

Attachment to Form 120
 Special Exception Application
 Applicant and Owner: Nicolas Ferreyros
 Address: 2315 15th Street, N.W. WDC 20009

Existing and Intended Use of the Structure

The existing structure is a row dwelling, one-family dwelling with party walls on both the south and north property lines. The Owner proposes to add a partial third floor above the existing second floor with small roof terrace on the west side. The site grade slopes sharply from the east terrace to the west facade. As reviewed with the Zoning Administrator and due to this slope, the lower level is largely a cellar by definition using the perimeter calculation method, and allows a maximum of 377.28 gsf to be built; the proposed partial 3rd floor is 375.42 gsf. This lower level is below the main floor level, contains an open entryway and former garage that is proposed to be restored (see paragraph below) and projects approximately 5-11 3/4" beyond the main building face above.

There will be no change of use and the intended use will remain the same as the existing use.

There is currently a curb cut for a previous garage that was enclosed circa 1942 and the Owner is planning on restoring this garage as part of the project and as requested by the Zoning Administrator. However, the garage work is not a part of the Special Exception application and the Owner reserves the right to not restore the garage if a valid permit for the original work can be identified that 'grand-fathers' the existing condition, as agreed with the Zoning Administrator,

How the Application Meets the Specific Tests

Requirements of §3104.1

Granting of the special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps

The property is currently zoned R5-B which allows a 50' height limit and has no restriction on the number of stories. The R5-B zone is intended to allow a moderate height and density and also allows one-family dwellings. The subject property is one of four small, one- to- two family dwellings on this street that were apparently built at the same time in the late 1930s. To the south are three larger, multi-family structures. The two adjacent properties to the south have been developed into multi-family apartment/condominium buildings that extend to approximately the permitted height in the R5-B zone and also include roof structures. The adjacent structure immediately to the north is a one-family

dwelling that has a roof structure addition whose height is taller than the height of the proposed partial third floor. The next structure to the north is a two-family dwelling (flat) which has had a full third floor added to it and whose height is also taller than the height of the proposed partial third floor.

The proposed partial third floor will be lower in height than those structures to both the north and the south. The owner of the one-family dwelling immediately to the south has also advised that he is anticipating adding a roof structure or addition. The proposed third floor is well within the height limitations of the district and will in fact, be lower than most of its immediate neighbors. Therefore the proposed partial third floor will be in harmony with the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring properties.

Requirements of §223

The addition or accessory structure 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 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*
- (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.*

The subject property and structure is one of four small, one- to- two family dwellings on this street that were apparently built at the same time in the late 1930s. To the immediate south is the last of the four small dwellings. To the north are the other two of the four dwellings. Further to the south are three larger, multi-family structures. The Meridian Hill/Malcolm X park is across the street. The property is bounded by neighbors on the east, north and south.

The structure on the property behind and to the east of the subject property is larger and taller than the existing, subject structure; the height of the proposed partial third floor will be lower in height than the top of that structure. This structure also extends to within approximately 3' of the subject property's south property line and the east property's rear yard space continues further to the

south. This structure also has an approximate 4' deep dogleg setback configuration for light and air for the several windows along its west face.

The structures to the north are higher than the subject property and the proposed partial third floor. The roof line and face-on-line wall of the property immediately to the north already act as privacy walls between that property and the subject property. The proposed partial third floor will also have a wall along the north property line that reinforces that privacy. The owner of the one-family dwelling immediately to the south has also advised that he is anticipating adding a roof structure or addition; therefore each of the four structures will have an addition on top of the existing structure. Finally, the structures further to the south are already 50' in height.

Due to building code regulations, the walls at the north and south property lines will not have windows so privacy will not be compromised. The exterior lighting will be minimal and low on the walls so as not to light upward or outward. Therefore, the proposed partial third floor will not unduly affect light and air nor will it unduly compromise the use and enjoyment of neighboring properties.

The street has an eclectic blend of large and small structures. The subject property and structure is one of four similarly sized structures, two of which already have partial or full third floors or roof structures added to the original buildings. The larger, multi-family condominium buildings further to the south also have roof structures, trellises and guardrails which are similar in appearance and size to those components of the proposed partial third floor and terrace. Therefore, there is already a precedent for the possibility of an addition and for these types of architectural elements.

The proposed partial third floor addition is in keeping with the general size of neighboring additions and is treated as a discrete addition on top of the existing structure, consisting of a series of small architectural pieces or planes which are set back from the main, west facade and also from the east facade and property line to conform with rear yard setbacks (the proposed addition is not utilizing the exception possible under §404.4).

Due to the steep slope of 15th Street in this section, the sightlines of the buildings are relatively restricted along the 15th Street public way corridor. Therefore, the proposed partial third floor addition and small terrace do not substantially alter or visually intrude upon the pre-existing architectural conditions, character, scale and pattern of its neighbors along the adjacent street frontage.