

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

**Application of Robert D. and Siska Shaw
630 A Street, S.E.
(Square 869, Lot 57)**

ANC 6B, SMD 02

STATEMENT OF THE APPLICANT

This Statement is submitted on behalf of Robert D. and Siska Shaw ("Applicant") by their attorneys, Greenstein DeLorme & Luchs, P.C., by Jacque B. DePuy, Esquire and Kate M. Olson, Esquire, in support of an application to the Board of Zoning Adjustment ("BZA" or "Board") for approval of an addition to a semi-detached single family dwelling.

I. NATURE OF RELIEF SOUGHT

In order for the Applicant to build the proposed addition this application seeks BZA approval pursuant to 11 DCMR § 3104.1, for a special exception under Section 223 for an addition to a semi-detached single family dwelling not meeting the minimum lot (§ 401), lot occupancy (§ 403), side yard (§ 405) and nonconforming structure (§ 2001.3) requirements in the R-4 District at premises 630 A Street, SE (Square 869, Lot 57) ("Property").

II. JURISDICTION OF THE BOARD

The Board has jurisdiction to grant the requested special exception relief pursuant to § 3104.1 of the Zoning Regulations.

III. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA

The subject property is identified as Lot 57 in Square 869 and has a premise address of 630 A Street SE. The Property is improved with a single family semi-detached dwelling of two (2) stories plus basement ("Shaw Residence"). The Property is located in an R-4 district on Capitol Hill. (See Exhibit A, Zone Map)

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Although the Shaw Residence is very similar in size and appearance to the thousands of row houses which are the predominant building type on Capitol Hill, because a narrow side yard is located along the East side, it is not classified for zoning purposes as a row dwelling. Instead, it is a semi-detached dwelling. (See Exhibit B, Photos) As a result, the existing improvements do not conform to lot occupancy and side yard requirements. Specifically, the existing improvements occupy forty-nine percent (49%) of the lot, whereas a semi-detached dwelling in the R-4 zone is permitted a lot occupancy of only forty percent (40%) and provide a side yard of only two feet ten inches, whereas an eight foot side yard is required. In addition, because the existing improvements exceed the allowable lot occupancy, they create a nonconformity of structure. Finally, the existing lot does not comply with minimum lot dimensions for a semi-detached dwelling. Specifically, the lot area is 2,690 square feet (whereas 3,000 sf is required) and the width of the lot is 21 feet (whereas 30 feet is required).

Nevertheless and importantly, the Shaw Residence -- as it exists and as it is proposed to be expanded by an addition -- is fully in conformance with the requirements of a row dwelling in the R-4 zone on Capitol Hill, which allows a lot occupancy of sixty percent (60%) and does not require a side yard. In addition, the existing lot is (i) larger than the minimum area required for a row dwelling in the R-4 zone (i.e., 1800 sf) and (ii) wider than the minimum lot width required for such a dwelling (i.e., 18 feet).

IV. PROPOSED REDEVELOPMENT OF THE PROPERTY

The Applicant proposes to add a fifteen (15) foot deep two story addition to the rear of the Shaw Residence while maintaining the existing 7 foot side yard ("Rear Addition"). (See Exhibit C, Plans) The Rear Addition would reduce the rear yard from 49.5 to 34.5 feet and increase the lot occupancy by nine percent (9%) from 49% to 58%. The last 8 feet of the

Addition would have a sloping metal roof that would reduce the overall mass of the addition. In addition, the Applicant proposes to add a one story eighteen square foot (18 square foot = 1.5 foot deep and 12 foot wide) bay to the east side of the existing house ("Bay "). The Bay would result in a side yard of 5.5 feet to accommodate the Bay's 1.5 foot depth and 12 foot length. The "Rear Addition" and "Bay" will be collectively referred to as the "Addition".

The Applicant also proposes to construct a roof deck towards the rear of the house with metal railings and an open metal trellis with horizontal members spaced approximately 36 inches on center ("Roof Deck"). The Roof Deck will be constructed as a matter-of-right.

V. STATEMENT OF SATISFACTION OF BURDEN OF PROOF FOR ZONING RELIEF SOUGHT

The Applicant submits that, based upon (i) its Application and the materials submitted in conjunction herewith, (ii) the evidence to be presented at the public hearing and (iii) other evidence to be submitted hereto, it will satisfy and comply with the applicable legal standards and burdens for the special exception relief requested.

VI. JUSTIFICATION FOR REQUESTED SPECIAL EXCEPTION

As the Board is aware, uses that are allowed by special exception are deemed compatible with other uses permitted in the applicable zoning district provided certain requirements are met. In reviewing an application for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the requirements set forth therein. If the prerequisites set out in particular regulations are satisfied, the Board must ordinarily grant the application. See e.g. Bakers Local Union, No. 118 v. D.C. Board of Zoning Adjustment, 437 A.2d 176, 178 (D.C. 1981).

As set forth below, approval of special exception relief in this case is in harmony with the general purpose and intent of the Zoning Regulations and Map and will not adversely affect the use of nearby properties.

