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Dickson Carroll, Architect
3405 Ashley Terr. NW
Washington, DC. 20008

11/15/12

Application of David Sohn, #18480
2926 Newark St. NW

To the board of Zoning Adjustment—

Attached is a revision to our application set for the Jan. 8 hearing.

We are dropping the request for a variance. Instead we are requesting a special exception. Enclosed are revised drawings and a revised plat, revised form 120 and a revised "Basis for action sought," also form 135—zoning self-certification.

The main change to our application is that the lower deck will be decreased in height to 4'-0" above grade, so that it will not count as lot occupancy. With this change, total lot occupancy will not exceed 50%. (Please refer to the revised plans.) An additional step has been added between decks. The existing concrete and flagstone patio will be removed. Five to six inches of gravel will be added to the rear yard, making the entire area a permeable surface and making the deck height 4'-0" above finished grade.

We are also making two small reductions in the deck size. In the revised plan, the rear edge of the lower deck has been moved back to align with the inside of the existing retaining wall, and the upper deck has been moved in 6" off the corner of the existing house. So the lower deck is a few inches less deep, and the upper deck a few inches less wide, than in our original plan.

In sum, the amended submission will make no adverse change to our project. If anything, the lower deck would be slightly less visible to the neighbors since it will now be lower than originally planned. The other changes should not make any difference whatsoever in the overall look or effect of the project, except for the positive effect of improving permeability/drainage due to the gravel.

BOARD OF ZONING ADJUSTMENT
District of Columbia

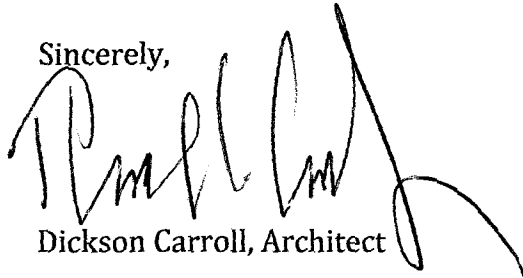
CASE NO. 18480

EXHIBIT NO. 25

Board of Zoning Adjustment
District of Columbia
CASE NO.18480
EXHIBIT NO.25

A copy of the amended submission will be delivered to the ANC. The Office of Planning will be notified and a copy of the amended application will be mailed to the official who is reviewing our case.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dickson Carroll', with a long, sweeping flourish extending to the right.

Dickson Carroll, Architect



BEFORE THE BOARD OF ZONING ADJUSTMENTS
OF THE DISTRICT OF COLUMBIA



FORM 120 - APPLICATION FOR VARIANCE/SPECIAL EXCEPTION

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

Pursuant to §3103.2 - Area/Use Variance and/or §3104.1 - Special Exception of Title 11 DCMR- Zoning Regulations,
an application is hereby made, the details of which are as follows:

Address(es)	Square	Lot No(s).	Zone District(s)	Type of Relief Being Sought	
				Area Variance Use Variance <u>Special Exception</u>	Section(s) of Title 11 DCMR - Zoning Regulations from which relief is being sought
2926 NEWARK ST NW	3082	857	R-1-B	223	403.2, 404.1
					405.9, 406.1
					200.4, 201.2

Present use(s) of Property: SINGLE FAMILY RESIDENCE

Proposed use(s) of Property: SINGLE FAMILY RESIDENCE

Owner of Property: DAVID M. SOHN

Telephone No: 202-745-0602

Address of Owner: 2926 NEWARK ST. NW

Single-Member Advisory Neighborhood Commission District(s): ANC 3C

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice:

(SEE ATTACHED SHEET)

EXPEDITED REVIEW REQUEST (If interested, please select the appropriate category)

I waive my right to a hearing, agree to the terms in Form 128 - Waiver of Hearing for Expedited Review, and hereby request that this case be placed on the Expedited Review Calendar, pursuant to §3118.2 (CHOOSE ONE):

- ☐ A park, playground, swimming pool, or athletic field pursuant to §209.1, or
☐ An addition to a one-family dwelling or flat or new or enlarged accessory structures pursuant to §223

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22 2405)

Date: 11/15/12 (AMENDED) Signature*: [Signature]

To be notified of nearing and decision (Owner or Authorized Agent*):

Name: DICKSON CARROLL, ARCHITECT E-Mail: DICKSON@DICKSONCARROLL.COM

Address: 3405 ASHLEY TERR NW WASHINGTON, D.C. 20008

Phone No(s): 202-363-6556 Fax No.: 202-363-3777

* To be signed by the Owner of the Property for which this application is filed or his/her authorized agent. In the event an authorized agent files this application on behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany this application.

