

Burden of Proof Special Exception

148 11th Street SE

To: **The Office of Zoning**
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

From: **Jennifer Fowler**
Architect/Agent
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Date: March 10, 2015

Subject : **BZA Application for a Addition at 148 11th Street SE**
(Square 989, Lot 26)

Chris and Paola Lobb, owners and residents of 148 11th Street SE, apply for a Special Exception to build a two story rear addition at the rear of their property, connected to their existing house with a covered walkway. The aspects of the proposed project that falls outside the current zoning regulation are as follows:

The proposed construction raises the lot occupancy from 1159.2 SF (54.8%) to 1479.5 SF (70%), which is 10% over the allowed lot occupancy for a row dwelling in the R-4 Zoning District (II DCMR 403.2) and 15.2% over the existing lot occupancy.

The proposed rear addition and covered walkway connection reduces the rear yard setback to 0'. Therefore, the proposed rear setback will no longer meet the required 20'-0" minimum and will instead be 0'-0" (11 DCMR 404.1).

I. Summary:

- A.** This special exception qualifies under 11 DCMR Section 223 because the lot occupancy does not exceed 70% (11 DCMR 223.3), and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).
- B.** The existing rear porch will be removed to allow for the extra lot occupancy at the rear addition.
- C.** The proposed rear addition will connect to the main house via a covered walkway. The proposed two-story addition will be at the rear of the property and will reduce the required rear yard setback from 53.08' to 0'.
- D.** The proposed addition will be converted to a legal dwelling unit.

II. Bases for Grant of Special Exception

Section 223 provides relief based on satisfying specific criteria under which additions to single-family dwellings may be permitted with a residential district. Those criteria are addressed separately below:

223.1 An addition to a one-family dwelling or flat, in those Residence Districts where a flat is permitted, that does not comply with all of the applicable area 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.

The proposed addition will be on the rear (eastern) portion of the lot. The existing house has a lot occupancy of 54.8%, which will be increased to 70% with the proposed addition. This is a 10% increase over the matter-of-right lot occupancy for a row dwelling allowed in the R-4 district, 15.2% over the current footprint of the residence, and meets the 70% allowed by Section 223.3 as a special exception.

223.2 The addition 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;

146 11th Street SE

146 11th Street SE lies to the north of the proposed addition at 148 11th Street. The proposed addition will have the same footprint as the existing garage at 146 11th Street. It will be approximately 6' taller than the existing garage at 146 11th Street. The proposed rear yard setback reduction will allow the proposed addition at 148 11th Street to maintain the existing line of structures along the rear alley and will reduce any further impact on the neighboring yard at 146 11th Street. The proposed addition may have a minimal impact the light and air available to the rear yard of 146 11th Street, but the impact will be very minor due to the existing garage at 146 11th Street and it will not impact the existing house at 146 11th Street.

150 11th Street SE

150 11th Street SE lies to the south of the proposed addition at 148 11th Street. The proposed addition will have the same footprint as the existing garage at 150 11th Street. It will be approximately 8'-6" taller than the existing garage at 150 11th Street. The proposed covered walkway will run along the shared property line between 148 11th Street and 150 11th Street. The covered walkway will be slightly taller than the existing fence along the property line and will not have a substantial impact on the house or rear yard at 150 11th Street. The proposed rear yard setback reduction will allow the proposed addition at 148 11th Street to maintain the existing line of structures along the rear alley and will reduce any further impact on the neighboring yard at 150 11th Street. The proposed addition may have a minimal impact on the light and air available to the rear yard of 150 11th Street, but the impact will be very minor due to the existing garage at 150 11th Street and it will not impact the existing house at 150 11th Street.

Neighbors to the East

Neighbors to the east of the proposed addition at 148 11th Street SE will not be unduly affected by the proposed project. Neighbors to the east are separated by a 30'-0" wide alley. Additionally, there are several garages on the rear of the properties to the east of the proposed addition. The proposed rear yard setback reduction will allow the proposed addition at 148 11th Street to maintain the existing line of structures along the rear alley, which will maintain the historical aesthetics of the alley. Given the distance between the neighbors to the east and the proposed addition at 148 11th Street, the neighbors will not be substantially impacted by the light and air available to their properties.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised:

146 11th Street SE

The proposed addition 148 11th Street will not unduly compromise the privacy or enjoyment of neighbors to the north. The existing fence will remain along the shared property line, thus prohibiting views between the two yards. The proposed addition will not have any windows along the northern wall, thus prohibiting any views into the rear yard at 146 11th Street. The proposed addition will be set back 41'-0" from the existing houses at 148 11th Street and 146 11th Street. The proposed rear yard setback reduction will allow the proposed addition at 148 11th Street to maintain the existing line of structures along the rear alley and will reduce any further impact on the neighboring yard at 146 11th Street. This separation will help maintain the privacy for 146 11th Street. Additionally, the proposed addition at 148 11th Street will be historically compatible with the neighborhood and the existing garages in the alley.

150 11th Street SE

The proposed addition 148 11th Street will not unduly compromise the privacy or enjoyment of neighbors to the south. The proposed covered walkway will run along the shared property line, however the existing fence will remain along the shared property line and prohibit views between the two yards. The proposed addition will not have any windows along the southern wall, thus prohibiting any views into the rear yard at 150 11th Street. The proposed addition will be set back 30'-7" from the existing house at 150 11th Street. The proposed rear yard setback reduction at 148 11th Street will allow the proposed addition to maintain the existing line of structures along the rear alley and will reduce any further impact on the neighboring yard at 150 11th Street. This separation will help maintain the privacy for 150 11th Street. Additionally, the proposed addition at 148 11th Street will be historically compatible with the neighborhood and the existing garages in the alley.

Neighbors to the East

The proposed addition will not unduly compromise the privacy or enjoyment of neighbors to the east. The neighbors to the east are separated from the proposed addition by the existing 30'-0" wide public alley. Additionally, they are separated from the proposed addition several garages located at the rear of the properties. The proposed rear yard setback reduction will allow the proposed addition at 148 11th Street to maintain the existing line of structures along the rear alley, which will maintain the historical aesthetics of the alley. The proposed addition at 148 11th Street will be similar in style and scale to the historic carriage houses in the neighborhood.

(c) The addition and garage replacement, together with the original building, as viewed from the street, alley, or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.

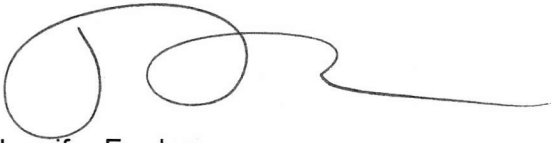
The existing square is extremely dense and has many garages at the rear of the properties. The proposed addition will be historically compatible with the neighborhood and will be similar in style and scale to historic carriage houses. The proposed addition will maintain the existing line of structures along the alley, providing a cohesive view down the alley. Additionally, the proposed addition will not be visible from the front of the house.

Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings;
- b) Plan and elevation drawings of the proposed covered walkway and addition, including a site plan showing the relationship of the addition to adjacent buildings.
- c) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, I am available at any time to discuss them with you.

Thank you,

A handwritten signature in black ink, consisting of a large loop followed by a smaller loop and a long, thin horizontal stroke extending to the right.

Jennifer Fowler
Agent/Architect