

**Burden of Proof
Special Exception Application**

2456 Skyland Place SE

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

From: Catherine Bennett
2456 Skyland Place SE
Washington, DC

Date: February 28, 2013

Re: BZA Application for an Addition at 2456 Skyland Place SE

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D.C. OFFICE OF ZONING
2013 MAR -4 PM 2:00

Catherine Bennett, owner and resident of 2456 Skyland Place SE hereby applies for a special exception to build a two-story addition on the rear of her existing semi-detached single family house. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

The proposed lot coverage is 1226 sq ft, which is 0.7% above the maximum allowed lot occupancy for a semi-detached house in the R-3 zoning district (11 DCMR 403.2). In addition, the proposed rear addition would extend into the minimum rear yard setback by 10'-0", reducing the rear yard to 10'-0".

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 effect on the use and enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).
- B. On Sept. 18, 2007 the BZA granted a special exception for the adjacent property at 2460 Skyland Place SE (Square 5740, Lot 840) for a similar two-story rear addition where the same conditions were present as those found on the Bennett property.

II. Bases for Grant of Special Exception

- A. Section 223 provides relief based on satisfying specific criteria under which additions to a one-family dwelling or flat may be permitted within 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.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18554

EXHIBIT NO. 4

The proposed addition will be on the rear (southwest facing side) of the existing building. The existing structure has a lot coverage of 32.8% and a rear yard of 20'-0". The proposed addition would increase the lot coverage to 40.7% lot coverage which would exceed the maximum allowed coverage by 0.7% and reduce the rear yard to 10'-0". This addition is below the 70% lot coverage as allowed in Section 223.3 as a special exception.

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

- (a) *The light and air available to neighboring properties shall not be unduly affected;***

2452 Skyland Place SE

2452 Skyland Place SE lies immediately southeast of the property at 2556 Skyland PI SE. The existing side setback will remain unchanged between these two properties. Additionally, the rear addition is proposed for the far rear corner of the existing building and will have minimal impact on the air and light at 2452 Skyland PI SE.

2460 Skyland Place SE

2460 Skyland Place SE lies immediately to the northeast of 2456 Skyland Place SE. The proposed addition will not extend beyond the end of the existing two-story structure at the rear 2460 Skyland Place SE, which was used as the model for the addition at 2456 Skyland PI SE. Thus the proposed addition will have minimum impact on the air and light at 2460 Skyland Place SE.

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

2452 Skyland Place SE

The proposed addition is modest in size. The proposed addition at 2456 Skyland Place SE will maintain the existing side setback between properties. There are now windows on the second floor of the proposed addition to this side. Thus the privacy of use and enjoyment of 2452 Skyland Place SE will not be compromised.

2460 Skyland Place SE

The proposed addition is modest in size and does not extend beyond the existing two story structure at 2460 Skyland Place SE. Thus the privacy of use and enjoyment of 2460 Skyland Place SE will not be compromised.

(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; and

This property is an interior lot with no alley access to the rear. The proposed addition does not exceed the existing roof peak and would be minimally visible from the street along the property line between 2456 Skyland Place SE and 2460 Skyland Place SE.

The proposed addition will be constructed of high quality materials matching the existing exterior finishes.

(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. Photographs of the existing house and surroundings;
2. Signatures for neighbors in support of the rear addition;
3. Plans and elevations of the proposed addition, including a site plan showing the relationship of the proposed addition to adjacent properties.
4. Official Plat from the DC Office of the Surveyor.

If any further clarifications are required or if there are any questions in regard to this application please feel free to contact Andre Burwell or Robert Butler (authorized agents).

Thank you,

A handwritten signature in black ink that reads "Catherine L. Bennett". The signature is fluid and cursive, with the first name being the most prominent.

Catherine L. Bennett
Owner / Applicant
2456 Skyland Pl SE
Washington, DC 20020-3413