

January 24, 2020

**via IZIS**

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, NW  
Suite 210S  
Washington, DC 20001

**Re: BZA Case No. 20065 – 1818 Rhode Island Avenue, NE; Prehearing Submission.**

Dear Members of the Board:

Enclosed are Updated Plans, an Updated Plat, a Transportation Demand Management Plan, and a Revised Self-Certification. The original Plans and Plat have been updated to address concerns raised by the Office of Planning (“OP”) and DDOT. The following changes have been made:

1. Public Space Elements- The Applicant has worked and will continue to work with DDOT to meet their requirements.
2. Reduction of Units and Number of Required Parking Spaces- The Applicant has reduced the number of units from ten (10) to eight (8) and now only has a requirement of one (1) parking space.
3. Easement- The Applicant re-designed the proposed Building so that it does not encroach on the shared easement with the building to the east and the easement is being maintained. The existing driveway on the easement provides access to two (2) parking spaces in the rear. However, the Applicant cannot count those towards the parking requirement—which is only one (1) parking space—because the driveway does not meet the access requirements. Accordingly, the Applicant is still required to request relief, even though it is providing two (2) parking spaces.

Board of Zoning Adjustment  
District of Columbia  
CASE NO.20065

4. Trash- As requested by OP, the trash location is shown on page 1 of the Updated Plans. It will be stored at the rear of the Property.

5. Transportation Demand Management Plan- Included as requested by DDOT and OP.

6. Roof Plan- Included on page 3 of the Updated Plans as requested by OP.

6. Bike Parking and Relief- The Applicant is required to provide three (3), long-term bicycle parking spaces. The Applicant is providing a total of five (5) bicycle parking spaces, three (3) inside and two (2) outside. As shown on page 1 of the Updated Plans, the Applicant is providing the required number of long-term bicycle spaces in a bike room on the entry level. However, the Applicant is requesting special exception relief pursuant to C § 807.2 for the bicycle spaces because of C § 805.9, which requires that a minimum of 50% of required long-term bicycle parking spaces must be horizontal. As described more fully below, the Applicant does not have room to provide two (2) horizontal spaces, so all three (3) proposed spaces are vertical.

Subtitle C § 807.2 provides, “The Board of Zoning Adjustment may grant, as a special exception, a full or partial reduction in the minimum number of long-term or short term bicycle parking spaces required for a use or structure, subject to the general requirements of Subtitle X, the limitations of Subtitle C § 807.3, and the applicant’s demonstration of any of the following (emphasis added):

*(a) Due to the physical constraints of the property, the required bicycle parking spaces cannot be provided on the lot or, in the case of short-term bicycle parking spaces, on abutting public space*

The physical constraints of the Property make it so the Applicant is unable to provide at least two (2) horizontal bicycle parking spaces and why it must instead provide three (3) vertical bicycle parking spaces. Two (2) horizontal spaces would require approximately 100 square feet of space on the entry level. If the Applicant were to provide two (2) horizontal spaces, it would

BZA Case No. 20065  
January 24, 2020

have to reduce one (1) of the entry level units by about 100 square feet and it would no longer be big enough to be considered a residential unit. Accordingly, the Applicant would lose one (1) dwelling unit, at which point bicycle parking would not even be required because the building would only have seven (7) units and bicycle parking starts at eight (8) units.

Sincerely,

*Martin P Sullivan*

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Martin P. Sullivan, Esq.

*Alexandra Wilson*

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Alexandra Wilson, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 24, 2020, an electronic copy of this Prehearing Submission was served on the following on behalf of the Applicant, Dilan Investments LLC.

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