Section 223 provides, in relevant part, that an addition to a one-family dwelling or flat that does not comply with all of the applicable requirements of §§ 401, 403, 405 or 2001.3 shall be permitted as a special exception, provided that the addition shall not have a substantially adverse effect on the use or enjoyment of ant abutting or adjacent dwelling or property, 11 DCMR § 223.2(a) - (d), in particular.

a. The light and air available to neighboring properties shall not be unduly affected (11 DCMR § 223.2(a));

The immediately adjacent properties to the west and east have similar house configurations, both of which are shorter than the Property but each of which have a detached garage at the rear lot line. By contrast, the Property has no garage or parking pad.

The proposed Addition would result in a net lot occupancy slightly less than that of the neighboring property to the east, slightly greater than the property to the west. The Rear Addition will make only marginal reductions in the light and view available to the limited rear windows of the neighboring dwellings and should have negligible effect on privacy. The overall size, bulk, height and character are in keeping with the immediate neighbors as well as the block and Capitol Hill in general.

b. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised (11 DCMR § 223.2(a));

Although the land constituting the Property does not comply with the minimum lot dimensions for a semi-detached dwelling in an R-4 zone district (i.e., 3,000 sf minimum lot area

and 30 feet minimum lot width), the site is larger than the minimum lot dimension requirements for a row dwelling in the R-4 zone (i.e., 1,800 sf and 18 feet). Furthermore, the Applicant's lot area is comparable in size to the lot sizes of neighboring and nearby property. Therefore, the privacy of use and enjoyment of neighboring properties shall not be unduly compromised or affected.

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 (11 DCMR § 223.2(a));

The proposed Addition will not be visible from the subject street frontage (A Street), as evidenced by the Plans in Exhibit C, and therefore will not intrude upon the character, scale and pattern of houses along A Street.

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 (11 DCMR § 223.2(a)); and

The Applicant has demonstrated through the Plans how the Addition will create no change to the front of the Property (Exhibit C, South Elevation, Sheet A1.0) and the elevations show how the Addition will be viewed from various angles (Exhibit C, Sheet A3.1: existing and proposed east and north exterior elevations and Sheet A4.1: the north-south and east-west building sections).

e. The relief sought is in harmony with the general purpose and intent of the regulations and will not tend to affect adversely the use of the neighboring property (11 DCMR § 3104.1).

As is fully demonstrated above, this application meets the criteria set forth in Section 223, and therefore is in harmony with the general purpose and intent of the Zoning Regulations.

VII. EXHIBITS

Exhibit A: Zoning Map (with the Property outlined in red).

Exhibit B: Site Photographs.

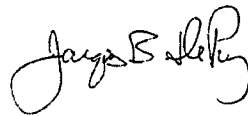
Exhibit C: Plans.

VIII. CONCLUSION

For the reasons set forth above, the Applicant is entitled to, and respectfully requests approval of, the grant of special exception relief to allow for the Addition to the semi-detached single family dwelling at the Property.

Respectfully submitted,

GREENSTEIN DELORME & LUCHS, P.C.



By: _____
Jacques B. DePuy



By: _____
Kate M. Olson

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Attorneys for Applicant

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EXHIBIT A



DC Zoning Map

Address

[Search Map](#)

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Search for location by Address, Intersection, Block, or Place Name

[Open Street View](#)

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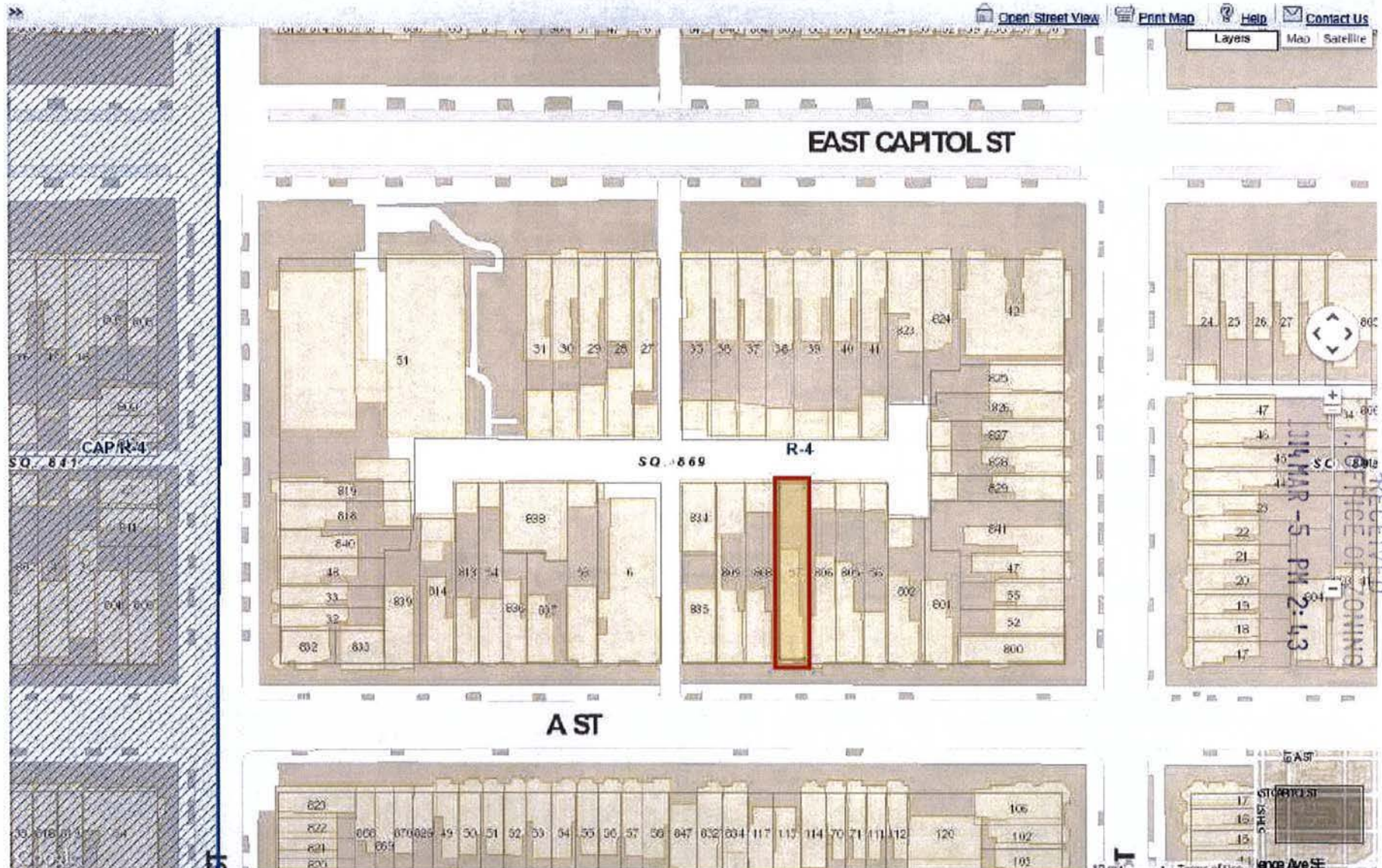
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Layers