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

FOR OFFICIAL USE ONLY

Exhibit No. 1

Case No. _____

David Sohn, owner and resident of 2926 Newark St NW in an R-1-B zone, proposes to build a deck at the rear of his property requiring a special exception under Section 3104 and 223 of the zoning code as follows:

1. Lot occupancy (403.2)
2. Rear yard (404.1)
3. Side yards (405.9)
4. Court width (406.1)
5. General provisions of an R-1 district (200.4)

5E. BASIS FOR ACTION SOUGHT

Our house is semi-detached in an R-1-B zone intended for detached homes. Our lot is one of the smallest in the area. While similar in size to our semi-detached neighbor to the east, our rear yard is less deep than theirs and partially occupied by a garage. Our lot predates the existing zoning rules and does not meet minimum zoning requirements for width, area, and rear yard.

Several factors constrain the usable outdoor space in our rear yard. The existing, semi-detached garage occupies 24 percent of it. The remainder of the rear yard is divided between a deck (12' x 15') and an L-shaped area that is virtually unusable. Besides being small, the existing deck's use is undermined by being four steep steps below the level of the back door, creating access that is awkward to navigate and hazardous for our small children. The L-shaped area of the rear yard that is left is effectively a narrow, dark hole or depressed area, pinched between a stand of bamboo at least 25' high just over our south property line, our garage to the west, and the decks of our house and our semi-detached neighbor to the east.

In addition, our small front yard is less usable, especially for small children, than those of many of our neighbors further up Newark Street due to our proximity to the major thoroughfare of Connecticut Avenue. Indeed, cars that mistakenly turn onto Newark from Connecticut frequently pull into our driveway to turn around. That, plus the fact that our driveway is shared with our neighbors to the west, gives our front yard area surprising high car traffic and means we could never leave our children there to play, even briefly.

Our goal is simply to make the most of the limited outdoor space our lot affords. The owner of the other half of our semi-detached structure increased her outdoor space some years ago by removing her garage, but this would not be an option for us even if we wanted to because our garage is semi-detached (the garage structure is shared with our neighbor to the west).

We propose a two-level, stepped-down deck to limit mass and be unobtrusive. The upper deck, (8'-6" x 18'-0"), will be flush with the first floor level and will be used for sitting and dining. The lower deck (13'-6" x 21') will be four steps down from the first (the maximum that we consider safe and practical). This area will be used for children's play and activities. It will effectively fill the L-shaped "hole" described above, creating a space large and attractive enough to be usable.

The upper deck, which counts as lot occupancy since it is approximately 6'-4" above grade, requires a special exception. Total lot occupancy will not exceed 50%. We will also need relief from rear yard, side yard, and court requirements, due to the peculiarities of our lot and siting.

The lower deck is 4'-0" above grade and hence does not count as lot occupancy. We will remove the existing flagstone and concrete patio and add 5" to 6" of gravel over the rear yard. This surface, hidden by the decks, will make the rear yard permeable

and reduce run off from our property. The decking is spaced, allowing rainwater to pass through. We will not be decreasing any existing green area.

Our neighbor to the east already has a deck level with and deeper than the upper deck we propose. A wooden fence on the property line maintains privacy between the two properties despite their semi-detached nature. Our garage to the west effectively blocks any view of our project from the neighbor on that side. The tall stand of bamboo and an existing neighbor's garage block the view from the south. In addition, we plan to plant a tree in the southeast corner of our lot to further protect privacy.

In short, the project should be virtually invisible to all of our neighbors. Nor would it be visible from the street. It would not affect anybody's light or ventilation. There will be no substantial detriment to the public good and it will not be inconsistent with the general intent of the zoning regulations. In short, it should meet all the requirements for a special exception.

