

August 27, 2026

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

Applicant: Station 4 Properties LLC

Property Address: 4654 Hillside Rd SE, Washington, DC 20019

Zoning District: R-2

Relief Sought: Use variance to permit one additional dwelling unit within the existing structure.

SUPPLEMENTAL BURDEN OF PROOF STATEMENT

The Applicant respectfully submits this supplemental statement and supporting documentation in further support of the requested use variance to allow one additional dwelling unit entirely within the existing basement of this long-established two-unit flat. The proposal does not expand the building envelope, height, or footprint. Rather, it would make productive residential use of space that already exists within the structure.

The property currently functions as a two-unit flat in an R-2 zone. The proposed conversion would increase the number of dwelling units from two to three by improving the existing basement area as a separate dwelling unit. The Applicant submits that the request is highly property-specific and arises from the existing physical configuration, age, condition, and maintenance needs of this particular building.

1. Property Marketing and Purchase Expectations

Attached as an exhibit is the advertisement for the property from the time it was offered for sale, together with a screenshot in case the online link is unavailable. The manner in which the property was marketed, including its existing layout and the represented potential use of the basement, was a significant factor in the Applicant's decision to purchase the property.

The ability to utilize the existing basement space as a third dwelling unit is important not merely as a source of additional income, but also to the long-term financial viability and maintenance of this older property. Income from the basement unit would help offset continuing property-maintenance expenses and support necessary long-term improvements to the building.

Supporting Exhibits

Redfin advertisement

2. Existing Basement Conditions and Continuing Maintenance Burden

Photographs of the existing basement and its present conditions are also submitted. Although the basement is not presently being used as a dwelling unit, it remains part of the building and requires continuing attention, maintenance, and expense while producing no corresponding productive use.

a. Ventilation, Moisture, Mold

Documented Mold and Moisture Conditions

The lack of adequate ventilation in the existing basement has resulted in more than a theoretical concern regarding humidity and moisture. In 2024, we retained a professional company to inspect conditions within the basement. During that inspection, the company, FIRST CLASS REMODELING & ENVIRONMENTAL SERVICES, confirmed the presence of mold and subsequently performed remediation work to address the condition. We are providing the documentation relating to that work together with photographs of the basement conditions at that time.

Following the remediation, the owners have continued taking preventative measures to reduce the likelihood of the condition recurring. Because the basement does not have adequate ventilation and remains largely vacant and unoccupied, as owners, we remain concerned that excessive humidity and moisture accumulation could cause the condition to recur and ever since then we must operate equipment to circulate air and control humidity, resulting in additional electricity and maintenance expenses.

Converting the basement into a lawful dwelling unit would allow the space to be properly renovated and provided with appropriate mechanical systems, ventilation, conditioning, and regular occupancy. This would permit the basement to be maintained as habitable space rather than requiring the owners to continually manage the environmental conditions of a largely vacant and inadequately ventilated portion of the building.

The owners do not contend that the existence of mold, standing alone, establishes the extraordinary circumstances necessary for the requested zoning relief. Rather, this documented condition should be considered together with the basement's existing physical configuration, lack of adequate ventilation, independent exterior access, exposed structural and building systems, seasonal maintenance requirements, and the substantial structural difficulties associated with incorporating the basement into the two existing occupied dwelling units.

b. Ongoing Winter Freezing and Burst-Pipe Risk

During the winter months, the basement requires continuing monitoring and preventive measures to reduce the risk of plumbing lines freezing and potentially bursting. Although we have fortunately not experienced a major burst-pipe event, this should not be interpreted as an absence of risk. Rather, the lack of such an event is attributable, at least in part, to the preventive measures and continuing attention undertaken by the owners during periods of cold weather. Each winter, we must therefore remain attentive to basement temperatures and conditions and take measures intended to protect the plumbing and building systems from freezing by setting up heating devices and covering pipes with insulating materials which represent an extra expense.

A burst pipe in an unattended basement could result in significant water damage and substantial repair costs before the condition is discovered. Consequently, the freezing-pipe concern is not presented merely as an ordinary maintenance expense, but as one of several recurring conditions associated with maintaining a substantial, separately accessible basement in its present vacant and underutilized configuration.

Converting the basement into a properly permitted dwelling unit would allow the space to be appropriately improved, conditioned, ventilated, and maintained for long-term occupancy, rather than leaving an underutilized portion of the building that must nevertheless be continually protected from moisture, freezing, deterioration, and related maintenance concerns.

