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January 29, 2013

Special Exception Application
Statement of Existing and Intended Use of Building

Current Use: Single Family Dwelling
Intended Use: Single Family Dwelling

The building at 3411 Quebec St. NW (Square 2063, Lot 0087) is a single family dwelling. We are proposing a new deck with an addition below the existing one-family dwelling. The intended use of this building will not change from the existing use.

Applicant's Burden of Proof for Special Exception Application

Section 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 the applicable area 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.

Section 223.2: The addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

The immediate neighbors are supportive of this addition. The addition actually provides both parties with additional privacy at the deck while not unduly affecting the available light and air. The modest size of the addition will not interfere with the character of the house as it is seen from the alley.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18535

EXHIBIT NO. 4

Board of Zoning Adjustment
District of Columbia
CASE NO.18535
EXHIBIT NO.4

SOURCE: § 3101.416 of the Zoning Regulations, effective May 12, 1958; as added by Final Rulemaking published at 28 DCR 3482, 3489 (August 7, 1981); renumbered by: Final Rulemaking published at 35 DCR 6916, 6918 (September 16, 1988); and Final Rulemaking published at 36 DCR 1509, 1517 (February 24, 1989); and as amended by Final Rulemaking published at 40 DCR 726 (January 22, 1993); and Final Rulemaking published at 47 DCR 9741 (December 8, 2000), incorporating by reference the text of Proposed Rulemaking published at 47 DCR 8335, 8353 (October 20, 2000).

222 [RESERVED]

223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1)

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 §§ 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.
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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;
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
- (c) The addition, 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; and
- (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.

223.3 The lot occupancy of the dwelling or flat, together with the addition, shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.

223.4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.