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2014 FEB 26 AM 11:47
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Lloyd Jordan, Chairperson
Board of Zoning Adjustment
441 4th Street NW
Washington, DC 20001

Re: BZA Application No. 18654

Dear Chairperson Jordan,

Please accept this updated statement of satisfaction of the burden of proof for special exception application in accordance with the revised plans in BZA Application number 18654.

Special Exception: § 223

§ 223.1

The applicants are requesting special exception relief under § 223 for the replacement of the existing first-floor rear deck and the addition of a lower rear deck 8 feet above ground ("decks") The lot area is currently non-conforming. Further, in accordance with the Office of Planning ("OP") report, the addition of the decks as originally designed would increase the existing non-conformity with regard to lot occupancy to 74% lot occupancy. The revised plans have reduced the size of the lower deck by 60 square feet, which is a 4% reduction and totals 70% lot occupancy in accordance with the OP report. The addition of the deck will also create a non-conforming rear yard: the rear yard measured from the house to the alley is 27 feet, and is reduced to 6 5 feet by the addition of the decks Thus, special exception relief under sections 401, 403, 404, and 2001.3 is requested. The rear deck will have 8 foot clearance above the parking pad in accordance with § 2115.5 as specified in the OP report.

§ 223.2

The accessory structure is in harmony with the general purpose and intent of the Zoning Regulations, and will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property.

The light and air available to neighboring properties will not be unduly affected The uncovered unroofed sundeck will not have any appreciable impact on the light or air available to neighboring properties. The neighboring property already has a 7 foot

BOARD OF ZONING ADJUSTMENT
District of Columbia
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District of Columbia
CASE NO. 18654
EXHIBIT NO. 32

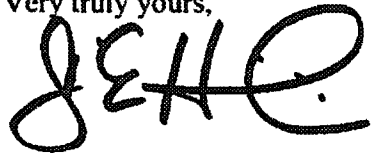
sleeping porch addition one foot wider than the proposed first-floor rear deck. Further, the property lot has east/west orientation so any shadows cast by the deck are not an issue for the neighboring properties

The privacy of use and enjoyment of neighboring properties shall not be unduly compromised. All of the neighboring lots on the square have less than the minimum required 1800 square feet, so the properties are all relatively close to the alleys and the alley network is visible from the rear windows of the properties on the square. There are no trees or other large vegetation in the rear yards; the area has a city character. The subject property has two stories with rear windows overlooking the alley and neighboring rear yards. Further, as mentioned, the neighboring property already has a 7 foot rear sleeping porch addition that is one foot wider than the proposed first-floor rear deck. In addition, there are several above-ground decks, as well as other sleeping porch additions along the subject alley network. The deck will not require additional lighting as the street lights provide sufficient light.

The accessory structure together with the original building, as viewed from the street, alley, and other public way, will not visually intrude upon the character, scale, and pattern of houses along the subject street frontage. The accessory structure would only be visible from the alley network and thus, would not impact the character, scale, and pattern of houses along the subject street frontage.

The applicants have provided plans and photographs showing the relationship of the accessory structure to adjacent buildings and views from the public ways.

Very truly yours,

A handwritten signature in black ink, appearing to read 'JEH' followed by a stylized flourish.

Craig E. Ilickin