



**Burden of Proof
Special Exception Application**

3305 Macomb Street, Northwest

To: Office of Zoning
Government of the District of Columbia
Suite 210 South
441 4th Street, NW

From: PJ McCann & Ed An
Owner/Applicants
3305 Macomb Street NW
Washington DC 20008

Date: Sept 20, 2012

**Re: BZA Application for an Enlargement at 3305 Macomb Street NW
(Square 2079, Lot 804)**

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Mrs. McCann and Mr. An, owners and residents of 3305 Macomb Street NW, hereby apply for a special exception to replace a portion of low-sloped roof on there house with a gabled roof. The proposal adds no area to the house, but, because the ridge of the proposed gable is higher than the existing roof, it adds volume and will be considered an addition from a zoning standpoint. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

The proposed construction is along an existing side yard that is less than five (5) feet.

I Summary

The special exception qualifies under 11 DCMR Section 223 because the lot occupancy will not change and does not exceed the maximum allowed for R-1-B and the enlargement will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwellings or properties.

II Statement of Existing and Intended Use of Addition

The existing use is a single family, detached residence and there is no change proposed.

III Basis for Grant of Special Exception

Section 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.*

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18492
EXHIBIT NO. 4

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Section 223.1 offers possible relief to an enlargement to 3305 Macomb St, specifically from 405.1, requirements for side yard.

IV Section 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.

i. The neighboring house to the east, at 3303 Macomb St, sits adjacent to the nonconforming side yard in question.

The blockage of afternoon sunlight to this house will be minimal and the proposed addition will be less than six (6) feet higher than the existing roof at its ridge. The height of the eave will not change under this proposal. Furthermore, the area of the neighboring house that is opposite the proposed enlargement is one story and the proposed roof change is on the second story. Therefore, any shadow that the proposed gable roof will cast will fall largely on the roof of its neighbor, an area that is not occupiable.

Furthermore, the owners of 3303 have reviewed the design for project and have provided a written email statement expressing their support for the project.

ii. The neighboring houses to the rear and to the west will be unaffected by the proposed enlargement.

(b) The privacy of use and enjoyment of neighboring parties shall not be unduly compromised.

i. There will be no windows along the wall of the enlargement, so the privacy of the neighbors to the east, at 3303, will not be adversely affected.

The owners of 3303 have reviewed the plans for the addition in question and have provided a written statement expressing their support for the project.

ii. The neighboring houses to the rear and to the west will be unaffected by the proposed enlargement.

(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.

The view of the proposed roof from Macomb St. will be minimal and oblique. The proposed work does not overpower the existing house and retains elements of the original house's materials

The project has been reviewed by the Cleveland Park Historical Society and the ANC both of which determined that the proposed roof will not intrude upon the character of the architectural fabric of the street.

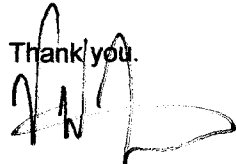
(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

Along with this application we have included the following items:

1. Photos of the existing house

2. Signature of support from neighbors for a rear addition
3. Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
4. Official Plat from the DC Office of the Surveyor

Please do not hesitate to contact the authorized agent VW Fowlkes, and owners PJ McCann and Ed An with any questions.

Thank you.

VW Fowlkes