We have secured and attached a letter from all nearby property owners – everyone with even a potential sight line towards the rear part of our property, even if obscured – confirming that they have no objection to our proposal. The District HPRB official responsible for Cleveland Park has determined that this project is small and insignificant enough that it can be approved as a “staff sign-off” and does not require submission for board approval.

Nevertheless, we will be showing our plans to the ARC of the CPHS and to the ANC 3C. We anticipate no objections and will solicit letters from them to that effect.

In sum, we believe the effect of our project will be entirely positive. It will enhance the appearance, use and value of our property and have no deleterious effect on any of our neighbors.



BEFORE THE BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA



FORM 135 – ZONING SELF-CERTIFICATION

Project Address(es)	Square	Lot(s)	Zone District(s)
2926 NEWARK ST. NW	2082	857	R-1-B

Single-Member Advisory Neighborhood Commission District(s):

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is requested from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought	☐ §3103.2 - Use Variance	☐ §3103.2 - Area Variance	☒ §3104.1-Special Exception
Pursuant to Subsections			223

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

- (1) the agent is duly licensed to practice law or architecture in the District of Columbia;
- (2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
- (3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

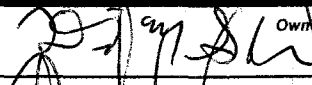
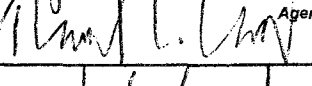
The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self certified in order to obtain, for the above referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment (BZA) does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the BZA.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this form is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.
(D.C. Official Code § 22 2405)

		Owner's Signature		David M. Sohn		Owner's Name (Please Print)	
		Agent's Signature		DICKSON CARROLL MRCM.		Agent's Name (Please Print)	
Date	11/15/12	D.C. Bar No.		or	Architect Registration No.	A 2066	

FOR OFFICIAL USE ONLY

Based upon review of the application and self-certification, the Office of Zoning determines, pursuant to 11 DCMR §3113.2, this application is

☐	Accepted for filing.
☐	Referred to the Office of the Zoning Administrator within DCRA, for determination of proper zoning relief required.
☐	Rejected for failure to comply with the provisions of ☐ 11 DCMR §3113.2; or ☐ 11 DCMR - Zoning Regulations. Explanation _____
Signature	Date

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Case No. _____

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on this form. All certification forms must be completely filled out (front and back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Complete one self-certification form for each application filed. Present this form with the Form 120 - Application for Variance/Special - Exception to the Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001. (All applications must be submitted before 3:00 p.m.)

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)	3287 #	5000 #			(EX156. COMP.)
Lot Width (ft. to the tenth)	31'	50'			(EX156. COMP.)
Lot Occupancy (building area/lot area)	45.5 %		1315 # (40%)	1644 (50%)	329 (10%)
Floor Area Ratio (FAR) (floor area/lot area)	N/A				
Parking Spaces (number)	1			1	
Loading Berths (number and size in ft.)	N/A				
Front Yard (ft. to the tenth)	N/A				
Rear Yard (ft. to the tenth)	23.5'	25'		2'	23'
Side Yard (ft. to the tenth)	0 & 9.1	8' & 8'		0' & 0'	100%
Court, Open (width by depth in ft.)		6'		3.5'	2.5'
Court, Closed (width by depth in ft.)	N/A				
Height (ft. to the tenth)	30.'		40.'	30.'	(EX156. COMP.)

If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.



Washington, D.C., March 23, 2012

Scale: 1 inch = 20 feet

Recorded Per Deed

Receipt No. 12-02724

Furnished to: DICKSON CARROLL

I hereby certify that the existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

