

RE: 201 E 34<sup>th</sup> Street- variances attached to a subdivision request

To the Board of Adjustment Members:

Per the request for a subdivision of the property at 201 E 34<sup>th</sup> ST and 3307 Helms, a **legal non-complying SF-3 lot** with 8,804 square feet, with 2 houses (built in 1926 with a garage apartment and built in 1935, respectively, before the issuance of COA permits), I am **not in favor** of this subdivision nor for the variances requested. The current property owners **knowingly** purchased these dwellings/houses as condominiums on this single lot; now, they are seeking a simple ownership for each house with a newly created lot-line that would make a substandard lot situation (an illegal lot) for both houses. This is a corner property at 34<sup>th</sup> ST and Helms. There are no other examples of any other corner properties with this situation of 2 legally built houses and a garage apartment that have been subdivided. Historically speaking, the garage apartment and the house at 3307 Helms were always rental income units for the front house (201 E 34<sup>th</sup> ST) originally owned by the Darnell family, later the property was sold in the early 1990s as condominium units.

The subdivision of the property to create simple ownership seems to be motivated by financial interests. The owner of the front house and garage apartment at 201 E 34<sup>th</sup> ST has moved to China. During the past year, this house was listed for sale, but the pricing point was too high for current market conditions. In discussions with the agent, fee simple and lending of money from banks have been topics of discussion associated with the problem of not being able to sell the front house and garage apt. as a condo. Instead of lowering the price, the owners' agent is seeking a subdivision of this SF-3 (legal) property that would then become an illegally subdivided lot and a substandard SF-3 lot. Does this really solve the perceived problem? Is a financially motivated subdivision considered a financial hardship?

This subdivision of the lot would not be in the best interest of my neighborhood nor the Central C for several reasons:

- a precedent would be created by chopping this legal SF-3 lot into 2 parts (square footage required for a SF-3 lot is 7000 sq ft)-
  - a. 3307 Helms as one substandard lot, 3014 sq ft,
  - b. 201 E 34<sup>th</sup> ST (house & a garage apt.) with 5790 sq. ft. with a FAR greater than .4;
- an incentive for condominium owners to divide properties into illegal parcels by granting this subdivision and variances. This is a way to chop up properties in our area into smaller bits- not a good planning goal, nor a uniform tool for future land use development;
- a subdivision would potentially solve a financial hardship for one of the owners- that is not a valid reason to grant variances and ultimately would not solve the problem for selling the property;
- a subdivision would not be in context nor in harmony with our Neighborhood Plan for SF-3 properties- to create a substandard lot from a legally non-complying SF-3 lot. A variance would alter the character of this single family neighborhood by changing and chopping up the required square footage for houses on SF-3 lots.

The lot should stay the way it is today- legal non-complying.

Sincerely,

Mary Ingle, resident of North University Neighborhood  
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