

18548

HAMILTON SNOWBER

Architects, PC

Application for Special Exception

Fisher/Goodman Residence

3907 Harrison Street NW

Washington, DC 20015

February 27, 2013 Amended May 2, 2013

2013 MAY -3 AM 8:40

RECEIVED
D.C. OFFICE OF ZONING

D. Statement of Existing and Intended Use of Building:

The building is a free-standing building serving as a single-family residence. The intended use of the building shall continue as a single-family residence.

E. Burden of Proof – Special Exception

We are applying for a Special Exception for relief from the minimum rear yard setback (404.1), pursuant to Section 223.1. *We are also applying for relief from the minimum side yard setback (405.9) pursuant to Section 223.1.*

Section 404.1 requires that residences in an R-1-B zone have a rear yard of 25'. The existing rear yard is 24.48'. The proposed rear yard would be 21.16'. We are therefore requesting relief from the rear yard requirement of 3.84'.

Section 405.9 requires side yards of 8.0'. The existing side yards are 5.5' (west) and 5.73' (east). By Section 405.8, we are allowed to extend the building parallel the property line, provided that we do not reduce the side yard, and further, that the existing side yard is a minimum of 5.0'. The proposed addition aligns with the west side of the house and maintains the 5.5' side yard. The proposed addition is set back 16.0' from the east property line.

Intent and Purpose of the Zoning Regulations and Map

The proposed addition is an improvement to an existing single-family residence and as such is consistent with the intent and purpose of the zoning regulations and map.

Effect on Neighboring Properties

The proposed addition will not create any additional noise or traffic. Regarding the light, air, use and enjoyment of the neighboring properties, see arguments below.

Section 3104.1 Special Conditions for Additions to One-family Dwellings or Flats in Any R District: Section 223

We are pursuing this Special Exception pursuant to the requirements of Section 223, which regulates additions to one-family dwellings or flats in R-1 districts.

Section 223.1 states that an addition shall be permitted as a Special Exception to a one-family dwelling that does not comply with Sections 401, 402, 403, 404, 405, 406 or 2001.3, subject to the provisions of this section.

Section 223.2 (a through d) requires that the addition shall not have substantially adverse affects on the use or enjoyment of any abutting or adjacent dwelling or property.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18548

EXHIBIT NO. 29

Board of Zoning Adjustment
District of Columbia
CASE NO. 18548
EXHIBIT NO. 29

(a) and (b) Light and Air, Privacy and Enjoyment

The residence is bordered by a public alley to the east, a single-family detached residence to the west and an alley to the north, as seen in the site plan. To the north of the alley are single-family detached residences. The proposed addition protrudes less than four feet into the required rear yard and is one-story high with a low-slope roof.

To the east of the property is an 12.0' wide public alley. Across the alley is 3901 Harrison Street, NW. As shown on the site plan and neighborhood plan, our requested special exception projects into the east side yard 10.1' less than the existing, and therefore would not have any negative impact on the light and air, privacy and enjoyment for the residents of this residence.

To the north of the property are the rear yards on Huntington Street, NW. As shown on the site plan and neighborhood plan, our requested special exception leaves a 21.16' rear yard plus a 12.0' wide public alley and therefore would not have any negative impact on the light and air, privacy and enjoyment for the residents of these residences.

To the west of the property is 3909 Harrison Street, NW. The full side yard of this house, plus that of our residence, provide a reasonable distance between the two dwellings. This extension will have a minimal impact on light and air for the western neighbor.

For all of the reasons listed above, the proposed addition will have minimal impact on the light, air, privacy of use and enjoyment of neighboring properties.

(c) Street and Alley Views of House

The proposed addition will be at the rear of the house and have limited visibility from Harrison Street, NW, and will have visibility from the public alley to the east and north.

The addition has an architectural character that is similar to the original house. The west half of the one-story addition is covered with siding, similar to the original one-story addition on the east side of the house. The east half of the addition is a screen porch. The addition will set on masonry piers which are infilled with lattice work.

(d) Graphic Presentation

On the attached set of drawings are photographs, site plans and elevations that demonstrate the relationship of the building to the adjacent buildings and views from public ways.

223.3 Lot Occupancy

The proposed lot occupancy of the project will 30.1%, well under the 40% maximum allowable.



