

18387

**Burden of Proof
Special Exception Application**

232 11th Street NE

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

From: Beverly Pringle and Mark Moran
Owners/Applicants
232 11th Street NE
Washington, DC 20002

Date: May 23, 2012

Subject : BZA Application for an Addition at 232 11th Street NE
(Square 964, Lot 827)

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Beverly Pringle and Mark Moran, owners and residents of 232 11th Street NE hereby apply for a special exception to build a third-story addition on top of an existing two-story addition on the rear of their existing row house. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

The existing lot coverage is 1,278.3 SF (62.2%), which is 2.2% over the allowed lot occupancy for a row house in the R-4 zoning district (11 DCMR 403.2). The proposed construction does not increase the lot coverage as the proposed third-story rear addition is to be built on top of the existing two-story rear portion of the house. The existing open court is 4.5', which is less than the required minimum for a flat in the R-4 zoning district (11 DCMR 406.1). The proposed addition follows the lines of the existing house and therefore does not provide for an 11.1' (4" per foot of court height 33.3') open court on the side.

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 two-story addition will not extend past the existing footprint of the house.
- C.** The proposed two-story addition will follow the same lines of the existing house therefore maintaining the existing 4.5' open court on the north side of the property.

II. Bases for Grant of Special Exception

Section 223 provides relief based on satisfying specific criteria under which additions to a one-family dwelling or flat may be permitted within a residential district. Those criteria are addressed separately below:

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18387
EXHIBIT NO. 22

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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 proposed addition will be on the rear (west facing side) of the existing building. The existing structure has an open court of 4.5' which does not meet the requirements of section 406.1, but the proposed addition follows the lines of the existing house and does not decrease the open court width. The existing lot coverage of 62.2 percent, but the proposed addition will not increase this existing coverage.

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.

230 11th Street NE

230 11th Street NE lies immediately to the south of the property at 232 11th Street NE. The proposed addition at 232 11th Street NE will not extend past the existing two-story or one-story portions of the structure on the property. Thus the addition will have minimal impact on the air or light at 230 11th Street NE.

The owners of 230 11th Street NE have been presented with the proposed plans, and support the proposed addition.

234 11th Street NE

234 11th Street NE lies immediately to the north of the property at 232 11th Street NE. The proposed addition at 232 11th Street NE will not extend past the existing three-story structure at 234 11th Street NE. The width of the existing open court will remain the same. Thus the addition will have minimal impact on the air or light at 234 11th Street NE.

The owners of 234 11th Street NE have been presented with the proposed plans, and support the proposed addition.

Neighbors to the West of 234 11th Street NE

The proposed addition at 232 11th Street NE will not extend past the existing two-story portion of the structure at 234 11th Street NE. The majority of the rear yard will remain unobstructed and the proposed addition will not affect the public alley. Currently, the existing garage on the property blocks the view from the alley to the rear of 232 11th Street NE. Thus, the proposed addition at 232 11th Street NE will have minimal impact on the neighbors to the west, across the public alley.

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