Supporting Exhibits

Photographs basement condition 2024

Basement remediation receipt

3. Structural Difficulty of Incorporating the Basement into the Existing Units

The alternative of incorporating the basement into the two existing apartments is not a simple matter of opening a doorway or adding a conventional stair. The existing building was not laid out as two duplex units with planned internal basement access. The basement is presently a distinct lower-level area with its own access, while the two established dwelling units above have existing occupied floor plans. Creating code-compliant internal connections would therefore require introducing new vertical circulation into finished and occupied residential space that was not designed to accommodate it.

Photographs taken from within the basement expose the underside of the floor assembly supporting the occupied dwelling areas above. The photographs show wood floor framing together with plumbing lines, mechanical components, electrical wiring, and other building systems distributed throughout the basement ceiling area.

The photographs of Units 1 and 2 demonstrate that the areas immediately above the basement are already developed as functional residential space, including living areas, kitchens, bedrooms, bathrooms, existing circulation areas and established staircase serving the upper level.

The result would be substantially more invasive than renovating the basement within its existing boundaries. Work of this nature would require opening floors and walls within occupied apartments, demolition and reconstruction of portions of the existing interiors, and coordination of structural, electrical, plumbing, mechanical, fire-safety, and egress requirements. It could also require relocation of existing building systems where they conflict with the proposed stair openings or new division of the basement.

This distinction is important. The zoning-compliant alternative is not merely less convenient or less profitable. It would require materially altering the configuration of the two established apartments in order to absorb a lower-level space that already functions

physically as a separate portion of the building. The construction would interfere with the tenants' kitchens, bedrooms and living areas. For safety and practical construction reasons, the affected apartments could not reasonably remain normally occupied while floor openings, structural framing, utility relocation, and interior reconstruction were underway. These are families with small children.

Vacating the units would create a cascading hardship tied directly to the existing structure: displacement of existing tenants; interruption of the property's established residential use; loss of rental income during construction (estimate 6-8 months loss of rental income); and substantial design and construction costs before the basement could be used at all. Those burdens arise from the physical relationship between the basement and the existing occupied apartments, not simply from the Applicant's preference for a third unit.

The Applicant therefore respectfully submits that the existing building configuration should be considered as part of the property's extraordinary or exceptional condition. D.C. variance decisions recognize that an exceptional condition may arise from the configuration of an existing building and from a confluence of property-specific factors. Here, the long-established two-unit configuration, the separate basement area and access, the absence of planned internal stair connections, and the disruption that would be required to retrofit two occupied units operate together to create the hardship.

By contrast, the requested relief would permit the basement to be improved within the existing building envelope without creating two new internal stair systems through the occupied apartments. The proposal therefore responds directly to the physical condition that creates the hardship: it puts the existing lower-level space into lawful productive use while avoiding extensive structural intervention in the two established dwelling units above.

To document this condition in the public record, the Applicant will submit the available Unit 1 and Unit 2 floor plans/layout and photographs and, where available, a contractor, architect, or engineer statement identifying feasible stair locations and describing the likely demolition, floor-framing alterations, utility conflicts, loss of usable floor area, and tenant displacement associated with connecting the basement internally to the existing units. This evidence is intended to demonstrate the physical consequences of the conforming alternative rather than relying solely on generalized statements about construction cost or inconvenience.

Supporting Exhibits – Structural Difficulty Evidence

Current lay out

Photographs Unit 1 and Unit 2

Photograph basement

Photograph basement entrance

Photograph basement current condition

4. Recurring Pest-Control and Property Protection Expenses

The Applicant is also submitting the majority of the pest-control receipts retained since purchasing the property. Pest control has been a recurring and necessary expense to maintain the building, protect the property, and provide the existing tenants with sanitary and pest-free living conditions.

These pest-control costs, together with electricity, ventilation, moisture prevention, winterization, and general basement maintenance, are expenses associated with maintaining the property in its current configuration. Considered together with the building's existing layout and the structural difficulty of incorporating the basement into the upper units, these records provide additional factual context regarding the burdens associated with leaving the basement in its present underutilized condition.

Supporting Exhibits

Pest control receipts Orkin and Ehrlich

5. Security Risk Associated with Continued Vacancy of Basement

The owners are not asserting that the basement at 4654 Hillside Road SE has previously been burglarized. Rather, the concern is that maintaining a separately accessible portion of the building in a vacant and unoccupied condition creates an ongoing vulnerability that is supported by documented incidents occurring on the same block and in the immediate surrounding area.

