

July 30, 2014

Mr. Richard Nero
Office of Zoning
441 4th Street, N.W.
Suite 200-S,
Washington, D.C. 20001

Re: Burden of Proof Statement for Variance
Lot 0092 Square 0093
2028 Hillyer Place NW
Washington DC 20009

Dear Mr. Nero:

I am the architect representing the Graham's, owners of the residence at 2028 Hillyer Place NW (Lot 0092 Square 0093). The Owner's wish to add a new deck on the rear of their property. We are seeking four variances from the provisions of the Zoning Regulation for this property. Please see our detailed statements below addressing the three part test as per Section 3103:

1. Does the property exhibit specific uniqueness with respect to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situations or conditions?

The property is narrow and the existing residence occupies 62% of the lot. The main floor level is 7 feet above the rear yard grade. An existing below grade basement access walkway and on-grade sewer manhole further reduces usable yard area.

2. Does the extraordinary or exceptional situation impose a practical difficulty which is unnecessarily burdensome to the applicant?

The site conditions combine to form a practical difficulty for the applicant. The applicant wishes to construct a deck & trellis, at the main floor level, to utilize & enjoy their rear yard space. Because the main floor is 7 feet above the rear yard grade, it is impractical to access an on-grade deck. Currently the applicant can park one car in rear yard. An on-grade deck would eliminate parking capability.

The proposed deck, at the main level, would create a multi-functional space that allows applicant to park their vehicle, store outdoor equipment below and provide an outdoor deck to entertain; increasing the value and enjoyment of the property.

3. Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?

Granting the relief would not impair the public good or intent of the Zoning Regulations or Map. The deck and parking space is for private use only as outlined in the R-5-B Zone regulations. The deck will be at the rear of the property and will be generally consistent in size and bulk with similar decks in the vicinity, and does not unduly affect the light and air available to the inset neighbor property or visually intrude on the character, scale, and pattern of the houses along the alleys or public ways. The deck is within the existing property lines and in the same general location as the existing deck and wall structure which currently exists at the rear of the property. These measures will maintain that the privacy of use and enjoyment of neighboring properties will not be unduly compromised.

It is our belief that this project conforms to intent of the Zoning Regulations, and we ask that you approve variances requested.

Sincerely,

Jeffrey Hains, AIA
Hains Architects
301-320-1680