Map

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EXHIBIT B

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Front Elevation 1



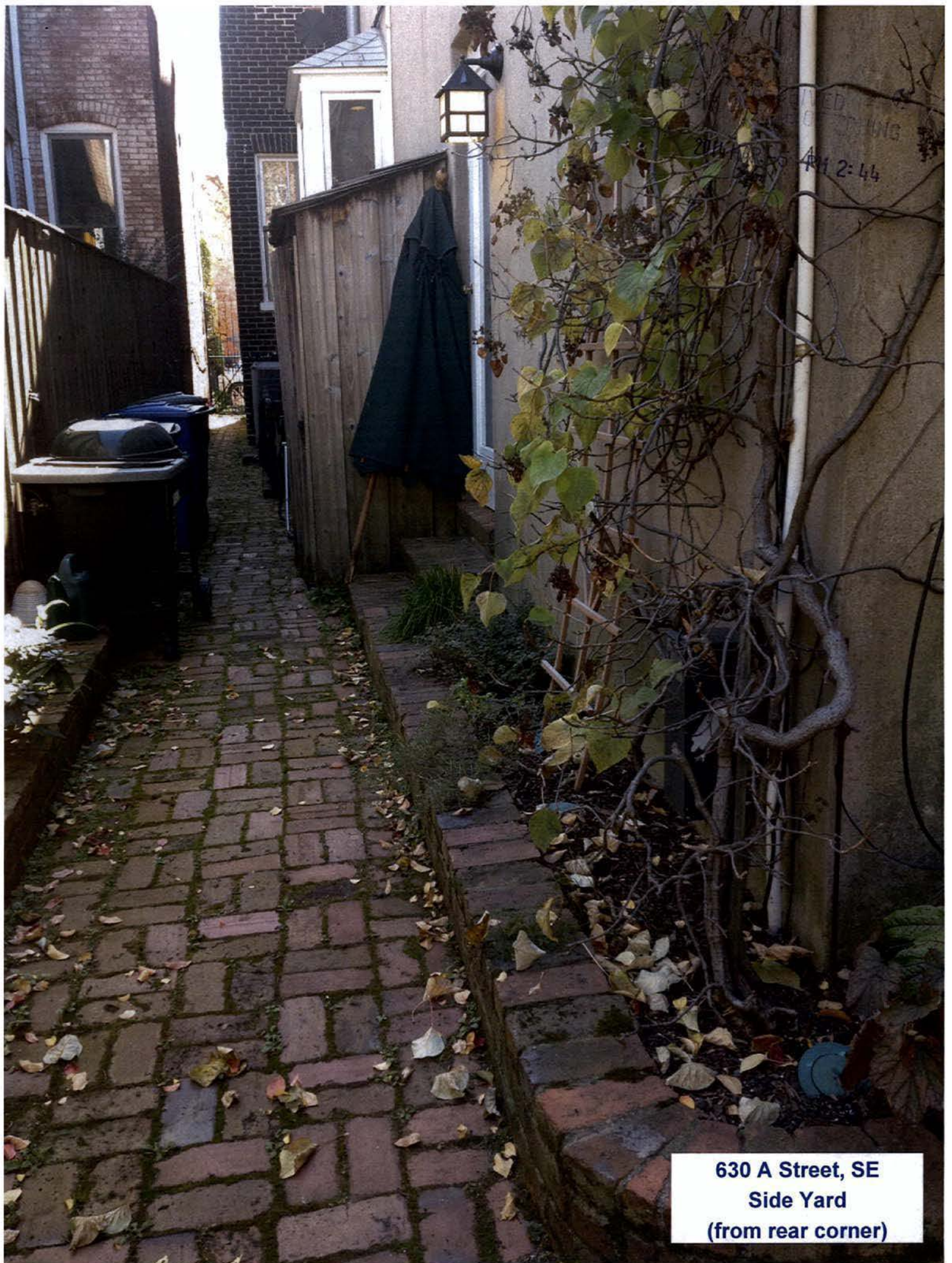
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630 A Street, SE
Front Elevation 2

