

Statement of Existing and Intended Use of Building

The subject property, 3507 Idaho Ave., NW (Square 1912, Lot 800), is improved with a two story and basement single family detached home, constructed in 1921(per DC Real Property Account Summary) The property is located within the Cleveland Park Historic District

The applicant proposes to construct a new second story over a rebuilt existing first floor over the existing basement garage There will be no change to the existing footprint of the structure. The applicant requests special exception relief under Section 3104 1/223 of the Zoning Regulations to deviate from the required side yard setback The property will remain a single family detached home

RECEIVED
D.C. OFFICE OF ZONING
2012 MAY 31 PM 3:29

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18423

EXHIBIT NO. 18423

Board of Zoning Adjustment
District of Columbia
CASE NO.18423
EXHIBIT NO.4

**Form 120 Addendum-
Applicant's Burden of Proof for Special Exception**

RECEIVED
D.C. OFFICE OF ZONING
2012 MAY 31 PM 3:29

3104.1 SPECIAL EXCEPTIONS

Pursuant to authority contained in the Zoning Act, the Board is authorized to grant special exceptions, as provided in this Title, where, in the judgment of the Board, the special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps, subject in each case to the special conditions specified in Title 11 DCMR

- 1) How the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map

Granting the application will be consistent with the general intent and purpose of the Zoning Regulations and Map As shown on the accompanying architectural drawings and photographs of the existing house, the proposed addition, together with the existing house do not intrude upon the character, scale and pattern of houses in this neighborhood.

- 2) How allowing the use will not adversely affect the use of the neighboring property – i.e. traffic, noise, lighting, etc.

Granting the application will not adversely affect the use of the neighboring property – i.e. traffic, noise, lighting, etc There will be no change to traffic. The requested relief of the proposed addition will not unduly affect the light and air of the abutting property There will be no change in noise or lighting

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223 1 An addition to a one-family dwelling or flat, in those Residence Districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001 3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section

223 4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties

The applicant will be pleased to consider all requests of the Board.

223 5 This section may not be used to permit the introduction or expansion of a nonconforming use .

The use is conforming and will not change.

SOURCE Final Rulemaking published at 45 DCR 1146, 1447 (March 13, 1998), as amended by Final Rulemaking published at 48 DCR 8979, 8983 (September 28, 2001), and as amended by Final Rulemaking published at 54 DCR 9564 (October 5, 2007)

Conclusion

For the reasons stated in this application, the requested relief meets the applicable standards of the Zoning Regulations and can be granted without substantially impairing the intent, purpose and integrity of the Zoning Regulations. The Applicant therefore requests that the Board grant the application.

Respectfully submitted,

Grina Architects, PLLC

By 
Peter C. Grina, AIA

1506 Wisconsin Ave , NW
Washington, DC 20007
(202)625-2300

May 30, 2012

223 2 The addition or accessory structure 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,

As shown in the attached drawings, the requested relief of the proposed addition will not unduly affect the light and air of the abutting property. There will be no change in noise or lighting.

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

The proposed addition is to be used as closet and storage space, and almost all windows shall be covered with shutters.

- (c) The addition or accessory structure, 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

As shown on the accompanying architectural drawings and photographs of the existing house, the proposed addition, together with the existing house do not intrude upon the character, scale and pattern of houses in this neighborhood. The work will in fact be more consistent in character with the houses of this neighborhood.

- (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 or accessory structure to adjacent buildings and views from public ways

Drawings and photographs are included in this submission.

223 3 The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts

The lot occupancy will not change as a result of the requested relief (27%).