

October 1, 2014

MEMORANDUM

To: Board of Zoning Adjustment
From: Ron Rogers
Subject: Burden of Proof – Special Exception

I request the board to approve a special exception to allow the installation of the proposed deck which exceeds maximum lot occupancy for R-5-A zoning district. The proposed deck of 6ft x 22ft will exceed maximum lot occupancy by <5%.

The proposed deck is consistent with other previously approved decks in the community. There are actually two deck installed on my street that are actually larger than my proposed deck.

- 5013 Kimi Gray Ct, SE – B1210415 – 10ft x 16ft (160 sq ft)
- 5063 Kimi Gray Ct, SE – B1111759 – 12ft x 14ft (168 sq ft)

I have included photos of decks for the corresponding addresses.

My current lot is 2,145 sq. ft. The dimensions are 22ft x 97.5ft. The area of my existing covered front porch and house have area of 827 sf (house = 792 sf and porch = 35 sf). If you deduct this amount (827 sf) from 858 sf (40% of total lot); I will only have a surplus of 31 sf left as the maximum area my deck could occupy. Without the Board's approval, that mean that as a homeowner I would only be allow to build a deck 6ft x 5ft. The Zoning Administrator may grant small modifications to lot occupancy of not greater than 2% or a total of 42% total lot occupancy, including the proposed deck, not to exceed 900 sf. Under this scenario, I would be able to construct a deck with an area that does not exceed 73 sf. If I follow the current requirements that means that 1,287 sf of my lot must remain undeveloped. That means 60% of my lot must remain undeveloped.

Allowing the installation of the proposed deck will not adversely affect the use of the neighboring property. Even with the installation of the proposed deck, I will still have over 55% of my lot undeveloped. Leaving over 1,186 sf of my current lot undeveloped. In addition, in adherence to R-5-A, I will still have over 20ft (22ft x 53ft) of my rear lot undeveloped. I actually will still have over double the required amount noted in R-5-A.



Board of Zoning Adjustment
District of Columbia
CASE NO. 18899
EXHIBIT NO. 21