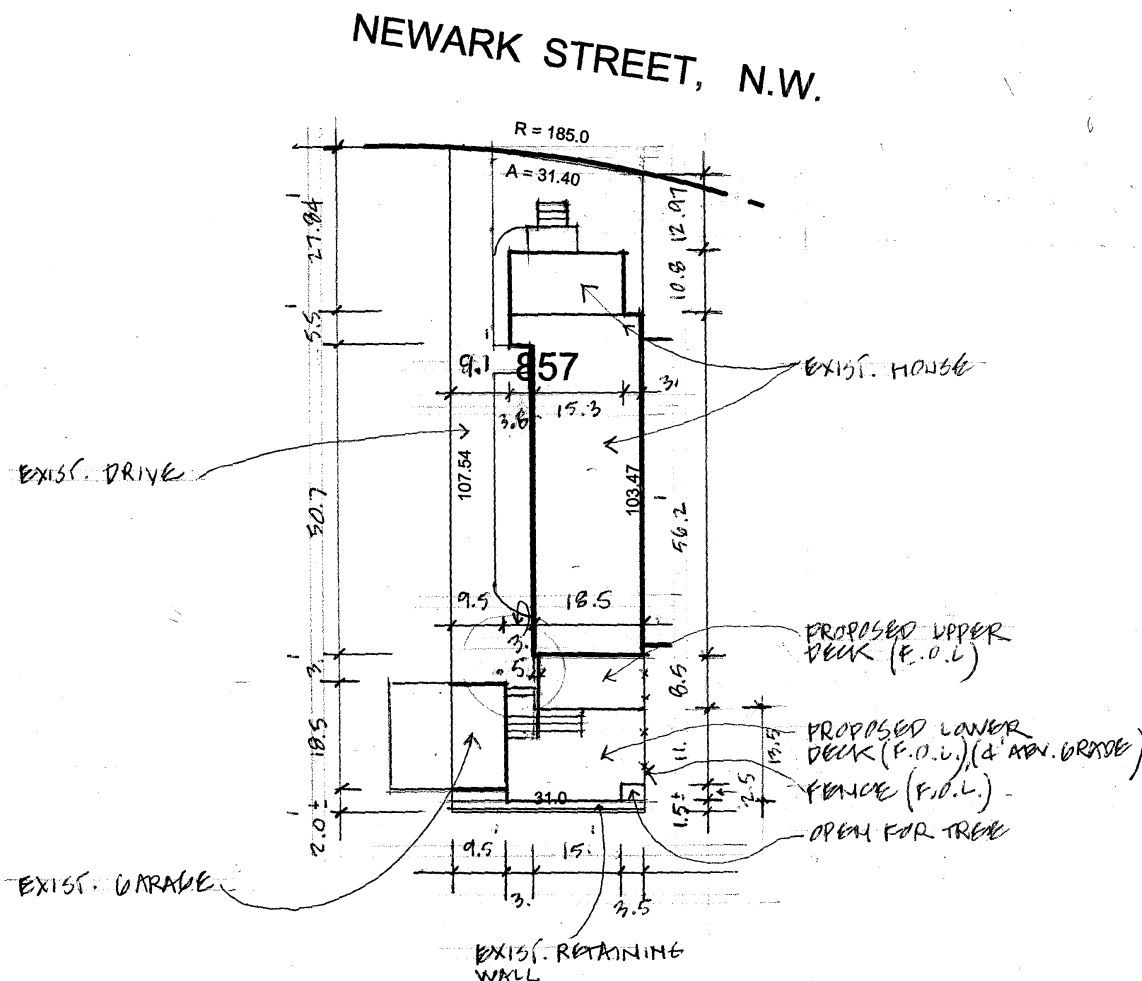
Date:

