

OUTERBRIDGE HORSEY ASSOCIATES, PLLC

August 28, 2014

Chairman Lloyd Jordan
Board of Zoning Adjustment
DC Office of Zoning
441 4th Street, NW Ste, 200-S
Washington, DC 20001

Re: BZA Case No. 18826 – Request for amendment to the application

Dear Chairman Jordan:

As discussed in the prehearing statement, this single family dwelling has proposed renovation and addition work that is unrelated to the Case No 18826 Accessory Apartment Application, scheduled to be heard by the Board on September 30, 2014.

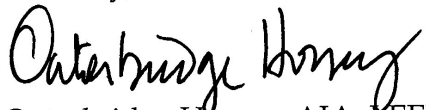
Upon further consultation with the Zoning Administrator and his office during the building permit application review for this other work, it has been determined that minor side yard relief is necessary for a small portion of the proposed addition (please see attached plan detail) at the point where there is a jog in the west side property line. This discrepancy resulted from a difference in interpretation between the Zoning Administrator and me in how the side yard setback is measured. The ZA's interpretation is shown on the attached sketch and we accept this determination.

Accordingly, I would like to amend the Case No. 18826, to include a request for relief from the side yard requirements per DCMR 11, Section 223 (attached). Since the project has previously received the approval of the neighborhood, the ANC and HPO, I think it safe to say that all the requirements of Section 223 have been satisfied. I am in the process of sharing this information with all of the people listed below.

Also attached is a revised self-certification form indicating the requested relief.

Thank you for your consideration.

Sincerely,



Outerbridge Horsey, AIA, LEED AP

Cc: Gray Orseck, 3021 Newark Street, NW
Margaret Siegel, ANC3C SMD05
Cleveland Park Historical Society
Anne Brockett, Historic Preservation Office
Stephen Cochran, Office of Planning
Mathew LeGrant, Zoning Administrator
Lalit Gupta, Owner, 2957 Newark Street, NW

HATCHED AREA
REPRESENTS
EXTENSION OF
EXISTING
SIDE YARD

PROPERTY LINE

PROPERTY LINE

PROPERTY LINE

5'-10 1/2"

6 3/8"

2'-5 7/8"

5'-10 1/2"

6'-1"

9'-11 7/8"

6'-11"

6'-1"

5'-10 1/2"

5'-10 1/2" RADIUS

BREAKFAST
AREA

1.09

KITCHEN

1.08

1

ENLARGED SIDEYARD SETBACK AREA

SCALE: 1/2" = 1'-0"