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 Special Exception	Section(s) of Title 11 DCMR - Zoning Regulations from which relief is being sought
3907 Harrison Street NW	1754	2	R-1-B	Special Exception ☒	404.1, 2001.3,
				☒	405.9, 223.1
				☒	
				☒	

Present use(s) of Property: Single Family Dwelling

Proposed use(s) of Property: Single Family Dwelling

Owner of Property: Marc Fisher & Jody Goodman

Telephone No: 202-624-2841

Address of Owner: 3907 Harrison Street NW, Washington, DC 20015

Single-Member Advisory Neighborhood Commission District(s): 3E04

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

New one-story wood frame addition at the rear (North) of the existing residence.

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: 5.2.13

Signature*: [Signature]

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

Name:

E-Mail:

Address:

Phone No(s):

Fax No.:

* 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. _____



BEFORE THE BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA



FORM 135 – ZONING SELF-CERTIFICATION

Project Address(es)	Square	Lot(s)	Zone District(s)
3907 Harrison Street NW	1754	2	R-1-B

Single-Member Advisory Neighborhood Commission District(s): **3E04**

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			404.1, 2001.3, 405.9, 223.1

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		Owner's Name (Please Print)	
		Marc Fisher & Jody Goodman	
Agent's Signature		Agent's Name (Please Print)	
		Christopher Snowber	
Date	D.C. Bar No.	or	Architect Registration No.
5.2.13			ARC4076

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	
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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.)	5127.1 sf	5000 sf	--	--	--
Lot Width (ft. to the tenth)	60'	50'	--	--	--
Lot Occupancy (building area/lot area)	28%	--	40%	--	--
Floor Area Ratio (FAR) (floor area/lot area)	--	--	--	--	--
Parking Spaces (number)	1	--	--	--	--
Loading Berths (number and size in ft.)	--	--	--	--	--
Front Yard (ft. to the tenth)	24.9'	--	--	--	--
Rear Yard (ft. to the tenth)	24.5'	25'	--	21.16'	3.84' / 15.3%
Side Yard (ft. to the tenth)	5.5', 5.73'	8'	--	5.5'	2.5'/31%
Court, Open (width by depth in ft.)	--	≥ 6'	--	--	--
Court, Closed (width by depth in ft.)	--	≥ 5'	--	--	--
Height (ft. to the tenth)	29.3'	--	40'	--	--

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.





GOVERNMENT OF DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION
1100 4TH STREET SW / 2ND FLOOR, WASHINGTON, DC 20024

d.

URBAN FORESTRY ADMINISTRATION SPECIAL TREE REMOVAL PERMIT

		PERMIT NO:	TA5878
Location:	3907 HARRISON STREET NW		
Permission Granted To:	Jodie Goodman	Approved Circumference:	97.39 in
Number of Approved Trees:	1	Number of Denied Trees:	0
Sapling Count:		Sapling Circumference:	
Tree Fund SOAR No:	300178626	Tree Fund Amount:	\$3,408.65

Permission is hereby granted to the entity named above to remove tree(s) described herein at the address shown above in strict accordance with sapling plantation requirements stated below.

Location Description:

Center Rear- growing out of the deck

Conditions:

The performance of any work associated with this permit shall be strictly in accordance with the conditions set forth herein authorizing such work.