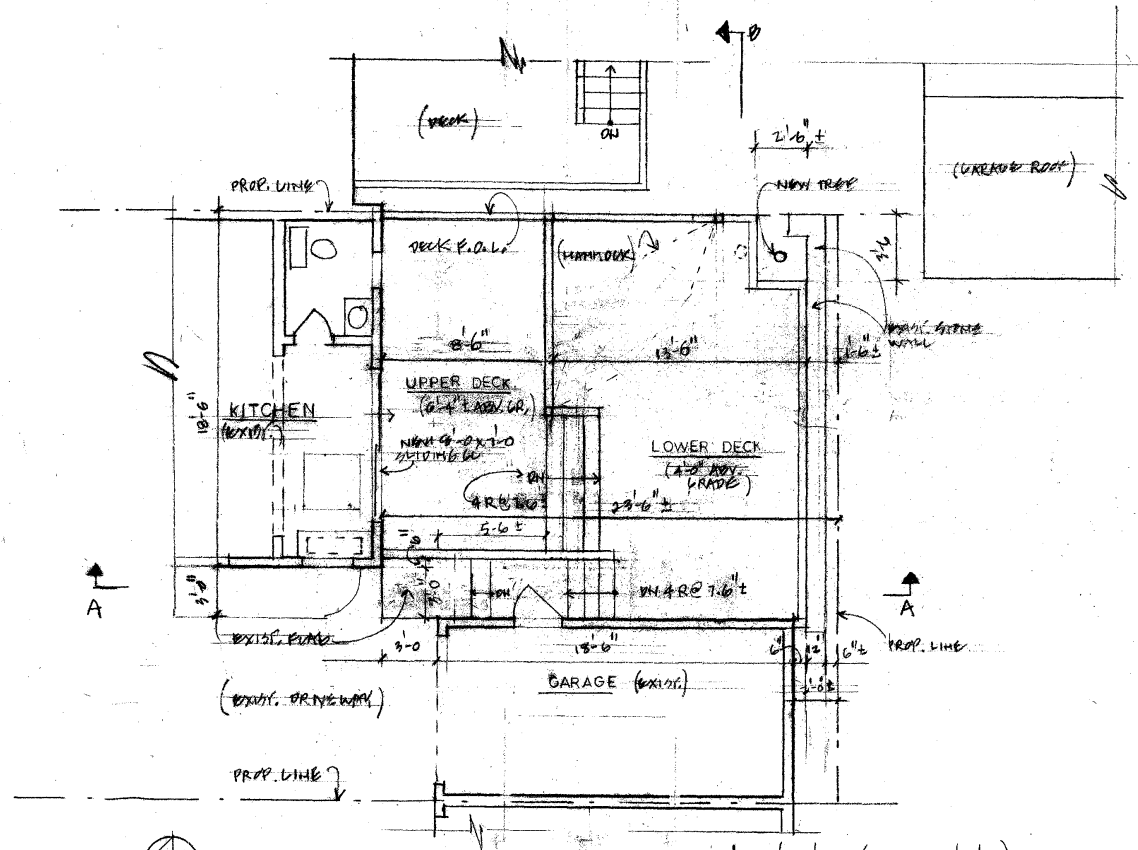
Surveyor, D.C.

By: A.S.

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.