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630 A Street, SE
Rear Elevation



630 A Street, SE
Side Yard
(from rear corner)

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EXHIBIT C

SHAW HOUSE ADDITION

APPLICABLE CODES:

ALL WORK TO COMPLY WITH THE INTERNATIONAL RESIDENTIAL CODE OF 2012, INTERNATIONAL BUILDING CODE OF 2012, AND THE DISTRICT OF COLUMBIA MUNICIPAL REGULATIONS OF 2012.

GENERAL NOTES:

1. VERIFY ALL CONDITIONS AND DIMENSIONS ON SITE. BRING ALL INCONSISTENCIES TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

2. DO NOT SCALE DRAWINGS

3. ALL EXTERIOR WALLS/CEILINGS/FLOORS THAT ARE OPENED UP DURING CONSTRUCTION TO BE INSULATED WITH MINIMUM R-13 (WALLS) AND R-19 (CEILINGS & FLOORS)

PROJECT DATA AND DESCRIPTION

FAMILY ROOM AND BEDROOM EXPANSION, KITCHEN REMODEL, NEW POWDER ROOM, NEW ROOF DECK WITH INTERIOR STAIR

ORIGINAL HOUSE BUILT IN 1900

ZONING DISTRICT - R-4

CONSTRUCTION TYPE - VB

OCCUPANCY TYPE - R-3

ZONING TABLE

	EXISTING	PROPOSED
LOT AREA	2689.68 sq. ft.	UNCHANGED
BUILDING FOOTPRINT	1320 sq. ft. *	1548 sq. ft. *
LOT COVERAGE	49%	58%
GROUND LEVEL AREA	1230 sq. ft.	1548 sq. ft.
SECOND FLOOR AREA	1230 sq. ft.	1530 sq. ft.
ROOF DECK AREA	0 sq. ft.	381 sq. ft.
NUMBER OF STORIES	3 + BASEMENT	UNCHANGED
REAR YARD	±49.5'	±34.5'
SIDE YARD	7.0'	7.0'/5.5' @ BAY

* FOOTPRINT INCLUDES SUBSTANDARD SIDEYARD AREA AS IF BUILT

LIST OF DRAWINGS

ARCHITECTURAL

- A1.0 SITE PLAN, SECTION, VICINITY MAP AND NOTES
- D1.0 DEMOLITION PLANS
- A2.1 FIRST AND SECOND FLOOR PLANS
- A2.2 ROOF AND DECK PLANS
- A2.3 GARDEN PLAN AND ELEVATIONS
- A3.1 EXISTING AND PROPOSED ELEVATIONS
- A4.1 BUILDING SECTIONS

DOROTHY MURDOCH
ARCHITECT

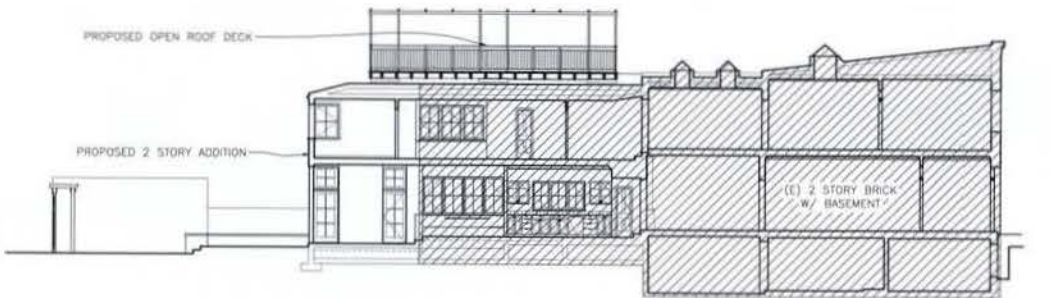
9209 SHELTON STREET
BETHESDA, MD 20817
(301) 469-4841
WWW.DOROTHYMURDOCHARCHITECT.COM

