

**Burden of Proof
Special Exception Application**

1414 A Street NE

To: **The Office of Zoning**
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

From: Steve & Elizabeth Allenbach
Owner/Applicants
1414 A Street NE
Washington, DC 20002

Date: July 12, 2011

Subject : **BZA Application for an Addition at 1414 A Street NE**
(Square 1056, Lot 28)

Steve and Elizabeth Allenbach, owners and residents of 1414 A Street NE hereby apply for a special exception to build a rear addition and third floor addition on to their existing 2-story plus basement row house. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

The proposed construction increases the lot occupancy from 590 SF (52.6%) to 720 SF (64.3%), which is 4.3% over the allowed lot occupancy for a row house in the R-4 zoning district (11 DCMR 403.2), and 11.7% above the existing lot occupancy. A 20' required rear setback will be maintained.

I. Summary:

- A.** This special exception qualifies under 11 DCMR Section 223 because the lot occupancy does not exceed 70% (11 DCMR 223.3), and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).
- B.** The proposed rear addition will extend only 6'-6" beyond the rear of the existing structure and the proposed third floor will change the structure's height from 26'-10" to 34'-0", which is less than the allowed 40'-0".

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18290

EXHIBIT NO. 4

Board of Zoning Adjustment
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CASE NO.18290
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OFFICE OF ZONING

II. Bases for Grant of Special Exception

Section 223 provides relief based on satisfying specific criteria under which additions to single-family dwellings may be permitted with a residential district. Those criteria are addressed separately below:

223.1 An addition to a one-family dwelling or flat in those Residence Districts where a flat is permitted that does not comply with all of the applicable area requirements of sections 401, 403, 404, 405, 406 and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under section 3104, subject to the provisions of this section.

The rear addition and third floor are proposed modifications to a permitted single-family residence that is currently in conformance with Section 403.2 (60 percent lot occupancy).

The proposed addition will be on the rear (north facing side) of the existing building and above the existing 2-story structure. The existing structure has a lot coverage of 52.6 percent, which will be increased to 64.3 percent with the proposed addition. This is a 4.3 percentage point increase over the matter-of-right lot occupancy allowed in the R-4 district, and 11.7 percentage points over the current lot occupancy of the residence, but is below the 70% allowed by Section 223.3 as a special exception.

223.2 The addition shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

(a) The light and air available to neighboring properties shall not be unduly affected.

1412 A Street NE

1412 A Street NE lies immediately to the west of the property at 1414 A Street NE. The proposed addition at 1414 A Street NE will only extend 6'-6" past the existing two-story structure at 1412 A Street NE. While the rear addition may have some impact on the sunlight at 1412 A Street NE, the impact will be minor as the rear addition is small. The proposed third floor will extend only 7'-2" above the existing structure. Thus the overall addition will have minimal impact on the air or light at 1412 A Street NE.

The owners of 1412 A Street NW have been presented with the proposed plans, and have not raised any objections.

1416 A Street NE

1416 A Street NE lies immediately to the east of the property at 1414 A Street NE. The proposed addition at 1414 A Street NE will only extend 6'-6" past the existing two-story structure at 1416 A Street NE. While the rear addition may have some impact on the sunlight at 1416 A Street NE, the impact will be minor as the rear addition is small. The proposed third floor will extend only 7'-2" above the existing structure. Thus the overall addition will have minimal impact on the air or light at 1416 A Street NE.

The owners of 1416 A Street NW have been presented with the proposed plans, and have not raised any objections.

Neighbors to the North of 1414 A Street NE

The proposed addition at 1414 A Street NE will only extend 6'-6" past the existing structure at 1414 A Street NE and 7'-2" above the existing structure. The 20' rear yard and garage will remain unobstructed and the proposed addition will not affect the public alley. While the proposed third floor addition may obstruct some sunlight, the alley and corresponding backyards are wide enough so that it will have minor impact on the neighbors to the north. Thus, the proposed addition at 1414 A Street NE will have minimal impact on the neighbors to the north, across the public alley.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised

1412 A Street NE

The proposed addition will be modest in size. The fence along the property line will be rebuilt along with the deck over the garage. The proposed second floor deck will allow for views into the rear yard at 1412 A Street NE, but the deck serves only as circulation space and not a gathering spot, therefore limiting any views into the north facing windows at 1412 A Street NE. Additionally, the proposal does not call for any windows along the shared property line, thus the privacy of use and enjoyment of 1412 A Street NE will not be compromised.

The owners of 1412 A Street NE have been presented with the proposed plans, and have not raised any objections.

1416 A Street NE

The proposed addition will be modest in size. The rebuilt deck will extend to the western property line, but will be separated by a set of stairs to grade. Additionally, the proposal does not call for any windows along the shared property line, thus the privacy of use and enjoyment of 1416 A Street NE will not be compromised.

The owners of 1416 A Street NE have been presented with the proposed plans, and have not raised any objections.

Neighbors to the North of 1414 A Street NE

The proposed addition is modest in scale. The rear yard at 1414 A Street NE remains unobstructed and the neighbors to the north of 1414 A St. NE will remain separated from the proposed addition by the rear yard and the public alley. Thus, the privacy of use and enjoyment for the neighbors to the east of 4109 7th St. will not be compromised.

(c) The addition, together with the original building, as viewed from the street, alley, or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.

The proposed third floor addition will extend straight up from the front of the existing house at 1414 A St. NE, not including the bay. However, it will only extend 7'-2" above the existing structure and will be constructed of brick to match the existing house.

There is alley access to the property, but the proposed addition at 1414 A St. NE will not dramatically change the existing view from the alley. The addition is modest in size and only extends 6'-6" past the existing structures to the east and west.

The proposed addition will be constructed with high quality, historically appropriate materials.

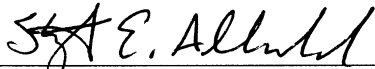
(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings;
- b) Signatures of support from neighbors for a rear addition;
- c) Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings
- d) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, Steve and Elizabeth Allenbach, and authorized agent Jennifer Fowler, A.I.A. are available at any time to discuss them with you.

Thank you,



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