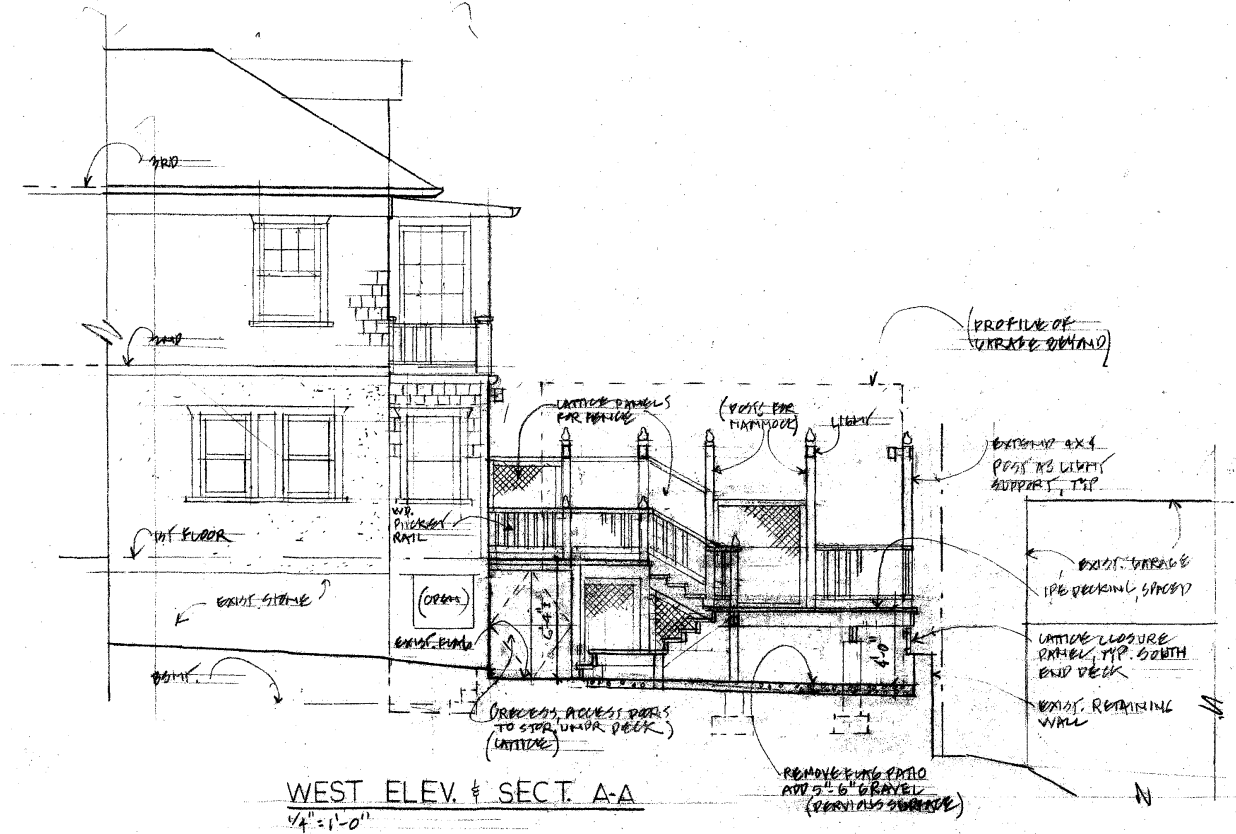
FIRST FLOOR PLAN

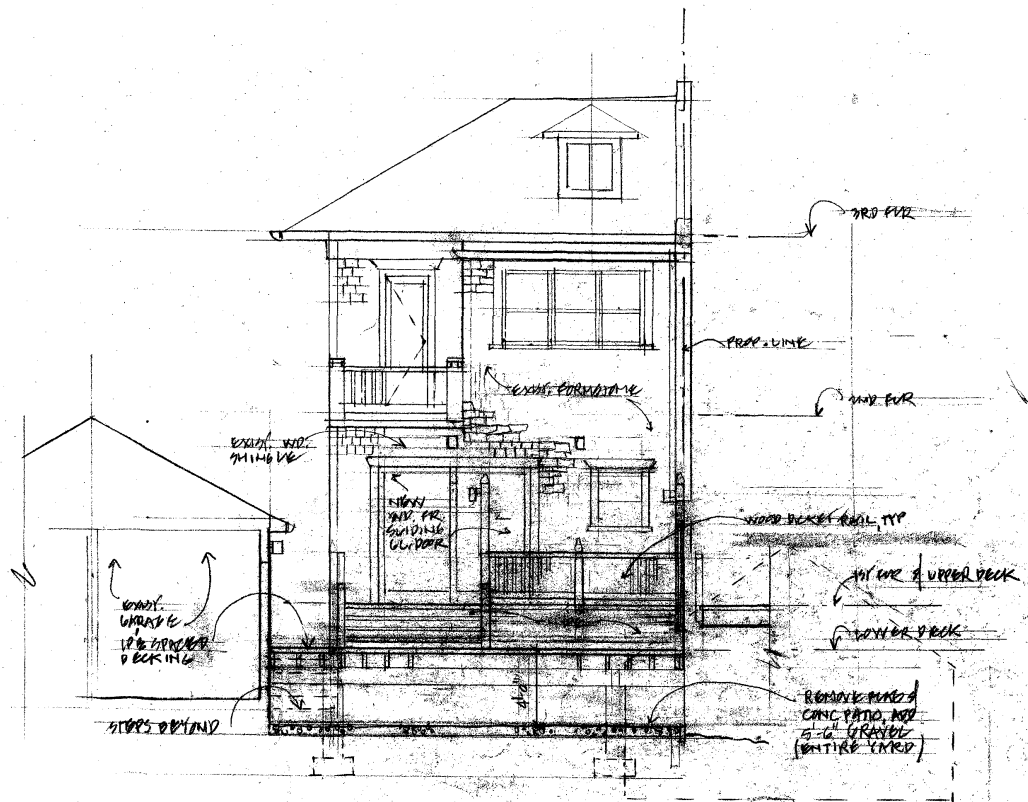
1/4" = 1'-0"