SHAW
ADDITION
630 A STREET SE
WASHINGTON DC, 20003

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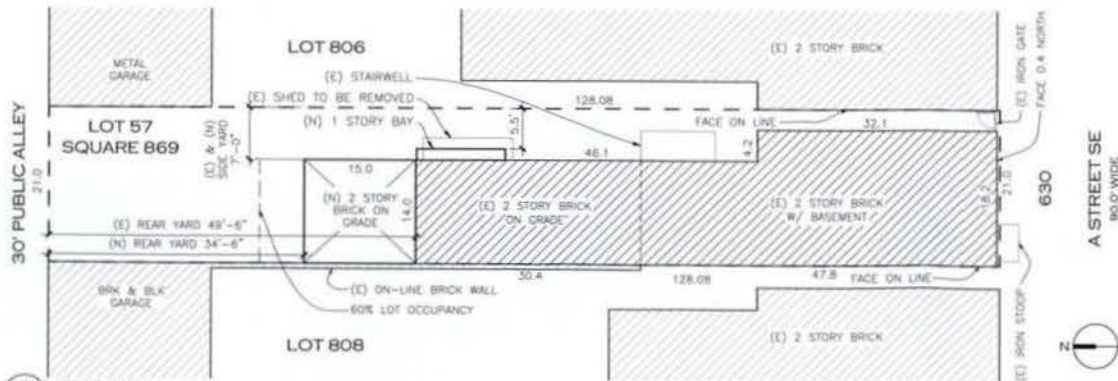
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4 SITE SECTION
A1.0

0 4 8 16 FT.



2 SITE PLAN
A1.0

0 4 8 16 FT.



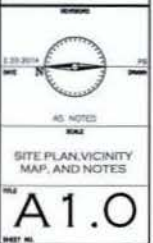
3 SOUTH ELEVATION
A1.0 NO CHANGE

0 4 8 16 FT.



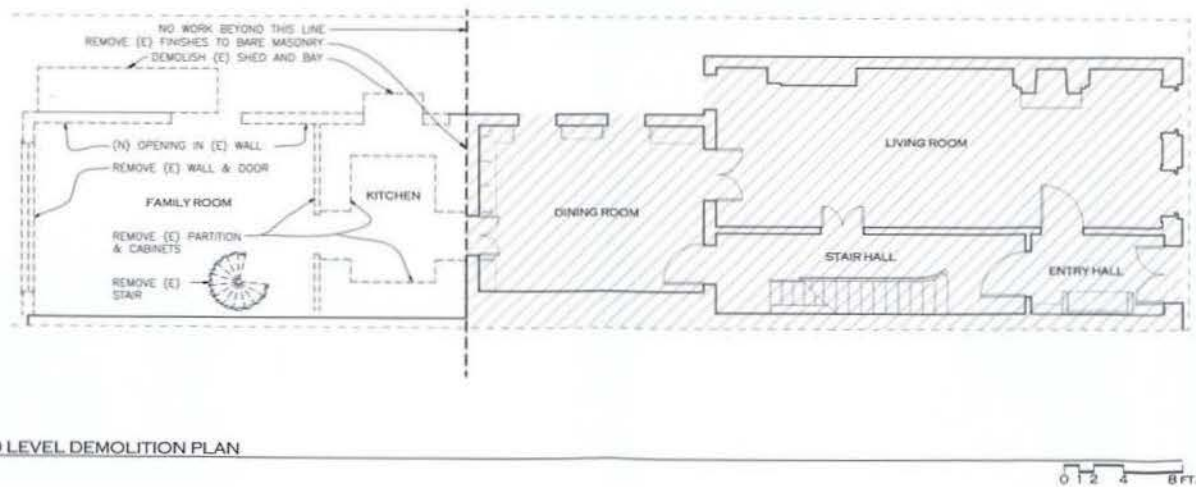
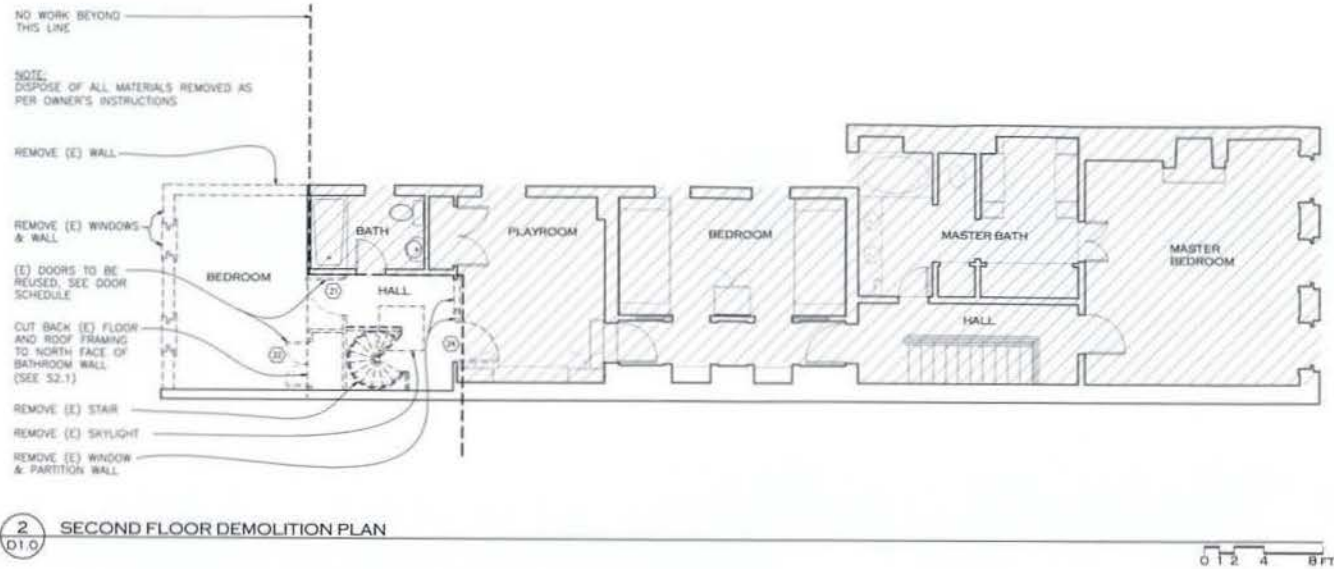
1 VICINITY MAP
A1.0

N.T.S.



