



BURDEN OF PROOF STATEMENT

The property 1800 5TH Street NW, Washington, DC 20001, **Lot 0046, and Square 0475**, is zoned **RF-1** and is a 2 Story and Basement Multi Family Property type. The property consists of one (1) Lot 57' W x 25' D, totaling 1,425 S/F

The Applicant proposes to improve the property with interior renovations of the two stories and basement four (4) unit apartment building, and the addition of two (2) units in the basement to increase the building occupancy to six (6) units at the proposed site. The proposed two (2) basement units would increase the usable living space, and accommodate two (2) additional families.

The following is a narrative of the response to the zoning regulations:

Subtitle X-1002.1 (a)):

- A. The property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition.*

The building was built in 1913 as a rooming house and remodeled in 1941 into a six-unit apartment building. The building's configuration is designed to accommodate the proposed use, as the basement units have direct ingress and egress to the front of the building. The building is land locked as a corner lot with just a small open court area in the rear, that is below grade to the adjoining rear property preventing any opportunity for expansion or any other use, except as it's intended use an apartment building.

- B. The owner would encounter practical difficulties if the zoning regulations were strictly applied or exceptional and undue hardship.*

The owner is currently experiencing exceptional and undue hardship. The building has been put in a Blighted/Vacant building status, which we are currently appealing do to the fact that the renovation is on hold until a decision by the BZA to allow the addition of the basement unit can be approved. Building permits have been issued for the upper units and work has been underway but had to stop until the tie in of the complete building systems (Fire Sprinkler System, Fire Alarm System, Plumbing, Mechanical, i.e.) in which the basement units need to be a part of the process to have a complete building. The bank is withholding the renovation funding until such time, and the appraisal and financing is based on a six (6) unit building. If the basement units are not approved, it will become a partially completed building and the bank will withdraw the funding. The owner is currently paying interest on the funding during this process.

- C. The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zoning plan as embodied in the Zoning Regulations and Map.*

The Applicant is requesting relief of this requirement with the approval of this Variance, for the two (2) unit addition in the basement of the existing four (4) unit multi family dwelling, increasing the total dwelling units to six (6). The existing and proposed building is in harmony with the existing buildings and will not adversely affect the present character or future of the neighborhood.

The Applicant is attempting to utilize the flexibility inherent in the Zoning Regulation to achieve the most efficient, attractive, and economical building design that creative approaches may yield. These optional approaches are intended to provide additional opportunities for creative design.

Furthermore, pursuant to District of Columbia Zoning Regulations the proposed use will not substantially impair the integrity of any validly approved Zoning Regulation or functional Zoning Map. And that the proposed use will not adversely impact on the light, air, privacy of the neighboring properties of the proposed two basement unit addition, which is an interior addition with no exterior impact to the building. The proposed unit addition will have no effect on the health, safety, or welfare of residents or workers in the area. Also, the proposed unit addition will not be detrimental to the use or development of adjacent properties or the general neighborhood; and the proposed plan is in conformance with the current use in the general ward & ANC area.

If you require any further clarification or have any questions regarding the application, we are available at any time to discuss with you.

Regards,

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