



May 9, 2018

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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. 19736 – 1928 15th Street SE
Applicant's Supplemental Statement**

Chairperson Hill and Honorable Members of the Board:

On behalf of the Applicant, Mi Casa Inc. (the "Applicant"), please find enclosed a Supplemental Statement for the above-referenced case, which is attached at Tab A. The Applicant's case was originally scheduled to be heard by the Board on April 18, 2018, but, in conjunction with ANC 8A, the Applicant requested a postponement of the hearing date (Ex Nos. 40, 42). The Board granted the postponement request and rescheduled the hearing for May 30, 2018.

In the intervening time, the Applicant has worked with ANC 8A and the community members to resolve certain outstanding issues. As a result of these discussions, the Applicant has proposed minor revisions to the architectural plans. Based on the revisions, the Applicant has amended the zoning relief requested as part of this application, which will be detailed in the Supplemental Statement. Accordingly, the Applicant has attached an updated Form 135 at Tab B.

Thank you for your attention to this matter and we look forward to presenting to the Board on May 30, 2018.

Sincerely,

COZEN O'CONNOR

Alyssa L. Bigley

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of May, 2018, a copy of the foregoing Supplemental Statement with attachments was served, via electronic mail, on the following:

District of Columbia Office of Planning
c/o Elise Vitale
1100 4th Street SW, Suite E650
Washington, DC 20024
Elise.Vitale@dc.gov

Advisory Neighborhood Commission 8A
c/o Troy Donte Prestwood, Chairperson
2317 16th Street SE, Unit 101
Washington, DC 20020
8A04@anc.dc.gov

Advisory Neighborhood Commission 8A
c/o Travon Hawkins, SMD Commissioner
1917 16th Street SE
Washington, DC 20020
8A05@anc.dc.gov



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Tab A

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

**APPLICATION OF
MI CASA INC.**

**BZA CASE NO. 19736
HEARING DATE: MAY 30, 2018**

APPLICANT’S SUPPLEMENTAL STATEMENT

I. ANC SUPPORT AND RESOLUTION WITH NEIGHBOR

Since requesting a postponement of the application hearing date, the Applicant Mi Casa Inc. (the “Applicant”) has continued to work with ANC 8A as well as the owner of the abutting property, Dorcas Agyei. On April 16, 2018, the Applicant presented to ANC 8A’s Executive Committee. On May 1, 2018, the Applicant presented to the full ANC 8A, including the revised plans detailed below, and the ANC voted unanimously to support this application and both areas of relief.

Further, the Applicant has worked extensively with Ms. Agyei in an attempt to resolve her outstanding concerns regarding the Applicant’s proposed single-family home (the “Project”) at 1928 15th Street NE (the “Property”). As part of a resolution, the Applicant has proposed to move the northern-facing wall of the Project four inches south of the property line that is shared with Ms. Agyei’s property. The goal of this revision is to provide Ms. Agyei with additional space between the Project and her home as well as to increase light and air. The Applicant has also offered to provide Ms. Agyei with an easement over the rear of the Property so that Ms. Agyei has an additional access point to her home.

II. REVISED ARCHITECTURAL PLANS AND UPDATED RELIEF

Accordingly, the Applicant has made minor revisions to the Project design (the “Revised Plans”). A copy of the Revised Plans are attached at Exhibit A. Specifically, the northern-facing wall of the Project is now four inches removed from the north Property line. *See* Exhibit A. This revision creates a 4-inch side yard on the northern side of the Project. In order to maintain the

Project's internal layout, the Project's southern facing side yard has been reduced from 8'4" to 8'.¹ See Exhibit A. The Revised Plans do not alter the external dimensions of the Project, and the Project continues to meet the zoning development standards for the R-3 zone except for the requested relief for lot dimensions and the non-compliant northern side yard.

Under Subtitle D § 307.4, a single dwelling unit in the R-3 zone that does not share a common division wall with an existing building must have a side yard. Previously, the Project did not have a northern side yard and, as such, required relief under Subtitle D § 307.4. Now, the Project has a nonconforming northern side yard of four inches. Consequently, the side yard relief from Subtitle D § 307.4 is no longer necessary, and the Applicant has revised the relief requested to add variance relief from Subtitle D § 307.2 and remove the variance relief from Subtitle D § 307.4.