SITE PLAN, VICINITY
MAP, AND NOTES

A1.0



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SCALE

DEMOLITION PLANS

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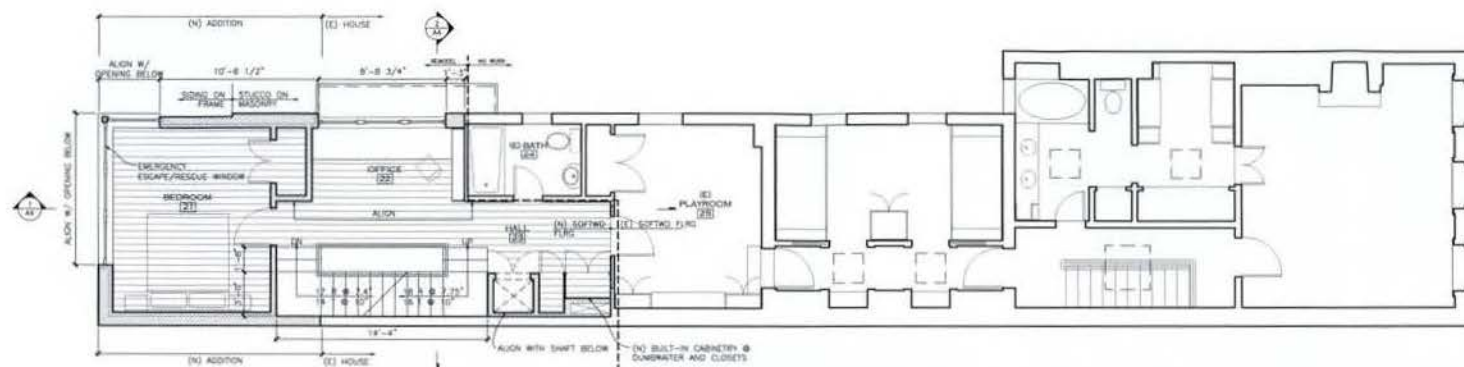
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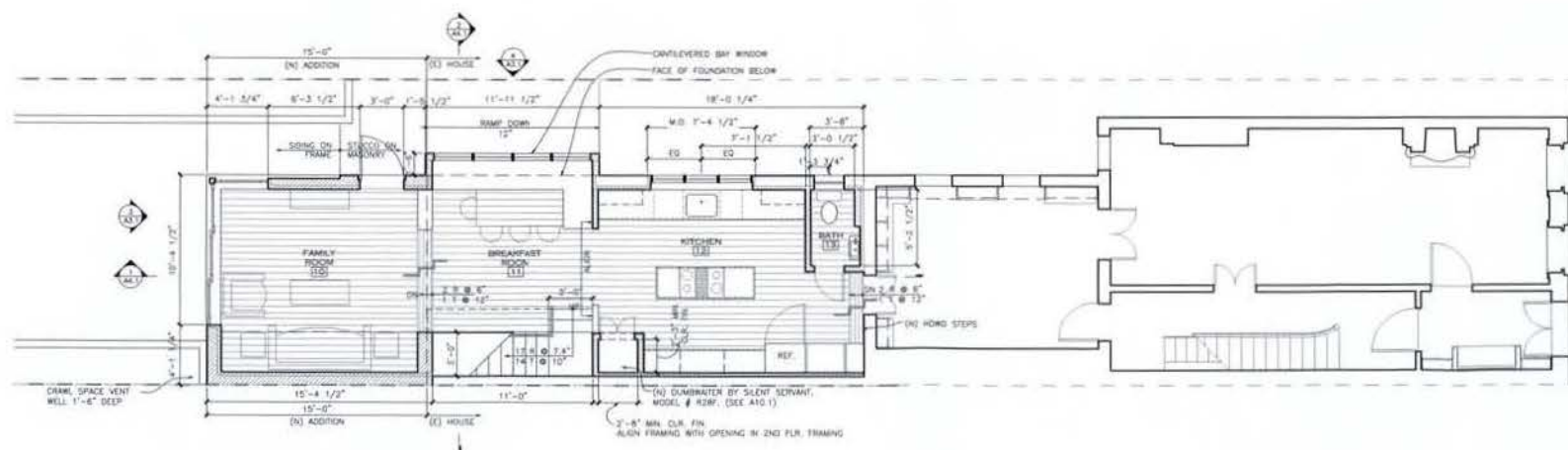
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 FIRST & SECOND
 FLOOR PLANS
 A2.1



2
 A2.1
 SECOND FLOOR PLAN

0 2 4 8 FT.



1
 A2.1
 GROUND FLOOR PLAN

NOTE:
 ALL DIMENSIONS ARE TO FACE OF FRAMING,
 MASONRY, OR $\frac{1}{2}$ " OF OPENING, U.O.N.

