



BEFORE THE BOARD OF ZONING ADJUSTMENT
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
4401 14th Street, NE	3994	0032	R-2	Special Exception	202.10

Present use(s) of Property: Detached Single family dwelling (SFD)

Proposed use(s) of Property: Detached Single family dwelling (SFD) + Accessory Basement Apartment

Owner of Property: Craig Meskill

Telephone No: 202-746-1189

Address of Owner: 4401 14th Street, NE

Single-Member Advisory Neighborhood Commission District(s): 5A03

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

Application of Craig Meskill, pursuant to 11 DCMR 3104.1, for a special exception to allow
an accessory basement apartment within an existing on-family detached dwelling unit
under subsection 202.10 in the R-2 District.

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: 04/27/2013

Signature*:

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

Name: Christopher LaMora

E-Mail: c@fourbrotherscarpentry.com

Address: 2617 Myrtle Avenue, NE 20018

Phone No(s): 703-537-6375

Fax No.: n/a

* 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. 18592

Board of Zoning Adjustment
District of Columbia
CASE NO. 18592
EXHIBIT NO. 1

FORM 120 – APPLICATION FOR VARIANCE/SPECIAL EXCEPTION
4401 14th Street, NE

Application Item 5.D: Statement of Existing and Intended Use of the Structure

The existing structure at 4401 14th Street, NE, Washington, DC 20017, is a detached, single family dwelling as is permitted as a matter-of-right within an R-2 Zone District. The intended use sought via this application is as a detached single family dwelling with an accessory apartment located on the basement level.

Application Item 5.E: Statement of Specific Tests identified for Special Exception and Statement of Burden of Proof for Special Exception

As outlined in section §202.10, an accessory apartment may be added within an existing one-family detached dwelling if approved by the Board of Zoning Adjustment as a special exception under §3104, subject to the following provisions:

*a) The lot shall have a minimum lot area for the following zone Districts
Four thousand square feet (4,000 ft ²) for R-2*

The existing lot area of 6,692 sq. ft exceeds the minimum square footage requirement.

b) The house shall have at least two thousand square feet (2,000 ft ²) of gross floor area, exclusive of garage space,

The existing gross square footage of 3,929 sq ft exceeds the minimum square footage requirement

c) The accessory apartment unit may not occupy more than twenty-five percent (25%) of the gross floor area of the house;

The proposed accessory apartment will occupy 24% of the gross floor area of the house. (The gross square footage of the accessory apartment is 943 sq ft.)

d) The new apartment may be created only through internal conversion of the house, without any additional lot occupancy or gross floor area, garage space may not be converted,

The new accessory apartment will be located within the existing house. No additional lot occupancy or gross floor area will be created, nor will any garage area be converted for use in conjunction with the new apartment.

e) If an additional entrance to the house is created, it shall not be located on a wall of the house that faces a street,

No additional exterior entrances shall be created to access the new accessory apartment.

f) Either the principal dwelling or accessory apartment unit must be owner-occupied;
The principal dwelling will be owner-occupied.

g) The aggregate number of persons that may occupy the house, including the principal dwelling and the accessory apartment combined, shall not exceed six (6),

The aggregate number of persons that occupy the house, including the principal dwelling and the accessory apartment combined will not exceed six (6).

h) An accessory apartment may not be added where a home occupation is already located on the premises;

There is no existing home occupation located on the premises, nor is there any intention of such.

i) The Board may modify or waive not more than two (2) of the requirements specified in paragraphs (a) through (h) of this subsection,

The proposed accessory basement apartment meets all of the provisions stated in section §202.10.

FORM 120 ADDENDUM – BURDEN OF PROOF

The existing structure at 4401 14th Street, NE, Washington, DC 20017 is a detached, single family dwelling as is permitted as a matter-of-right within an R-2 Zone District. We are proposing converting a portion of the basement to an accessory apartment.

The proposed basement accessory apartment is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not adversely affect the use of the neighboring properties, as described below

- a) The property is located in, and adjacent to residential zoning districts. As an owner occupied home with an accessory unit with a limited number of occupants, the character and intent of the zoning will be realized
- b) The footprint of the building remains unchanged; therefore there is no impact on the light and air available to neighboring properties.
- c) The exterior of the building remains unchanged; therefore there is no impact on views to the building.
- d) Five existing parking spaces in the rear provide ample parking.