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May 4, 2012

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Board of Zoning Appeals
% Office of Zoning
Government of the District of Columbia
One Judiciary Square
441 4th Street NW
Suite 210S
Washington, DC 20001

RE Statement of existing & proposed use and Statement of Explanation

Dear Sirs & Madams,

I am requesting a Special Exception pursuant to 11 DMCR § 3104 1 to allow the construction of a two story addition to a single family semi-detached dwelling under §223 of the Zoning Regulations not meeting the lot occupancy (§403) requirements in the R-3 District at premises 1906 35th ST NW (Square 1296 E, Lot 0836)

This addition will replace an existing deck at the premises The proposed use will be additional living space within the residence and will be consistent with the existing use as a single family semi-detached dwelling

According to § 3104 1 (Special Exceptions), the proposed use must "be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps " The proposed addition will not change the residential use of the dwelling which is allowed in an R-3 zone It is my belief that this is in harmony with the general purpose and intent of the zoning regulations

According to § 401 3 (Lot Dimensions), the property is required to be a minimum width of 30 feet and provide a minimum lot area of 3,000 square feet While the existing property is non-conforming, it is only 27 27 feet wide (refer to the plat attached with this application), the lot has an area of 3,078 square feet. The proposed addition will not affect the lot size or area, this information is solely provided to highlight the fact that this is a non-conforming lot

According to § 403 2 (Lot Occupancy), the property is required to have a maximum lot occupancy of 40% The existing property is non-conforming, the existing house, deck and accessory structure have a total lot coverage of 1,500 square feet which is a 49% lot occupancy The proposed addition will increase the total lot coverage to 1,655 square feet for a total lot occupancy of 54%, a difference of 155 square feet or 5% The portion of the proposed plans that are enclosed built space (excluding the site improvements of the rear balcony and exit stairs) is 1,553 square feet which is the equivalent of a lot occupancy of 50.5% and overall difference of 53 square feet or 1 5% from the existing situation I am requesting that the Board of Zoning Appeals consider that under § 223 4 they may approve a lot

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18407
EXHIBIT NO. 6

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Board of Zoning Adjustment
District of Columbia
CASE NO.18407
EXHIBIT NO.6

occupancy of up to 70% in an R-3 District, which is 15% more than the lot occupancy we are requesting be allowed to be constructed

According to § 404 1 (Rear Yards), the property is required have a minimum depth of Rear Yard of no less than 20 feet The existing property conforms with this regulation and provides a Rear Yard depth of 63' (in part of which an accessory structure is located). The proposed addition will decrease this Rear Yard to a depth of 48 5 feet, which still conforms with the zoning requirements

According to § 405 (Side Yards) subsections 2, 3 & 9, a one family semi-detached dwelling in an R-3 District is required to have a minimum side yard of no less than 8 feet along any side of the property which does not share a common division wall The existing dwelling is only 5 06 feet from the southern property line and is non-conforming In addition, according to the public records on file with the Government of the District of Columbia Office of Tax and Revenue, this existing structure was built in 1913 and is therefore covered under subsection 8 which allows for an addition to be made "provided, that the width of the existing side yard shall not be decreased, and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft)[ ]" The proposed addition will not decrease the existing side yard which is currently 5 feet and would therefore be in conformance with § 405 8

According to § 223 2 subsection a, in order to be eligible for a special exception the light and air available to neighboring properties shall not be unduly affected The proposed addition will affect neither the light not air available to any neighboring properties The proposed addition will not extend past the existing two story structure neighboring it to the North at 1908 35th ST NW which currently extends past the existing structure along the common property line This property to the North does not have any fenestrations opening southward onto the proposed addition and will therefore not be affected by its construction The proposed renovation retains the southern boundary of the existing deck and will not further impinge on the light or air of any of the properties to its South beyond the extent that the existing 2 story single family semi-detached dwelling already acts as a windbreak for East/West winds. North/South winds are already being blocked in part by the previously referenced property to the North at 1908 35th ST NW. It is my belief that the proposed addition is in compliance with this requirement

According to § 223 2 subsection b, in order to be eligible for a special exception the privacy of use and enjoyment of neighboring properties shall not be unduly compromised The proposed addition will not compromise any privacy of use and enjoyment of the neighboring property to the North due to the extent of existing construction on that property as described above The proposed addition will not unduly compromise privacy of use and enjoyment of the neighboring properties to the South due to proposed extensive planting along the southern property line It is my belief that the proposed addition is in compliance with this requirement

According to § 223 2 subsection c, in order to be eligible for a special exception the addition together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage The

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proposed renovation will not be visible from the 35th ST NW due to the existing plantings at 3501 T ST NW (see provided images) and the proposed extensive plantings along the southern property line It will not be visible from the rear alley due to the existing accessory structure It will not be visible from T Street NW due to the existing row dwellings along T street It is my belief that the proposed addition is in compliance with this requirement

As I have outlined here, it is my belief that the while the proposed addition at 1906 35th ST NW may not meet some of the current zoning requirements of an R-3 district it will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not unduly infringe on the neighboring properties or the scale and appearance of the general neighborhood. I humbly request the Board of Zoning Appeals to consider and grant this proposed addition a special exception and allow the proposed addition to be constructed

Sincerely,

Spencer Lepler, AIA, NCARB

DC License Number ARC101590
Principal
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