

BERNARD THOMAS GUAY, ARCHITECT
3908 COMMANDER DRIVE
HYATTSVILLE, MD. 20782
bernguay@gmail.com
301.221.0410

October 22, 2012

Board of Zoning Adjustment Application Information

Detailed Statement of Burden of Proof

Project/subject:
1425 North Carolina Avenue NE
Lot 0094 in Square 1056
Zoned R-4
DCRA File Job #B1211646
DCRA BZA Case #FY-12-50-Z

The propose design of the deck in the rear yard should be allowed by reason that an exceptional situation. A significant number of neighboring properties enjoy the nonconformities of large lot occupancies and greatly reduced rear yards where the subject property is burdened as follows:

1. Equity: The owner of the subject property should be allowed to enjoy a similar large lot occupancy and a shallow rear yard as the neighboring properties do.
2. Privacy and air flow: The properties to the south (across a narrow alley) have elevated deck structures that overlook the rear yard of the subject property creating a visual intrusion on the yard that cannot be blocked with a conforming fence. A similar raised deck is will maintain visual privacy and air flow.
3. Relief from the required lot occupancy and rear yard setback would not create a substantial detriment to the public good.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18491

EXHIBIT NO. 5

RECEIVED
D.C. OFFICE OF ZONING
2012 OCT 24 AM 11:43

Board of Zoning Adjustment
District of Columbia
CASE NO.18491
EXHIBIT NO.5