Additionally, the Applicant previously requested lot dimension relief for a semi-detached home under Subtitle D § 302.1. As a result of the four-inch side yard, the Property would be treated as a detached single-family home. Therefore, under the Revised Plans, the lot area requirement would increase from 3,000 square feet to 4,000 square feet, and the required lot width would increase from 30 feet to 40 feet. While the relief from Subtitle D § 302.1 remains, the degree of relief has increased due to the Revised Plans.

III. THE APPLICANT MEETS BURDEN FOR VARIANCE RELIEF

The Applicant has shown in its previous filings that the Project satisfies the burden for variance relief from the free-standing side yard requirement of Subtitle D § 307.4 as well as for lot dimension relief for a semi-detached home under Subtitle D § 302.1. See Initial Application at Ex. No. 9; see Prehearing Statement at Ex. No. 34. Importantly, the same factors outlined by the

¹ The southern facing side yard meets the required 8' set forth under Subtitle D §§ 307.1 and 307.2.

Applicant can be applied to the updated side yard relief (Subtitle D § 307.2) and the lot dimension relief (Subtitle D § 302.1).

The Property is characterized by an exceptional situation or condition arising from a confluence of three factors, including that the Property is an unimproved corner lot with an abutting neighboring side yard, the Property is located in the Anacostia Historic District, and the Project is subject to the Applicant's particular programmatic needs to provide attainable single-family homes in the Anacostia neighborhood.

Further, strict application of the Zoning Regulations with respect to the side yard and lot dimension requirements would result in a practical difficulty to the Applicant. As detailed in the Applicant's prior filings, the Property is an unimproved corner lot with only one abutting property. Further, the abutting property has its own side yard, which means the Applicant cannot construct an attached structure at the Property and, therefore, cannot meet the lot dimension requirements in the R-3 zone. The Applicant also does not have an ability to enlarge the lot to meet the minimum lot area or lot width for a detached home. Additionally, the Property is only 28 feet wide, and if the Applicant were required to provide compliant, eight-foot side yards on both sides of the Project, the resulting structure would be extremely narrow at only 12 feet wide. A single-family home that is 12 feet in width would result in difficulties to the Applicant in satisfying certain Building Code requirements, including, but not limited to, stairwell widths for new construction. Finally, the Applicant would face practical difficulties with strict compliance of the side yard and lot dimension requirements due to the Property's location in the Anacostia Historic District because the Project's design would not meet the historic preservation requirements. Therefore, the practical difficulties in complying with the side yard and lot dimension requirements are directly related to the unique confluence of factors impacting the Property.

Finally, the nonconforming side yard and lot dimension relief will not be of substantial detriment to the public good nor substantially impair the intent, purpose, and integrity of the zone plan. In addition to the factors set forth in the Initial Application and the Prehearing Statement, the Revised Plans are the direct result of the Applicant's community outreach and discussions with Ms. Agyei, the abutting property owner. The Applicant has proposed to add the four-inch side yard in response to concerns from Ms. Agyei. As such, the Revised Plans will not only provide Ms. Agyei with additional space to access the rear of her property, but the additional four inches will increase light and air available to Ms. Agyei's home. It follows that the Project will not be of substantial detriment to the public good and will not impair the zone plan.

IV. CONCLUSION

For the reasons stated above, enumerated in the Applicant's prior filings, as well as discussed at the Board's hearing, the Applicant submits that the application meets the requirements for area variance relief from the lot dimension and side yard requirements. Accordingly, the Applicant respectfully requests that the Board approve the application at the hearing scheduled for May 30, 2018.