8/3/12 (REVISED 11/15/12)
SOHN DECK

3020 NEWARK ST. NW

Deborah Conrad, Architect
3400 Ruffin Drive, NW
Washington, D.C. 20007
Tel. 202-333-0000

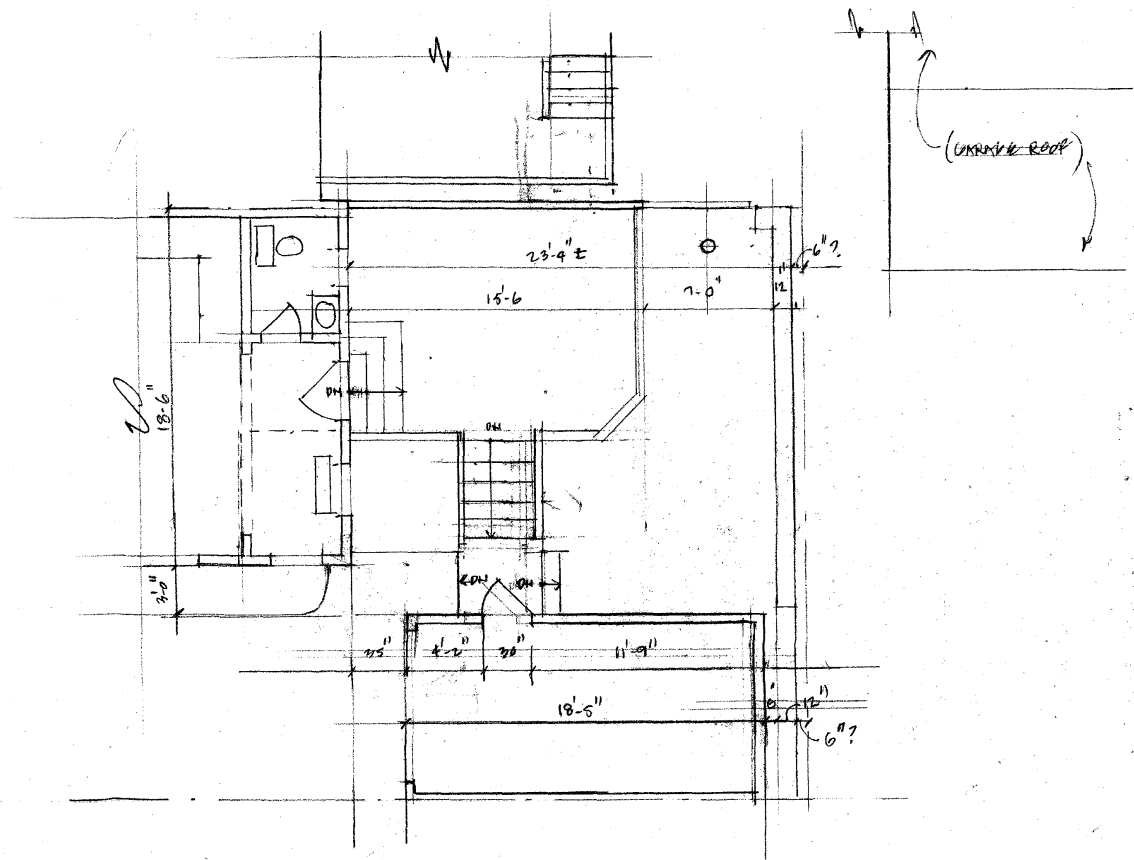




SOUTH ELEV. & SECT. B-B

$\frac{1}{4}" = 1'-0"$

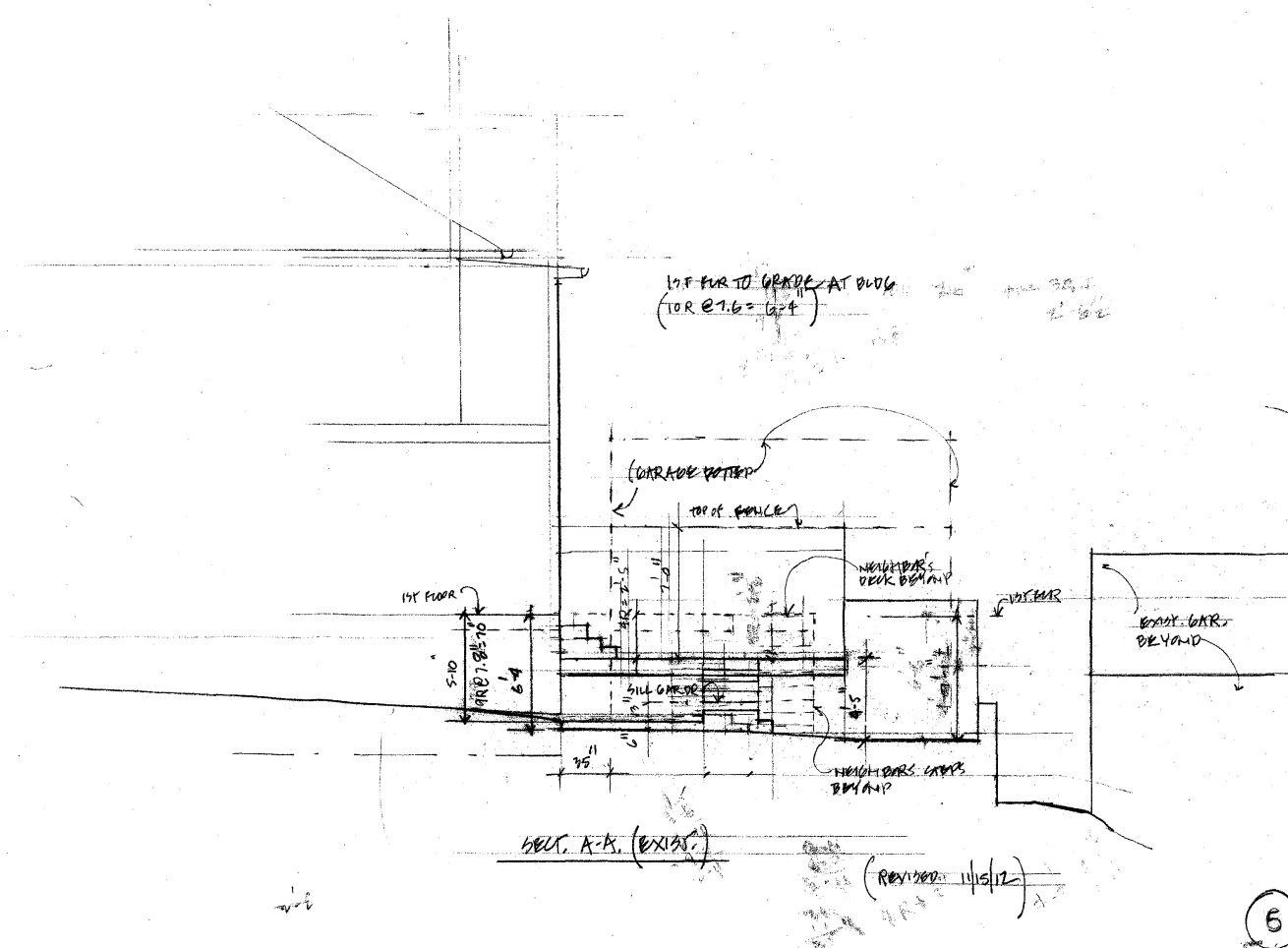
(REVISED 11/19/12)



PLAN - EXIST. 1ST FLOOR

1/4" = 1'-0"





1.7' FUR TO GRADE AT BULK
(TOR @ 7.6 = 6'-4")

(GARAGE DOOR)

TOP OF WALL

NEIGHBORS DECK BEYOND

1ST FLOOR

ENTR. GAR. BEYOND

NEIGHBORS GAR. BEYOND

SECT. A-A (EXIST.)

(REVISED 11/5/12)