

Board of Zoning Adjustment
Special Exception request for non-conforming open court

710 A Street, NE
Square 0896
Lot 0041

Statement:

Henry and Katie Van Dyck are requesting a Special Exception under 11-223.1 to increase a pre-existing non-conforming open court by adding a 2nd story addition on top of the existing row-house structure. The current open court is 4.5' wide and would remain 4.5' wide with the addition.

The original structure, built around 1890 has a non-conforming open court with the traditional row house "dog trot" area that is typical of the existing housing stock and built prior to the current zoning regulations. The proposed addition would expand the court vertically but maintain the existing width. There is no way to make the existing open court conform without changing the design and intent of the original house and incurring significant financial hardship. The only alternative would be to propose an addition that would go from lot line to lot line. By doing so, the existing open court would become a worse non-conforming closed court.

Under Zoning Chapter 11, section 223.1 an addition to a single-family row house that does not comply with 406.1 is permitted by a special exception if approved by the Board of Zoning Adjustment under 3104 due to the following.

Specifically, (a) the light and air for the neighboring properties will not be unduly affected. The height of the addition will match the existing house and the neighbors houses and stays within the 40' restriction. The proposed addition does not extend past the neighbors existing rear walls, (b) the privacy of use and enjoyment of neighboring properties shall not be unduly compromised because there are no windows placed on either sides of the addition (shared party-wall property lines). In addition, both row houses to either side already have two story structures in line with the applicant's proposed addition. (c) the addition will conform to the character, scale and pattern of the houses. The addition would maintain this historic design philosophy. The windows and openings will mimic the existing openings. The roof will follow the slope of the existing roof line. The addition will be visible from the public alley but will be in same height and depth of each bordering house. The addition will not be visible from the street. The addition will be hardiplank or brick and maintain the character of the historic precedence set within the neighborhood. (d) Please see the attached drawings that represent the relationship of the proposed addition to adjacent buildings and views from the public ways.

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Board of Zoning Adjustment
District of Columbia
CASE NO.18947
EXHIBIT NO.4