0 2 4 8 FT.

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SHAW
ADDITION
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(N) WALL
(E) WALL

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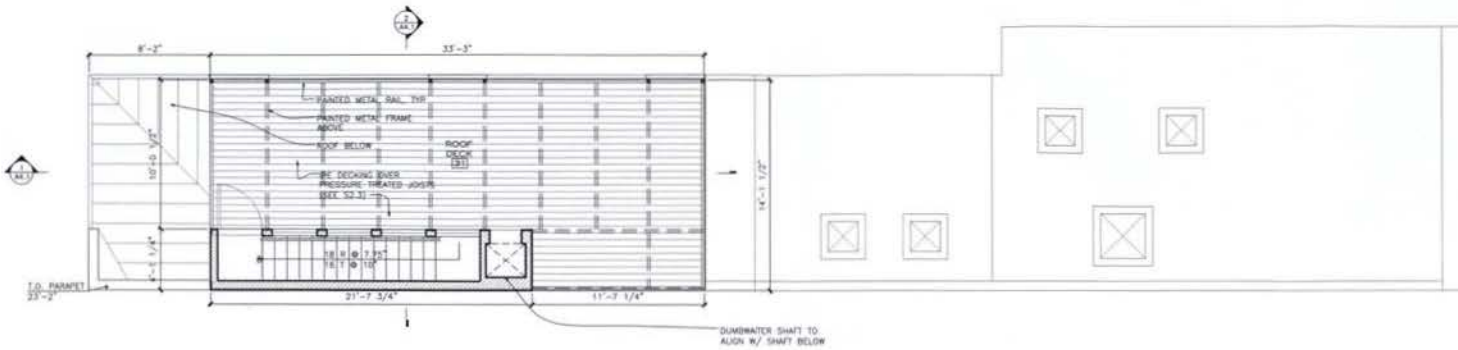
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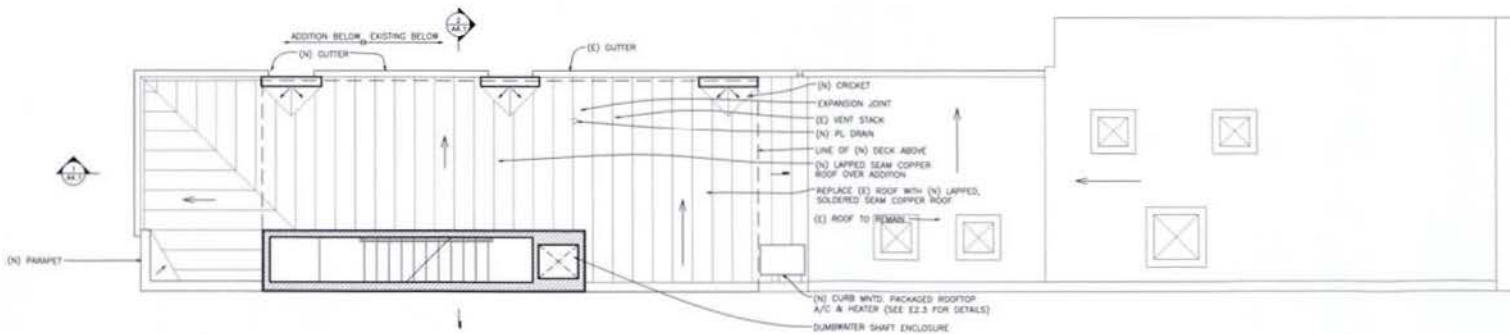
SCALE
ROOF & DECK
PLANS

DATE 2.20.2014
A2.2



2 ROOF DECK PLAN
A2.2

0 2 4 8 FT.



1 ROOF PLAN
A2.2

NOTE:
ALL DIMENSIONS ARE TO FACE OF FRAMING,
MASONRY, OR $\frac{1}{2}$ " OF OPENING, U.O.N.

0 2 4 8 FT.

