

Burden of Proof

Special Exception Application

651 F Street NE

To: **The Office of Zoning**
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

From: **Joe and Janet Gregor**
Owner/Applicant
651 F Street NE
Washington, DC 20002

Date: November 19, 2013

Subject: **BZA Application, Gregor Addition**
651 F Street NE (Square 861, Lot 204)

Joe and Janet Gregor, owners of 651 F Street NE, hereby apply for a special exception to build a two-story addition in the existing dogleg on their property. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

- *Section 403.2- Lot Occupancy*
 - *The existing house is currently non-conforming for lot occupancy as it is over the 60% allowed by-right. The proposed construction will not change the existing lot occupancy, which is 846 SF (66.1%).*
 - *This is 6.1% over the allowed lot occupancy for a row house in the R-4 zoning district (11 DCMR 403.2).*
- *Section 2001.3 for an addition to a non-conforming structure.*

I. Summary:

- A.** This special exception qualifies under 11 DCMR Section 223 because the lot occupancy does not exceed 70% (11 DCMR 223.3), and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).
- B.** The proposed addition will be in the existing dogleg and will therefore not change the existing lot occupancy.

II. Bases for Grant of Special Exception

Section 223 provides relief based on satisfying specific criteria under which additions to single-family dwellings may be permitted with a residential district. Those criteria are addressed separately below:

223.1 An addition to a one-family dwelling or flat, in those Residence Districts where a flat is permitted, that does not comply with all of the applicable area requirements of §§ 401, 403, 404, 405, 406 and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

The proposed two-story addition is to a permitted single-family residence that is currently not in conformance with Section 403.2 (lot occupancy). The proposed addition will be on the side (western) portion of the lot.

Board of Zoning Adjustment
District of Columbia
CASE NO.18730
EXHIBIT NO.9

The existing house has a lot occupancy of 66.1%, which is 6.1% over the matter-of-right lot occupancy for a row dwelling allowed in the R-4 district. The lot occupancy will not change as a result of the addition and will remain below the 70% allowed by Section 223.3 as a special exception.

223.2 The addition 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.*

649 F Street NE

649 F Street NE lies to the west of 651 F Street NE. The house at 649 F Street is separated from the existing house at 651 F Street by the dogleg belonging to 651 F Street. The existing dogleg will be filled in by the proposed addition, which will utilize the existing party wall between the properties. The proposed addition will not extend beyond the existing houses at 651 F Street or 649 F Street. Additionally, 649 F Street has no windows along the property line. The proposed addition will be modest in scale and will not be visible from the house at 649 F Street. Given the size and location of the addition, the proposed addition at 651 F Street will not impact the light and air available to 649 F Street NE.

653 F Street NE

653 F Street NE lies to the east of 651 F Street NE. The house at 653 F Street is separated from 651 F Street by the existing dogleg belonging to 653 F Street. The proposed addition at 651 F Street will not extend beyond the existing houses at 651 F Street or 653 F Street and will therefore not be visible from the house at 653 F Street. Given the size and location of the addition, the proposed addition at 651 F Street will not impact the light and air available to 653 F Street NE.

Neighbors to the South

South of 651 F Street are the rear yards and garages of additional row houses. The rear yards are separated from the proposed addition by a 10' wide public alley. Additionally, the proposed addition is setback from the rear property line by 26'-8". Given the distance between the proposed addition and the row houses across the alley, the proposed addition will not impact the light and air available to the neighbors to the south.

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

649 F Street NE

The proposed addition at 651 F Street NE will not unduly compromise the privacy or enjoyment of neighbors at 649 F Street NE. The proposed addition will be modest in scale and will not extend the existing rear wall beyond the existing shared party wall. There will be one additional window in the first floor, but no additional windows on the second floor, therefore prohibiting any additional views into the rear yard at 649 F Street NE. Additionally, the proposed addition at 651 F Street will be similar in style to the existing rear facades along the alley.

653 F Street NE

The proposed addition at 651 F Street NE will not unduly compromise the privacy or enjoyment of neighbors at 653 F Street NE. The proposed addition will be on the other side of the house from 653 F Street. It will not extend past the existing rear wall of 651 F Street NE and will therefore not be visible from the house at 653 F Street. Additionally, the proposed addition at 651 F Street will be similar in style to the existing facades along the alley.

Neighbors to the South

The proposed addition will not unduly compromise the privacy or enjoyment of neighbors to the south. The proposed addition is separated from the neighbors to the south by a 10' public alley and the existing 26'-8" deep rear yard at 651 F Street. The existing rear yard, the public alley, and the existing garages and rear yards of the existing row houses to the south, allow for adequate distance between the houses and the proposed addition. Therefore, the proposed addition at 651 F Street will not affect the privacy of the houses to the south. The proposed addition at 651 F Street SE will be similar in style and scale to the existing rear structures on the alley.

- (c) The addition, together with the original building, as viewed from the street, alley, or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage**

The existing square is extremely dense. The addition will be built in the same style as the other rear structures in the alley and in the neighborhood, and will continue the existing brick facade. The proposed addition is very modest in scale and will not be visible from the front of the house.

- (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 to adjacent buildings and views from public ways.**

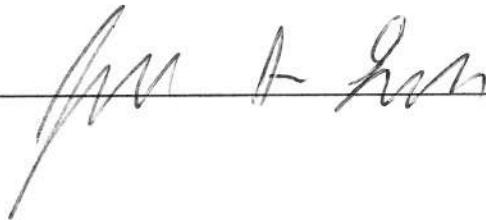
Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings;
- b) Signatures of support from neighbors for a rear addition;
- c) Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
- d) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, we are available at any time to discuss them with you.

Thank you,

Joe Gregor
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651 F Street NE
Washington, DC 20002



Janet Gregor
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651 F Street NE
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