Respectfully submitted,

COZEN O'CONNOR



Alyssa L. Bigley

Exhibit A

Wiebenson & Dorman Architects PC

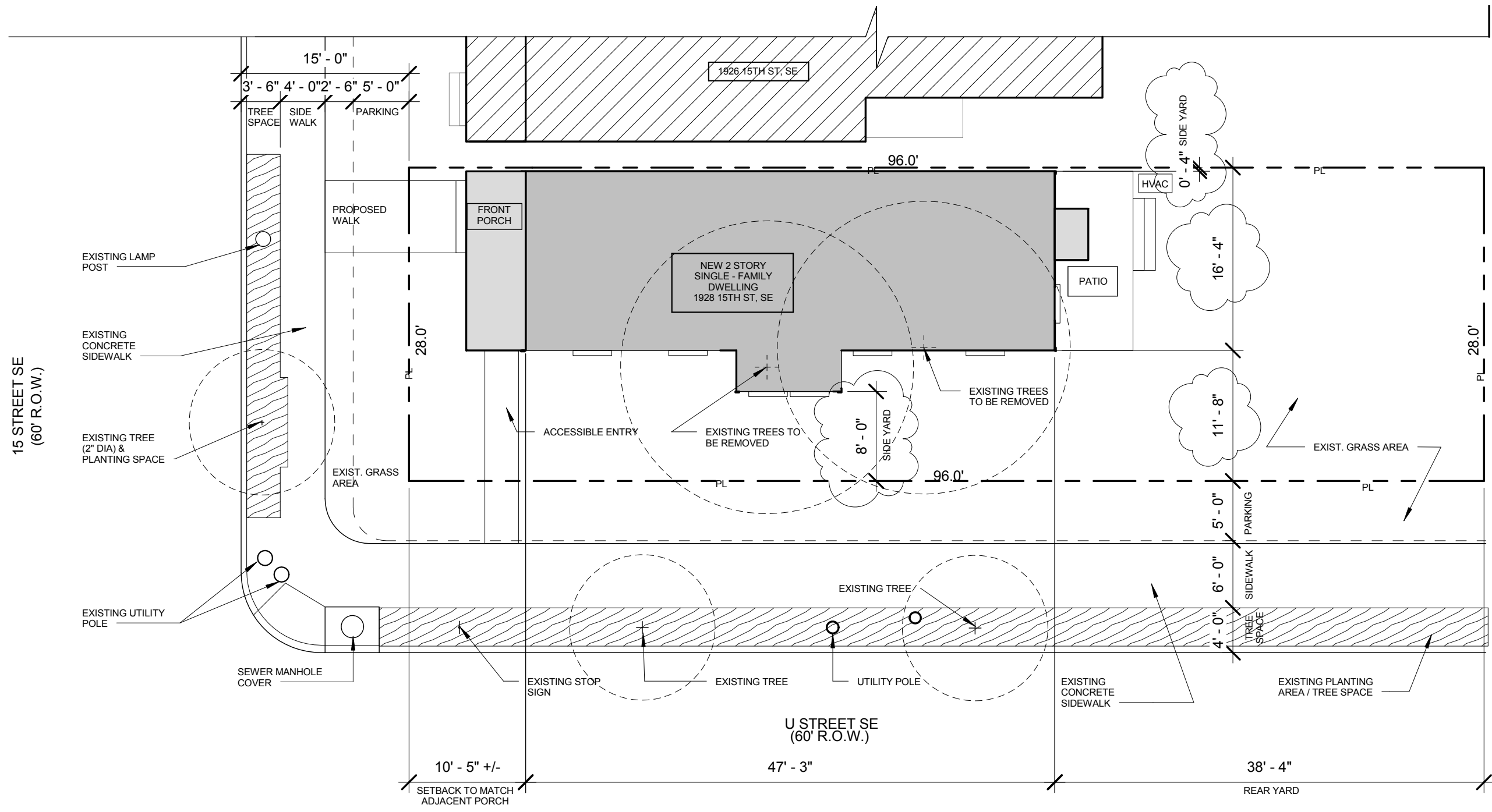
1928 15th Street SE

Site Plan

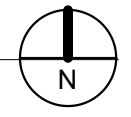
Date	Description
9.19.2017	HPRB CONCEPT
10.26.2017	(HPRB MTG)
05.08.2018	BZA REVISED SITE