- * *The performance of any work associated with this permit shall be strictly in accordance with the conditions set forth herein authorizing such work.
- * *Replacement trees, when planted, shall have a minimum caliper size of two (2) inches.
- * *The replacement trees shall be properly planted according to the International Society of Arboriculture standards that are in effect at the time of planting.
- * *The replacement trees shall be planted only during the planting season (October 15 to May 1), except that planting must be completed no later than seven (7) months after the Special Tree is removed, unless construction activity makes planting of replacement trees infeasible, in which case planting of replacement trees shall be completed no later than seven (7) months after construction is finished.
- * *Replacement trees shall not be one of the following species: Ailanthus altissima (Tree of Heaven); Morus species (Mulberry); Acer platanoides (Norway maple).
- * *For a twelve (12) month period after planting, the replacement trees shall be watered, mulched, and, when appropriate, removed from any tree protection stakes and guy wires.
- * *A non-hazardous replacement tree shall not be cut down, girdled, broken, or destroyed unless the replacement tree has grown into a Special Tree, and then only if a Special Tree Removal Permit has been issued.
- * *Not later than thirty (30) days after the replacement trees are planted, the Permittee shall mail or hand deliver to the Urban Forestry Administration a certification, signed by the Permittee, attesting to the successful planting of the replacement trees.
- * *An inspector of the Urban Forestry Administration shall be granted reasonable access to the property where the replacement trees are planted for a period of twelve (12) months following planting.
- * *If replacement trees are not planted on the same property where the Special Tree is located, then the Permittee shall record the Special Tree Removal Permit in the land records of the District of Columbia against the property on which the replacement trees are to be planted and mail or hand deliver confirmation of the recorded Special Tree Removal Permit to the Urban Forestry Administration at 55 M Street SE, Washington, DC 20003 no later than thirty (30) days after the Special Tree Removal Permit is issued, except that this requirement shall not apply where the property is owned by or under the jurisdiction of the District of Columbia.
- * *The performance of any work authorized under the permit shall be in full compliance with all applicable laws and regulations of the District of Columbia.
- * *The Urban Forestry Administration reserves the rights to grant or deny the permit based on expertise, experience, and judgment.
- * *The applicant guarantees that if, in the opinion of the Director of the District Department of Transportation or his representative, any work performed in, or occupancy of, public space by him or on his behalf, in any manner becomes dangerous to, or interferes with, pedestrian or vehicular traffic, the applicant shall take such action as, in the opinion of said Director or his representative is necessary to remove such dangerous condition.
- * *The applicant shall hold harmless the District of Columbia, its officers and employees from all claims, suits, charges, counsel fees, and judgments to which the District, its officers and employees may be subject on account of injury to persons or damage to property, including property of the District of Columbia, due to negligence of the applicant, Permittee, property owner and all other applicable persons or authorized agents, or occasioned by work not authorized by said permit, or resulting from failure to observe and comply with the terms and conditions of this application and permit.
- * *The applicant, Permittee, property owner and all other applicable persons or authorized agents is prohibited from knowingly giving or submitting false information; to do so shall be considered a breach of conditions and be grounds for revocation.
- * *Revocation - The permit may be terminated upon breach of any of the stated conditions or at the discretion of the Director of the District Department of Transportation.
- * *The applicant, Permittee, property owner and all other applicable persons or authorized agents will not cut or injure trees, or pile earth or other

PERMIT NO: TA5878

material within 3 feet of trees in the public space unless such trees are properly protected in a manner approved by the Director of the District Department of Transportation or his representative.

* *The applicant, Permittee, property owner and all other applicable persons or authorized agents shall not interfere with existing underground construction.

* *Surface (lawns, grass, shrubs, sidewalks, etc.) will be restored upon completion of work.

* *All material, equipment, surplus material, debris, etc., will be removed from public space as soon as possible, consistent with working hours and conditions, within 3 working days following the completion of the work authorized by the permit.

* *In the event the District of Columbia, as a consequent of any failure of the applicant, Permittee, property owner and all other applicable persons or authorized agents to maintain the public space in a safe condition, is required to repair said public space, such repair by the District of Columbia shall be at the applicant's expense and the applicant agrees to reimburse the District of Columbia for all costs of such repair and shall not be relieved of responsibility for maintaining said public space in a safe condition, by reason of any such repair.

* *Any person or non-governmental entity that violates any provision of the Urban Forest Preservation Act of 2002, Chapter 37 of the D.C. Municipal Regulations, or any condition of this permit shall be subject to a civil infraction fine of one hundred dollars (\$100) per inch of circumference of the tree or trees in question.

(Approved trees and sapling plantation requirements are listed on next page(s))

Permit Effective: 05/16/2013

Michelle Mosley

Public Space Permit Staff

Permit Expires: 11/16/2013

Terry Bellamy

Director

PERMIT NO: TA5878

TREE(S) PERMITTED TO BE REMOVED:

Species	DBH	Circumference	Hazardous Status
Scarlet Oak	31.00	97.39	Non-Hazardous

SAPLING INFORMATION:

Species	Quantity	Circumference	Caliper
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