5.1 Unauthorized Persons Found Inside Residential Property on Same Block – March 22, 2024

The most directly relevant incident occurred on March 22, 2024, on the 4600 block of Hillside Road SE, the same block as the subject property.

According to the Metropolitan Police Department, at approximately 12:27 p.m., an individual working at a residential property discovered three individuals loitering inside the property. The individual asked them to leave, but they refused. One of the individuals subsequently assaulted him and took his cellphone before the three fled. MPD assigned the incident CCN 24043335.

This incident is particularly relevant because it demonstrates that unauthorized individuals being present inside residential property on the same block as the subject property is not merely a hypothetical concern.

The subject basement has its own exterior access and ordinarily remains unoccupied. Unlike an occupied dwelling, there is no resident regularly present within the basement to observe the entrance, identify suspicious activity, or immediately recognize an unauthorized entry.

5.2 Nearby Residential Burglary – April 5, 2024

A separate reported incident occurred on April 5, 2024, in the 4700 block of Southern Avenue SE, in the surrounding area.

Reporting concerning the incident states that an individual broke into a residence, threatened the occupant, and was subsequently apprehended and charged with burglary.

Although this incident did not occur on the subject block, it provides additional context concerning residential unauthorized-entry and burglary activity within the surrounding area.

5.3 Property Damage to Residence on Same Block – February 21–22, 2026

More recently, MPD documented two firearm-related incidents on the 4600 block of Hillside Road SE.

On February 21, 2026, Sixth District officers responded to reports of gunfire and found evidence of a shooting, including damage to the front door of a residence and a vehicle. MPD assigned CCN 26023626.

A second incident occurred on February 22, 2026, on the same 4600 block. MPD assigned CCN 26023697.

These incidents are not being presented as burglaries. Rather, they demonstrate that security and property-related concerns continue to exist on the immediate block surrounding the subject property.

Supporting Exhibits

MPD Incident, March 22, 2024 - Official MPD documentation regarding CCN 24043335 concerning individuals discovered inside a residential property on the 4600 block of Hillside Road SE.

MPD Incidents, February 21–22, 2026 - Official MPD documentation regarding CCNs 26023626 and 26023697.

6. No Substantial Detriment to the Public Good

The proposed third dwelling unit would remain entirely within the existing building envelope and would not alter the exterior height or bulk of the structure. The proposal is therefore materially different from a request involving a substantial addition or expansion of the building.

The Applicant respectfully submits that the proposed use can coexist with the surrounding residential neighborhood without substantial adverse impact on neighboring properties, traffic, or parking, while allowing reasonable and productive use of the existing basement space.

Conclusion

The applicant recognizes that ordinary property-maintenance expenses, standing alone, would not establish an extraordinary circumstance. We are providing this evidence because these conditions should be considered together with the basement's existing physical configuration, lack of adequate ventilation, exposed building systems, security

risks, separation from the occupied units, and the difficulty of incorporating the basement into those units. For the reason, we hope the additional evidence is considered collectively rather than as a series of isolated issues.

Taken together with the matters previously submitted, this supplemental documentation provides additional context regarding the exceptional circumstances affecting this property and the difficulties created by continued use of the building in its present configuration. The property presents a combination of existing conditions: an older building with an already-established basement area; independent exterior basement access; inadequate ventilation; an actual history of mold requiring professional remediation; exposed plumbing and building systems requiring seasonal monitoring; a largely vacant space requiring continued maintenance and security; documented unauthorized entry into another residential property on the same block; and an existing structural configuration that makes physically incorporating the basement into the two occupied apartments substantially more complicated than simply connecting existing living spaces.

At the same time, the proposed third dwelling would be created entirely within the existing building envelope. We are not proposing to increase the building's footprint, height, or exterior bulk. The proposal would instead allow an existing but presently underutilized portion of the building to be properly renovated, ventilated, conditioned, maintained, secured, and put into productive residential use.

The Applicant respectfully requests approval of the use variance to permit conversion of the existing two-unit flat into a three-unit flat through the creation of one dwelling unit within the existing basement.

We hope this supplemental evidence more directly addresses the concerns you raised and provides a clearer picture of why the circumstances affecting this particular property are unusual and present an exceptional hardship for the owner.

The Applicant appreciates the Board's and the Office of Planning's time and consideration.