

941 S Street, NW
Burden of Proof for Special Exception

The owner of 941 S Street NW, Michael Welch/1606 Strategies, is seeking a special exception to the open court requirement affecting the proposed rear addition to the house.

This special exception will be in harmony with the general purpose and intent of the zoning regulations and will not tend to affect adversely the use of neighboring property.

The purpose of the open court requirement is to ensure that additions to homes are properly spaced apart from neighboring homes. The house currently has an existing open court area slightly over 5' in width from the neighbor to the north, as all homes on the street are aligned with the exact same open court. This is the acceptable court width that historically existed in this neighborhood. The proposed rear addition would follow the identical line of the building that already exists, extending the rear of the house back and keeping the existing open court width exactly as it is. This is in line with EVERY rear addition that has been completed on the block and satisfies the goal of the zoning regulations to properly space additions to homes to preserve an open court area between two homes. This addition preserves the exact width of the existing open court. Further, this proposed addition will not adversely affect the use of any neighboring properties. It is consistent with already existing rear additions on the block and stays within the zoning regulation's allowable lot usage of 60%.

Michael Welch provided written notice to all abutting neighbors and met in person with both neighbors that responded to discuss the proposed work. Both of those neighbors verbally expressed support for the project and one neighbor went as far as to write in full support of the addition to the ANC. Michael Welch also presented the project and this special exception to the Westminster Neighborhood Association and received the association's unanimous support for the proposed addition and this request for a special exception from the BZA. Michael Welch also presented the proposed addition and this special exception to the ANC's Design Review Committee and received unanimous support for the proposed addition and this request for a special exception from the BZA.

This demonstrates that Michael Welch has met the burden of proof for the special exception to the open court requirement that he now requests.