DOROTHY MURDOCH
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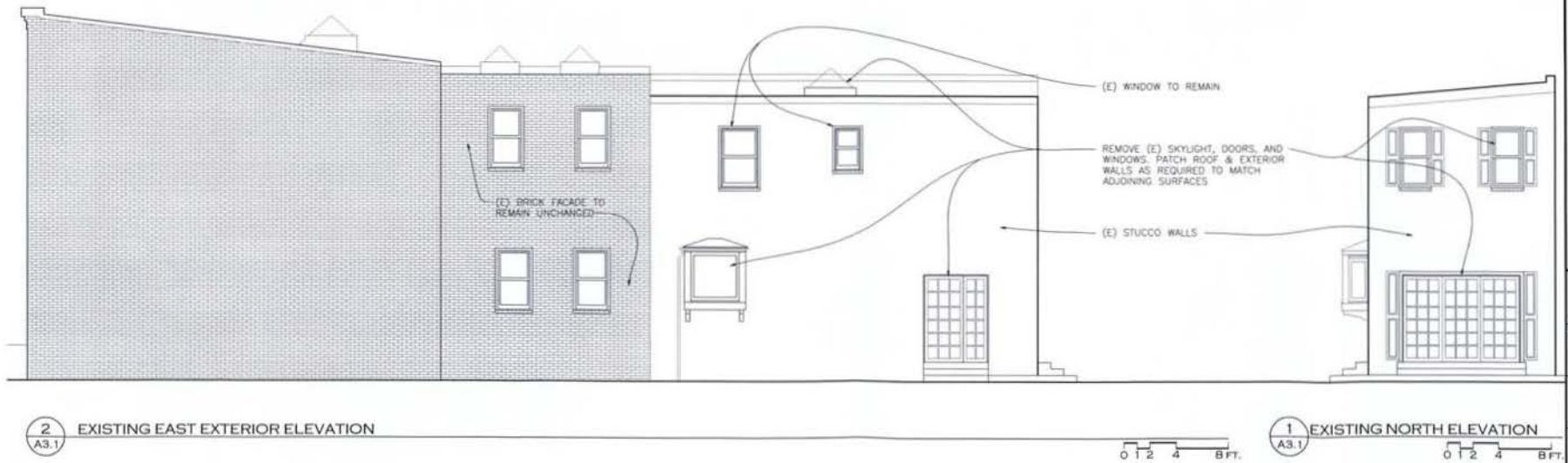
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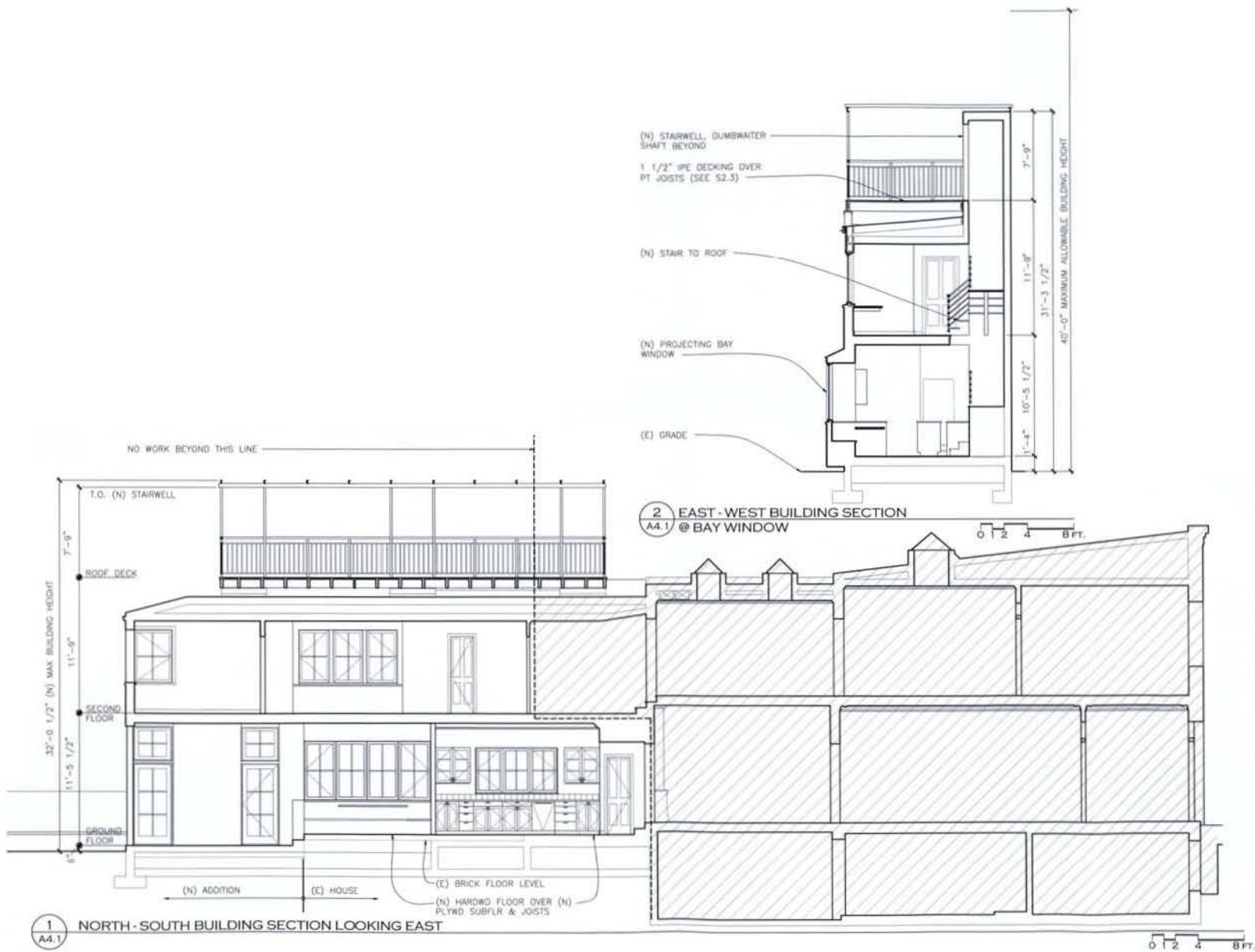
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BY
EXISTING &
PROPOSED
ELEVATIONS
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SCALE

BUILDING SECTIONS

FILE **A4.1**

SHEET NO.