

District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



October 19, 2011

Mr. Clifford Moy
Secretary, Board of Zoning Adjustment
Office of Zoning
441 4th Street NW, Suite 210S
Washington, DC 20001

Re: BZA Case 18254 (1303 Linden Court NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on October 13, 2011, our Commission voted 6-1-1 (with 5 Commissioners required for a quorum) to oppose the applicant's renewed request for a:

- 1) variance from § 2507.2 to permit the erection of a single family dwelling abutting an alley less than thirty feet in width;
- 2) variance from §§403.2 and 772.1 to permit the erection of a single family dwelling detached structure that does not comply with maximum lot occupancy requirements in R-4 and C-2-A;
- 3) variance from §§ 404.1 and 774.1 to permit the erection of a single family dwelling detached structure that does not comply with minimum rear yard requirements in R-4 and C-2-A;
- 4) variance from §§ 405.1 and 775.2 to permit erection of a single family dwelling detached structure that does not comply with minimum side yard requirements in R-4 and C-2-A;
- 5) variance from § 2514.1(d) to allow the required floor/area ratio (FAR) to be exceeded for a single family dwelling detached structure located on a lot divided by a zone district boundary line; and
- 6) a special exception pursuant to §2514.2 to allow a transfer of density from the less restrictive to the more restrictive use zone district.

Taking into account the revised plans for the property, the Commission continues to believe that the requested variances do not meet the standard for zoning relief set forth at § 3103.2. The property owner has identified no physical characteristics of the property that make it difficult for the property to be used in compliance with the zoning regulations.

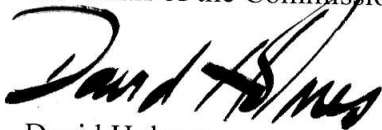
As indicated in the property owner's application for zoning relief, the property has been in use as a private garage since 1947 and that use may continue consistent with the zoning regulations. In addition, granting the requested variances would represent a substantial detriment to the public good and be inconsistent with the general intent and purpose of the zoning regulations and map. Specifically, the Commission finds that the proposed development of the property would infringe substantially on the light and privacy of neighboring properties. Finally, while the Commission

recognizes that the revised plans now propose leaving the existing structure in place, the Commission believes the proposed second story and roof deck increase or extend an existing non-conforming aspect of the structure and are not justified for that reason as well.

Because the Commission finds that the property owner has not demonstrated that he is entitled to the variances at issue, the Commission need not reach the issue of whether the property owner is entitled to the requested special exception.

Please be advised that David Holmes, Drew Ronneberg and Dan Golden are authorized to act on behalf of ANC 6A for the purposes of this case. Commissioner Ronneberg can be reached by phone at 202-431-4305 or by email at ronneberg6a02@gmail.com.

On behalf of the Commission,

A handwritten signature in black ink that reads "David Holmes". The signature is written in a cursive, slightly slanted style.

David Holmes
Chair