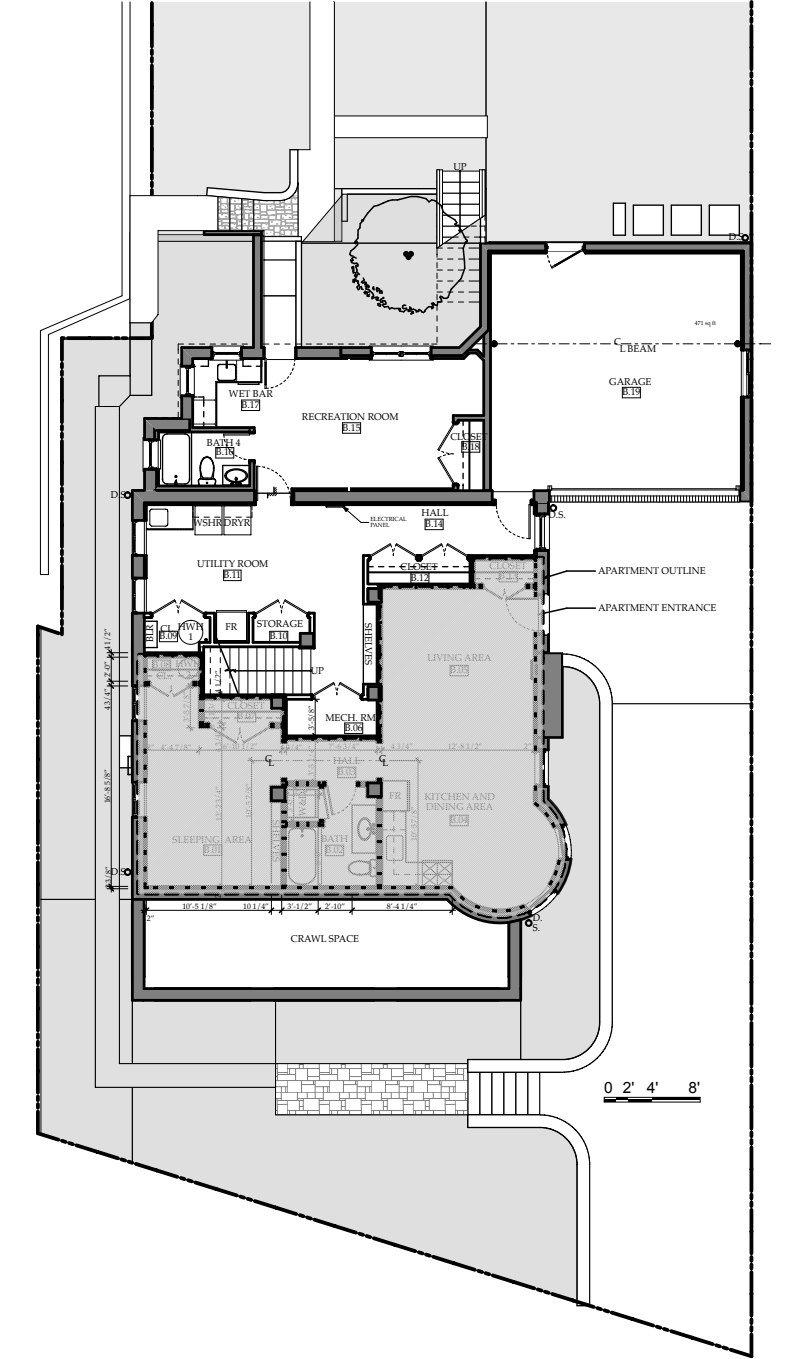


ASK 8.28A

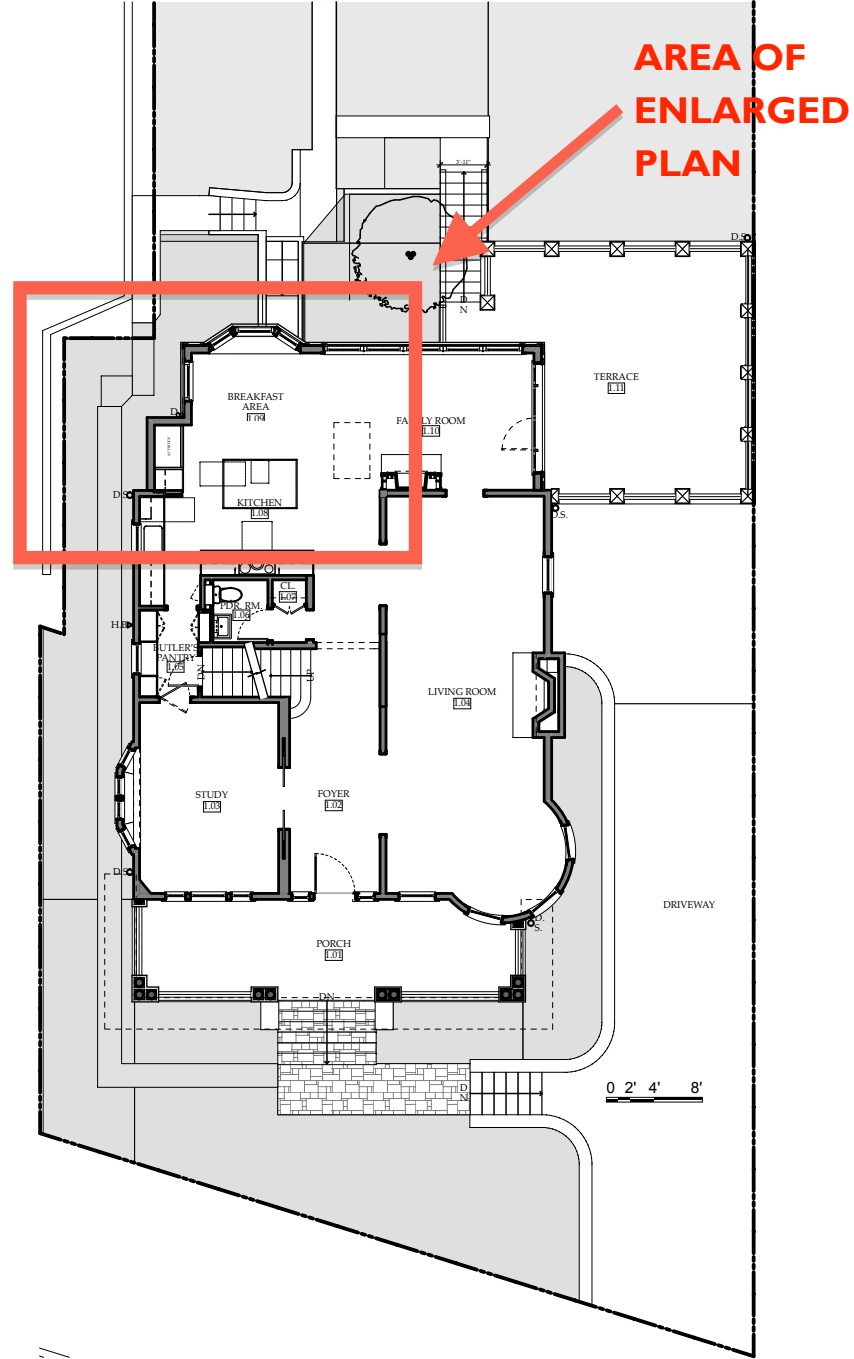
SCALE: AS NOTED
DATE: 8/28/14

2957 Newark Street NW
Washington, DC 20008

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1 LOWER LEVEL
SCALE: 1/16" = 1'-0"



2 FIRST FLOOR
SCALE: 1/16" = 1'-0"



223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

- 223.1 An addition to a one-family dwelling or flat, in those Residence Districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the 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.
- 223.2 The addition or accessory structure 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;
 - (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
 - (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; and
 - (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.
- 223.3 The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.
- 223.4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent or nearby properties.
- 223.5 This section may not be used to permit the introduction or expansion of a nonconforming use .

SOURCE: Final Rulemaking published at 45 DCR 1146, 1447 (March 13, 1998); as amended by Final Rulemaking published at 48 DCR 8979, 8983 (September 28, 2001); and as amended by Final Rulemaking published at 54 DCR 9564 (October 5, 2007).

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on this form. All certification forms must be completely filled out (front and back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Complete one self-certification form for each application filed. Present this form with the Form 120 - Application for Variance/Special - Exception to the Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001. (All applications must be submitted before 3:00 p.m.)

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)					
Lot Width (ft. to the tenth)					
Lot Occupancy (building area/lot area)					
Floor Area Ratio (FAR) (floor area/lot area)					
Parking Spaces (number)					
Loading Berths (number and size in ft.)					
Front Yard (ft. to the tenth)					
Rear Yard (ft. to the tenth)					
Side Yard (ft. to the tenth)					
Court, Open (width by depth in ft.)					
Court, Closed (width by depth in ft.)					
Height (ft. to the tenth)					



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.