



1711 CONNECTICUT AVE. NW, 204B
WASHINGTON, D.C. 20009

202 758 5518

**Burden of Proof
Special Exception Application**

3401 Macomb St., Northwest

To: Office of Zoning
Government of the District of Columbia
Suite 210 South
441 4th Street, NW

From: Susan Altman
Owner/Applicants
3401 Macomb St NW
Washington DC 20016

Date: July 03, 2014

**Re: BZA Application for a Side Addition at 3401 Macomb St, NW
(Square 2078, Lot 41)**

The Macomb St Trust, owner of 3401 Macomb St NW, hereby applies for a Special Exception per DCMR chapter 223 to build a two-story addition on the west side of the house.

The aspects of the proposal that fall outside the current zoning regulation are as follows:

The proposed construction maintains a side yard of less than 8 feet as specified as the minimum for the R-1-B zoning district.

I Summary

- A.** The special exception qualifies under 11 DCMR Section 223 because the lot occupancy does not exceed 50% and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwellings or properties.
- B.** The proposed two-story (plus basement) addition will extend the length of the existing nonconforming 3'-1" side yard on the west side of the lot. The addition will create no change to the rear yard.

II Statement of Existing and Intended Use

The existing use is a single family, residential building. There is no change in use being sought.

III Basis for Grant of Special Exception

Section 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.*

Section 223.1 offers possible relief to an addition to 3401 Macomb St., specifically from 405.9, side yard requirement.

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.

i. The addition is less than 3' wide and fills in an existing "bite" in the NW corner of the house. Though it will be visible from 3403 Macomb St, the neighbor to the west, the impact will be diminuous as the primary volume of 3401 already extends beyond its neighbor and the decrease in the side yard is marginal and only over the rear 15 feet of the length of the building.

ii. The addition will have no impact on any other neighboring properties.

iii. The owners of all neighboring properties have reviewed plans for the project and provided statements of approval for the record.

(b) The privacy of use and enjoyment of neighboring parties shall not be unduly compromised.

i. The addition is less than 3' wide and fills in an existing "bite" in the NW corner of the house. Though it will be visible from 3403 Macomb St, the neighbor to the west, the impact will be diminuous as the primary volume of 3401 already extends beyond its neighbor and the decrease in the side yard is marginal and only over the rear 15 feet of the length of the building.

ii. The addition will have no impact on any other neighboring properties.

iii. The owners of all neighboring properties have reviewed plans for the project and provided statements of approval for the record.

(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.

i. The proposed addition will be visible only from the property to the west (3403 Macomb St). The materials, fenestration, and scale of the addition will be in keeping with the existing house and with the general character of the house.

ii. The owners of all neighboring properties have reviewed plans for the project and provided statements of approval for the record.

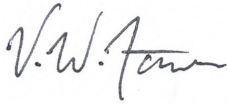
(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

Along with this application we have included the following items:

1. Photos of the existing house
2. Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
3. Official Plat from the DC Office of the Surveyor

Please do not hesitate to contact the authorized agent VW Fowlkes with any questions.

Thank you.

A handwritten signature in dark ink, appearing to read "V.W. Fowlkes". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

VW Fowlkes
202 / 758-5518