

**Burden of Proof
Special Exception Application**

1329 F Street NE

To: **The Office of Zoning**
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

From: **Brian and Christy Davis**
Owner/Applicant
1329 F Street NE
Washington, DC 20002

Date: December 18, 2012

Subject : **BZA Application, Davis Addition**
1329 F Street NE (Square 1029, Lot 169)

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Brian and Christy Davis, owners and residents of 1329 F Street NE, hereby apply for a special exception to build a two-story addition on the rear of their existing row house. The aspect of the proposed project that falls outside the current zoning regulation is as follows:

The proposed construction increases the lot occupancy from 805 SF (67.6%) to 834 SF (70%), which is 10% over the allowed lot occupancy for a row house in the R-4 zoning district (11 DCMR 403.2), and 2.4% above the existing lot occupancy. The rear setback will remain more than the required 20' minimum.

Currently, the existing lot also is non-conforming to 11 DCMR 2001.3 (addition to a non-conforming structure) and lot width (11 DCMR 401).

I. Summary:

- A.** This special exception qualifies under 11 DCMR Section 223 because the lot occupancy does not exceed 70% (11 DCMR 223.3), and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).
- B.** The existing second story addition will be demolished. The dogleg will be enclosed and the proposed two-story addition will not extend further back than the existing second floor addition.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18526
EXHIBIT NO. 6

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II. Bases for Grant of Special Exception

Section 223 provides relief based on satisfying specific criteria under which additions to single-family dwellings may be permitted with a residential district. Those criteria are addressed separately below:

223.1 An addition to a one-family dwelling or flat in those Residence Districts where a flat is permitted that does not comply with all of the applicable area requirements of sections 401, 403, 404, 405, 406 and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under section 3104, subject to the provisions of this section.

The two-story addition is to a permitted single-family residence that is not currently in conformance with Section 406.1 (open court) or Section 2001.3 (lot occupancy).

The proposed two-story addition will be on the rear (south facing side) of the existing building and will enclose the existing dogleg on the west side of the property. The proposed addition will increase the existing lot coverage from 67.6% to the maximum allowable 70%.

223.2 The addition 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.

1327 F Street NE

1327 F Street NE lies to the west of the proposed addition at 1329 F Street NE. The addition will not extend beyond the rear of 1327 F Street. The existing structure does not have any windows on the east side of the building, thus filling in the dogleg at 1329 F Street will not affect the light and air available to 1327 F Street. The overall addition will have minimal impact on the air or light at 1327 F Street NE.

1331 F Street NE

1331 F Street NE lies to the east of the proposed addition at 1329 F Street NE. The proposed addition will not extend beyond the existing house at 1331 F Street and will not extend past the existing second floor addition at 1329 F Street. Additionally, there is an existing open court at 1331 F Street that will separate the proposed addition from the existing house at 1331 F Street. Thus, the overall addition will have minimal impact on the air or light at 1331 F Street NE.

Neighbors to the South

Neighbors to the south of 1329 F Street are separated from the property by a 10' wide public alley. The proposed addition at 1329 F Street will allow for a rear yard of 20'-11". The overall depth of the structure at 1329 F Street will not

change. Due to the public alley and existing rear yards, the proposed addition will have no impact on the air or light for the neighbors to the south.

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

1327 F Street NE

The proposed addition at 1329 F Street will be modest in size and will not extend beyond the existing house at 1327 F Street. The addition will extend the existing party wall with a face-on-line wall and will not have any windows on the side facing 1327 F Street. The proposed addition will be proportional in scale, thus the privacy of use and enjoyment of 1327 F Street will not be compromised.

1331 F Street NE

The proposed addition will be modest in size and will not extend beyond the structure at 1331 F Street. The addition will extend the existing party wall with a face-on-line wall and will not have any windows on the side facing 1331 F Street. The proposed addition will be proportional in scale, thus the privacy of use and enjoyment of 1331 F Street will not be compromised

Neighbors to the South

The proposed addition at 1329 F Street will not affect the existing public alley that separates the structure from the neighbors to the south. The proposed addition will maintain the existing rear yard. The proposed addition will be proportional in scale, thus the privacy of use and enjoyment of neighbors to the south will not be compromised.

(c) The addition, together with the original building, as viewed from the street, alley, or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage

The existing square is extremely dense. There is alley access to the property, but existing rear yards will limit the view of the proposed modestly sized addition from the properties in the alley. The proposed addition will not be visible from any street.

The proposed addition will be constructed with high quality, historically appropriate materials and will be appropriate in scale for the existing houses.

(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 to adjacent buildings and views from public ways.

Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings;
- b) Signatures of support from neighbors for a new rear addition;
- c) Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
- d) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, we are available at any time to discuss them with you.

Thank you,

A handwritten signature in black ink, reading "Brian D. Davis". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Davis
1329 F Street NE
Washington, DC 20002

A handwritten signature in black ink, reading "Christy Davis". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Christy Davis
1329 F Street NE
Washington, DC 20002