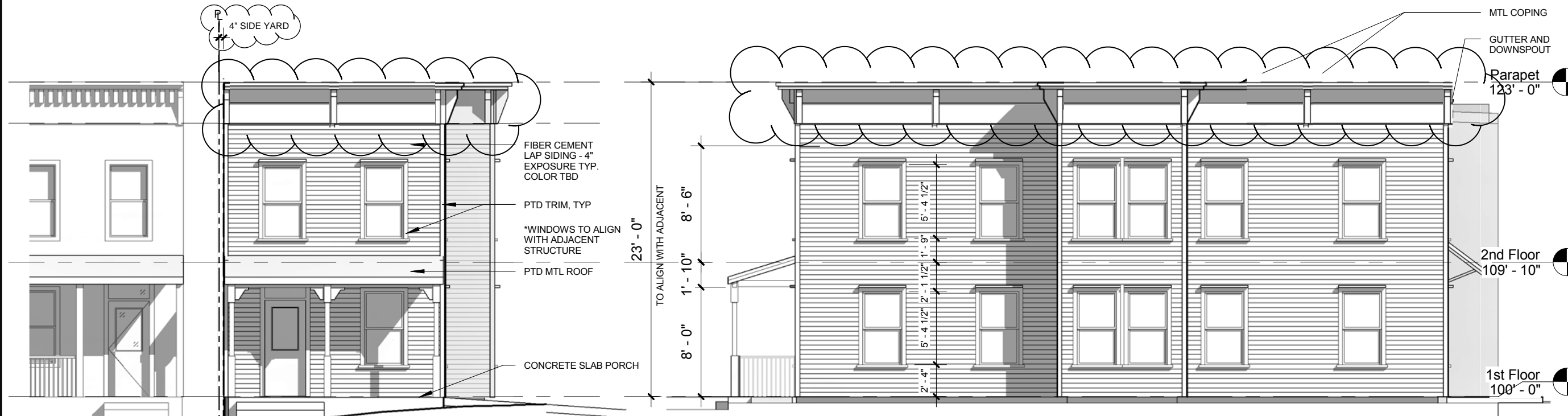


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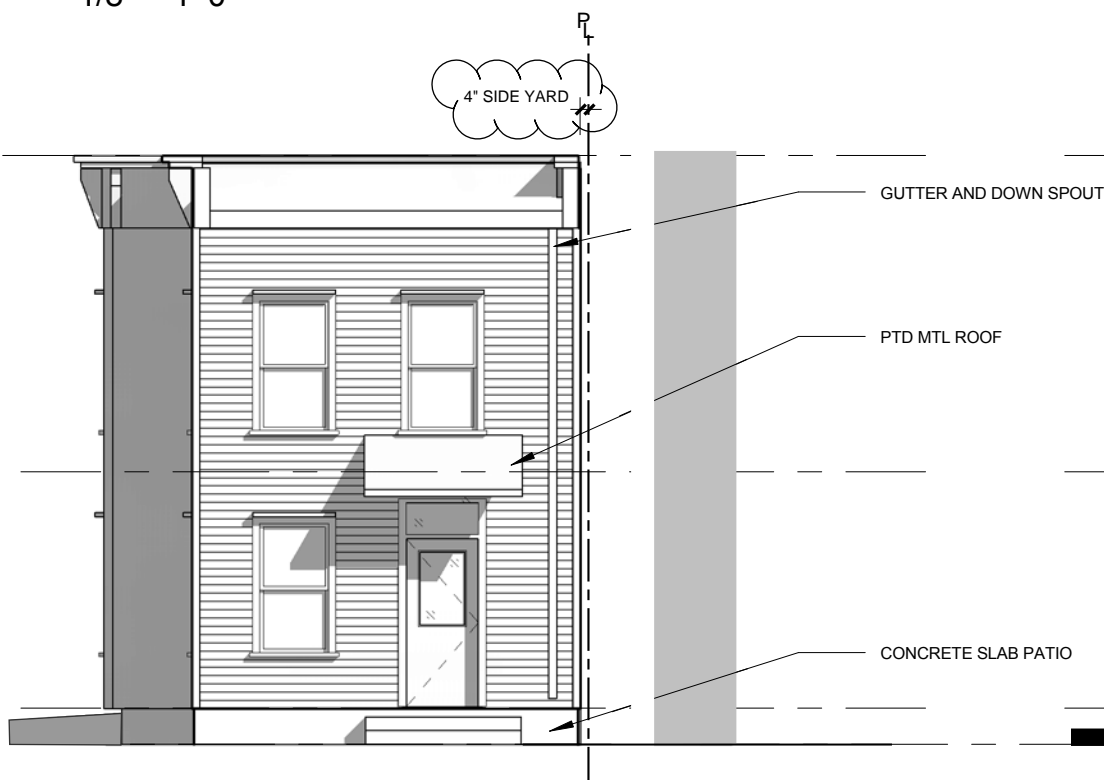
1 Site Plan
 1" = 10'-0"





④ West - Elevation
1/8" = 1'-0"

③ South - Elevation
1/8" = 1'-0"



① East - Elevation
1/8" = 1'-0"

② Section Looking South.
1/8" = 1'-0"

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Wiebenson & Dorman Architects PC

1928 15th Street SE

Exterior Elevations

Date	Description
09.19.2017	HPRB Concept
10.26.2017	(HPRB MTG)
05.08.2018	BZA REVISED SITE



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