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**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of Jonathan and Colston Carr
ANC: 3G

BZA Application No.
Hearing Date:

STATEMENT OF THE APPLICANT

This is the application of Jonathan and Colston Carr ("Applicant") for special exception relief to construct an addition to the side and rear of their house. The subject property is located at 3400 Morrison Street NW (Square 1995, Lot 10) ("Property"). See Surveyor's plat attached as Exhibit B. The Property is located in the R-1-B Zone District. An excerpt of the D.C. Zoning Map is attached as Exhibit C.

I. Nature of Relief Sought

The Applicant requests that the Board of Zoning Adjustment ("BZA" or "Board") grant a special exception pursuant to Sections 223 and 3104.1 for relief from Section 2001.3 to allow a modest addition that extends into the existing nonconforming rear yard.¹ The house has a nonconforming rear yard of 6.25 to 15.8 feet. For a house constructed before May 12, 1958, which is the case for this house, an extension or addition may be made to the building into the required rear yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958. The proposed addition will slightly extend into the nonconforming rear yard.

II. Jurisdiction of the Board

The Board has jurisdiction to grant the relief requested pursuant to Section 3104.1 of the Zoning Regulations (11 DCMR § 3104.1).

III. Description of the Property and Surrounding Neighborhood

¹ Rear yard relief is not necessary. See BZA Order No. 17686 attached as Exhibit E.

The Property is located in the Chevy Chase neighborhood of Ward 3. The Property is bounded to the north by Morrison Street, to the south by a detached single-family dwelling, to the east by Broad Branch Road, and to the west by a public alley. The 3 abutting neighbors at 3401 Morrison Street, 3404 Morrison Street and 5516 Broad Branch Road all support the proposed addition (see letters attached as Exhibit F). The Property has a land area of approximately 5,227 square feet and is currently improved with a two-story single-family house that was constructed in 1930, according to tax records. The house is nonconforming with respect to its rear yard. The house is conforming in all other respects: it has an existing lot occupancy of 20%, a side yard of 20.7 feet and 29.47 feet, and a height of 31.875 feet. With the proposed addition, the house will have a side yard of 7.3 and 29.47 feet and a rear yard of 6.25 – 14.1 feet.²

The Property is in an entirely low density residential neighborhood. The Property is surrounded by single family homes. The neighborhood is characterized by detached dwellings.

IV. Description of the Project

The Applicant is updating this turn-of-the-Century house in order to provide more living space for their growing family. As a part of these updates, the Applicant will construct an addition at the side and rear of the house. Though the addition the Applicant is proposing is modest, it will be critical for the Applicant's continued enjoyment of their home: it will enlarge the existing living area of the house and enhance the space that is currently available.

The proposed addition will be two stories in height. As shown on the plans in Exhibit G, the addition will provide a family room, powder room, and mud room on the first floor, and a master suite on the second floor.

² The Zoning Administrator, Matthew Le Grant granted minor flexibility at 10% allowance under 11 DCMR 407.1 for the rear setback (2.5 feet) and side yard setback (9.6 inches). Thus, the side yard complies with zoning (See Exhibit H).

V. The Application Meets the Requirements for Special Exception Relief under Section 223 of the Zoning Regulations

The standard for special exception relief is that the proposed project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and that relief can be granted without adversely affecting neighboring properties. Section 223.2 provides factors to consider in determining whether the proposed project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and whether it will adversely affect neighboring properties. As demonstrated below, this application satisfies these standards.

A. The Light and Air Available to Neighboring Properties Shall not be Unduly Affected

The proposed addition will not affect neighboring properties because it only slightly reduces the depth of the existing rear yard, and is separated from the nearest house on the side by a 15 foot public alley. The addition is no taller than the existing house and only slightly encroaches on the Applicant's existing rear yard. The property to the south will not receive less light and air as a result of this modest addition because the addition will be blocked by the Applicant's existing house and the southern property owner's existing detached garage. The addition will not cast shadows on the southern property, and it will not block airflow to the rear of the southern property. The property to the west will be similarly unaffected with respect to light and air because it is across the 15 foot public alley from the Subject Property.

B. The Privacy of Use and Enjoyment of Neighboring Properties Shall not Be Unduly Compromised

As discussed above, the addition will not be visible to the southern property. Only the property to the west will experience any impact from the addition, albeit a negligible impact. The western facing windows of the proposed addition will have an extremely limited view onto

the adjacent property because of the separation distance across the 15 foot public alley and property setbacks. The proposed addition will have two western facing ground floor windows and one second floor window. The proposed addition decreases the number of western facing windows as the existing house has two western facing second floor windows and the proposed addition has only one. Thus, the privacy of use and enjoyment of the western adjacent property will not be adversely affected by the presence of the addition.

C. The Addition, as Viewed from the Street and Alley, Will Not Substantially Intrude upon the Character, Scale, and Pattern of Houses Along the Street Frontage

From Morrison Street and the side alley the addition will be visible, but it will not affect the character, scale, or pattern of houses. The Applicant has gone to great lengths to thoughtfully design an addition that blends with and complements the existing house and the neighborhood.

The addition will be invisible, for all intents and purposes, from Broad Branch Road. Because it is no taller or wider than the existing house, few, if any, people will be able to see the addition from the Broad Branch Road.

D. The Addition is in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps

The Applicant's house was built in 1930, long before the adoption of the Zoning Regulations. The house was constructed with a rear yard (6.25 – 15.5 feet) that does not meet the minimum required in Section 404.4. When the Zoning Regulations were adopted in 1958, the house became non-conforming because the R-1-B Zone District requires a minimum rear yard of 25 feet. In essence, the house is situated along the wrong portion of the lot. It has a side yard of 42.9 feet along Broad Branch Road.

Although the addition will slightly extend the nonconforming rear yard, the addition is very modest in scale and is consistent with the zone, and well within the permitted lot

occupancy. This is a modest proposal in light of the fact that the lot is wide and the house will be similar in size to others in the neighborhood. The Applicant cannot change the fact that the rear lot dimension is nonconforming. Further, the Applicant is not proposing any new use for the Property; it will remain a single-family house, which comports with the R-1-B Zone District. Finally, all other structural aspects of the house comply with the Zoning Regulations. Thus, the addition is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map.

VI. Community Outreach

The Applicant has already established a dialogue with Advisory Neighborhood Commission (“ANC”) 3G and will remain in communication with the ANC about the status of the project. In addition, as shown in Exhibit E, the western, southern and northern neighbors do not have any objections to the proposed addition.

VII. Exhibits

Exhibit A	Application Form and Self-Certification Form
Exhibit B	Surveyor’s Plat
Exhibit C	Excerpt of D.C. Zoning Map
Exhibit D	Applicant’s Statement
Exhibit E	Copy of BZA Order 17686
Exhibit F	Neighbors’ Approval of Proposed Addition
Exhibit G	Architectural Plans and Photographs of Property
Exhibit H	Zoning Administrator’s memo
Exhibit I	Property Owners List and Labels

VIII. Conclusion

For all of the above reasons, the Applicant is entitled to the requested special exception relief in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Carr', written in a cursive style.

Jonathan Carr

A small, handwritten mark or flourish in black ink, possibly a stylized 'C' or a checkmark.