

STATEMENT OF EXISTING AND INTENDED USES

The address of the property that is the subject of this application is 4445 Yuma Street, NW (Square 1591, Lot 827) ("Property") The owners of the Property are Lawrence Ward and Jessica Furey (the "Applicant") The Property is located in the R-1-B Zone District. The Property is located on a corner lot at the intersection of Yuma and 45th Street NW, on the north-east corner A public alley borders the property to the north The property is currently used as a single-family home This application seeks approval from the Board of Zoning Adjustment ("BZA") to construct an addition to the existing structure. The Property will continue to be used as a single-family home after the construction has been completed.

I. NATURE OF RELIEF SOUGHT

Pursuant to 11 DCMR Sections 3104 and 223, the Applicant seeks a special exception to exceed the allowable lot occupancy. As demonstrated below, the Applicant satisfies the requirements set forth in the Zoning Regulations for the requested relief

II. JURISDICTION OF THE BOARD

The Board has jurisdiction to grant the relief requested pursuant to Section 3104.1 of the Zoning Regulations

III. DESCRIPTION OF THE PROJECT

The proposed use of the addition will be as part of the existing single-family home The proposed use for the first floor of the addition will be a family room and a screened-in porch The proposed second floor addition will be used as a bedroom, study area and sitting room

Per the proposed site plan and plan drawings, which are attached, the proposed addition will be two stories, with a crawl space and attic The addition will be on the west side of the Property The depth of the proposed addition would be 38 feet deep, 13 feet in width at its largest point, and 23 4 feet above grade Note that the proposed addition would replace an existing 10 foot wide x 15 foot deep room, resulting in a net addition of 3 feet on the west side of the home.

On the west side of the property, the existing side yard is 5 feet The back of the Property is adjacent to a 16 foot wide alley We propose building the addition on the west side of the property adjacent to a city-owned 'Public Space' under the jurisdiction of the District

Department of Transportation (DDOT) The proposed addition will have a 1.2 foot side yard set back adjacent to 45th St NW With the addition, the lot occupancy would be 49%

Of note, the 18'-0" Public Space is adjacent to the property. The Surveyor of the District of Columbia and the Office of the Zoning Administrator have determined that the area in question is "not a lot but rather a undeveloped street bed, or right-of way," and as such the property would be considered a corner lot for purposes of zoning (See Exhibit G, email from Kathleen Beeton, DCRA to Jessica Furey, dated February 22, 2013). With this determination, there is no requirement for the Applicants to meet the 8 foot side yard setback requirement. Accordingly, the only remaining zoning issues associated with the proposed addition as depicted in the site plan are 1 lot coverage; and 2 a subdivision to convert the existing tax lot to a record lot. The Applicants have applied for a subdivision to convert the existing tax lot to a record lot

APPLICATION SATISFIES THE SPECIAL EXCEPTION STANDARDS

The Applicant is seeking special exception relief pursuant to 11 DCMR Section 3104 and 223 from the requirements of Section 403 and the nonconforming structure requirements of Section 2001.3 of the Zoning Regulations. As outlined below, the Applicant satisfies the relevant requirements of Section 223

The addition shall not have a substantially adverse effect on the use of 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

The proposed addition shall not unduly affect the light and air available to neighboring properties. The proposed structure would not adversely affect the use or enjoyment of any of our neighbors' homes abutting or adjacent to our property or within a 200 foot radius of the Property.

There will be no change to the east side of the property.

On the west side of the property, the proposed addition is 12 feet from the property line, 20 feet from the side walk, and 90 feet from the closest residence across 45th Street. As noted above, the proposed addition would replace an existing 10 foot wide x 15 foot deep room, resulting in a net addition of 3 feet on the west side of the home. In addition, there are existing large trees that will partially conceal the addition on both the south and west sides of the home.

On the north side of the Property, our home is adjacent to a 16 foot wide public alley. The light and air available to the house directly across the public alley (4419 45th Street NW) would also not be affected.

The South side of the home faces Yuma Street and we will not be extending the home any further in that direction. In addition, as noted above, there is a large tree between the new addition and Yuma Street which will remain undisturbed.

Therefore, the light and air available to neighboring properties would not be affected

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

The proposed addition on the Property will not compromise the privacy of the use and enjoyment of neighboring properties. Per statement IV(a) , the proposed addition is significantly set back from other housing structures via its location on a corner lot on Yuma Street and 45th Streets NW As noted above, there is an 18 foot city-owned public space adjacent to the property where the addition will occur

(c) The addition, 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 the houses along the subject street frontage

The proposed addition on the Property as viewed from the street, alley, and other public way does not visually intrude on the character, scale and pattern of the houses along the subject street frontage The proposed addition is located on the west-side of the property on a corner lot and is similar in scope and scale to others found on Yuma Streets NW and other homes in the AU Park neighborhood

In order to obtain relief, the special exception must be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and must not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Maps Section 11 DCMR 3104 1 As described above, the proposed addition will not adversely affect the use of neighboring properties

IV. EXHIBITS

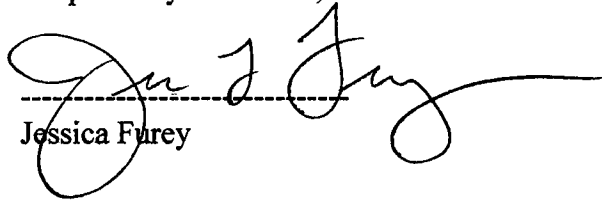
Exhibits in Support of Application

Exhibit A	Application Form 120
Exhibit B	Zoning Administrator Memo (BZA Referral)
Exhibit C	Surveyor's Plat
Exhibit D	Architectural Plans
Exhibit E	Photographs of Property
Exhibit F	Property Owner's List
Exhibit G	Email from Kathleen Beeton, DCRA to Jessica Furey, dated February 22, 2013

VI. CONCLUSION

For the reasons stated above, the proposed addition satisfies the requirements for special exception approval. Accordingly, the Applicant respectfully requests that the Board approve the special exception application.

Respectfully submitted,



Jessica Furey



Lawrence Ward