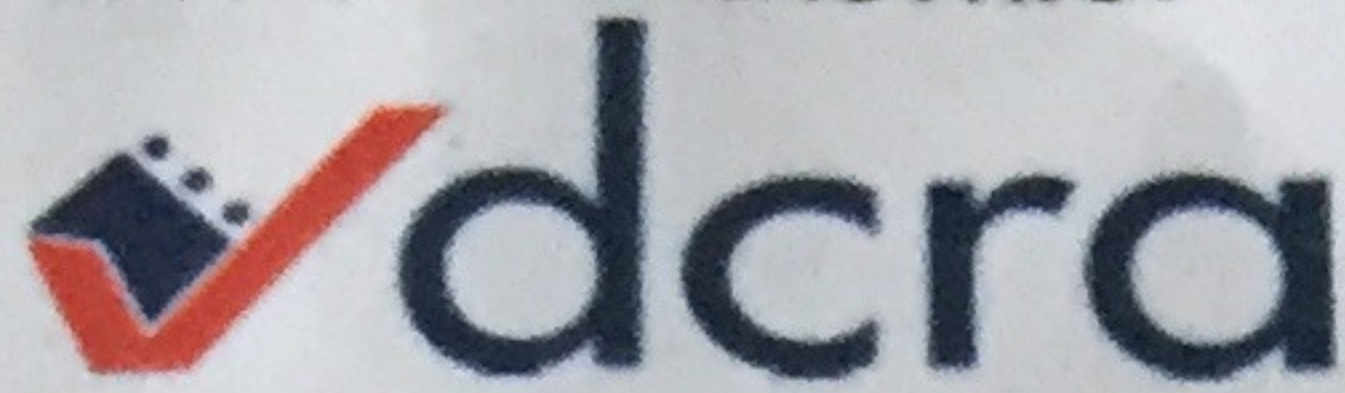
Ms. Charlotte Lawrence
 Mr. Timothy Lawrence
 1665 Harvard St NW
 Washington, DC 20009

Project: 1708
 Date: August 28, 2017
 Sheet: A-27
 Scale: 1/4" = 1'-0"

West Elevation

Scale: 1/4" = 1'-0"

EXHIBIT B



DIVISION OF ENFORCEMENT AND LEGISLATIVE AFFAIRS

NOTICE OF PENDING ABATEMENT ACTIONAddress: 1665 Harvard St
SSL: 2591 1098
Control No.: CTB1800069

The property identified above was re-inspected on 3.7.18 and found to be in violation of District of Columbia Municipal Regulations Title 14, Section 800. It has been referred for abatement pursuant to DC Official Code 42-3131.

You are hereby notified that DCRA intends to correct the conditions previously cited and pass the cost of correction on to you in the form of a tax lien against your property.

If you notify DCRA that you have corrected the conditions after the time prescribed by the Notice of Violation but before DCRA's Grass/Trash Abatement Team visits the property to correct the violation(s), you will not be subject to an administrative fee. However, if you correct the violation(s) and fail to notify DCRA of the correction, you will be assessed a \$175 administrative fee.

Failure to pay the cost of abatement can result in your property being sold at a property tax sale conducted by the Office of Tax Revenue.

Further, if you fail to maintain your property in accordance with DCMR 14 Section 800 during the growing season (May 1 – October 31), you may be subject to additional abatement activities without prior notification and be responsible for all associated costs.

Should you have any questions regarding this Notice, please contact Vacant Building Enforcement at (202) 442-4332 or by email at vacantbuildings@dc.gov.

1100 4th Street SW, 5th Floor,
Washington DC 20024



Debris removed from site - Photo taken March 8, 2018

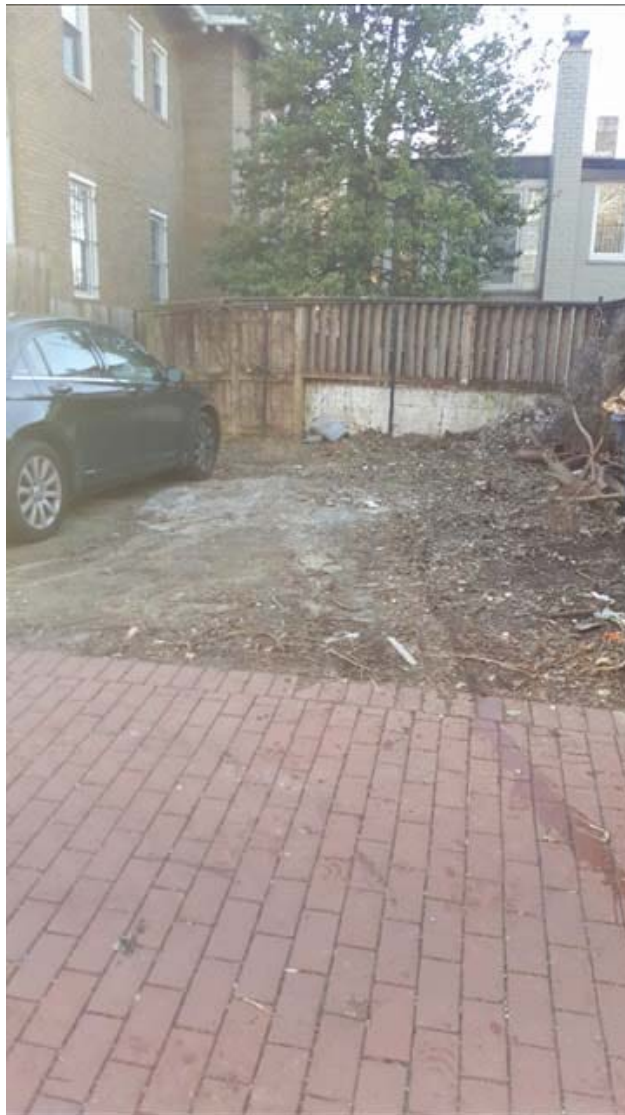


EXHIBIT C

<u>BZA Number</u>	<u>Property Address</u>	<u>Tax Lot Number</u>	<u>OP Support</u>	<u>OP Justification</u>	<u>Board Decision</u>
19479	1 Library Court SE	826	Lot area and width	<ul style="list-style-type: none"> • Predating Zoning Regulations • No options to acquire property/assemble lots* 	Approved
19051	1609 Levis Street NE	804	Lot area and width	<ul style="list-style-type: none"> • Predating Zoning Regulations • No options to acquire property/assemble lots* 	Approved
18355	1400 3rd Street NW	804	Lot area and width	<ul style="list-style-type: none"> • Predating Zoning Regulations • No options to acquire property/assemble lots* 	Approved
18342	2425 Franklin Street NE	821	Lot area and width	<ul style="list-style-type: none"> • No options to acquire property/assemble lots* 	Approved
17989	4615 42nd Street Rear NW	816	Lot area and width	<ul style="list-style-type: none"> • No options to acquire property/assemble lots* • No ability to obtain building permit, based on direction from Zoning Administrator 	Approved

*Lack of common ownership with adjacent lots, or adjacent lots not available for purchase

EXHIBIT D

17 ft-6 in

from Property Line to House

Top of Their
Current Fence

6 feet

Proposed
Level of
Garage Floor

1701
Rear Patio

3ft-6-in

Level of
Patio Floor

