

Exhibit E

Statement as to Tests Identified in Zoning Regs for Special Exception

Section 223.2 outlines three tests relevant to the determination of the grant of a Special Exception. Let me address each of these tests as they appear in Section 223.2:

- a. The light and air of neighboring properties will not be unduly affected, as the proposed addition does not extend beyond the actual building back line of the neighbor's house to the south. From inside the neighbor's house, the new addition will not be visible. The new addition is to the north of the neighbor's house, and so it will block no sunlight on the neighbor's house or property. The flow of air will be no different than it is now, because the new addition will be lower (one story) than both of the existing two-story house walls that it will adjoin. The neighbor to the north of our property will be completely unaffected by it, as it will be invisible from any point in that neighbor's house, entirely blocked by the existing house structure. The neighbors to our southwest and west will not be able to see the addition, as the site lines don't permit it and those houses are simply too far away.
- b. The neighbors' privacy and enjoyment of their property will not be affected or compromised. Again, the proposed addition will have no impact on the neighbors, as we will not be able to see into any of our neighbors' yards from the proposed addition, owing both to the natural topography and to existing fencing. The proposed addition is a study, and will create no disturbance of any kind that could be noticed by the neighbors. The neighbor most affected by this project, the one at 2820 immediately to our south, will not be able to see the new addition from any point within their house, and it will not exceed the back building line of their own house in any event.
- c. The addition will not be visible from the street, because it is to be built entirely on the rear portion of the existing house. It will be a one-story addition to the existing two-story house. As the photos in Exhibit F and the architectural drawings in Exhibit C should make clear, it will be literally impossible to see the addition from the street, sidewalk, or any public space. There is no alleyway with a view of the back side of the house.
- d. Again, I ask the reader to examine both the drawings at Exhibit C and the photos at Exhibit F to as graphic evidence of what I have tried to describe here.