

E. Detailed statement explaining how this application meets the specific tests identified in the zoning regulations for variance, special exception or other specific relief being sought.

As the owners of 2432 39th Place NW, Washington, DC 20007, we are seeking a special exception from 223.1 to permit a rear deck addition to an existing 2-floor & basement single family dwelling row structure which will exceed the maximum lot occupancy allowed by 403.2 & will not comply with the minimum required rear yard setback from 404.1 in the R-3 Residential Zone District. We are confident that our plan to build a new deck on the back of our home meets all of the specific tests identified in section 11-223 of the District of Columbia zoning regulations for a special exception.

The proposed deck meets all of the requirements for a special exception as detailed in section 223.2. The deck will not have any adverse affect on the use or enjoyment of our neighbors' property or the neighborhood for the following reasons. First, the deck will not have more square footage than the decks of our close neighbors (proposed deck addition is 144 sq. ft.) and it will be set back from the alley the same or less distance as the neighboring decks (proposed deck addition is set back 17.5 feet from the edge of the deck to the alley and 10.5 feet from the end of the stairs to the alley). Second, the deck will not affect the air and light reaching our neighboring properties because the deck's height will be at the level of our neighbors' decks (proposed deck addition is 8.5 feet from the ground in order to be accessed through the back kitchen door). Third, the current privacy of use and enjoyment of neighboring properties will not be compromised because the expansion of our deck to a size in line with those of our neighbors will not change the composition of the area. Fourth, the addition, together with the original building, as viewed from the alley, will not visually intrude upon the character, scale and pattern of houses because the addition is almost identical in size and design to the numerous decks already in existence on the block and in the neighborhood.

The proposed deck meets the requirements for a special exception in regards to lot occupancy as explained in section 223.3. The lot occupancy of the existing dwelling and the proposed deck addition will total only 62%, or 8% lower than the 70% special exception maximum in the R-3 District.

Note, in order to visually demonstrate the compliance of our deck plans with the special exception requirements set forth in zoning regulation 11-223, graphical representations including plans and photographs have been included.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

EXHIBIT NO.

Board of Zoning Adjustment
District of Columbia
CASE NO. 18428
EXHIBIT NO. 6

RECEIVED
D.C. OFFICE OF ZONING
2012 JUN 11 PM 3:03