

March 11, 2015
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To: Board of Zoning Adjustment
From: Mark Grisar, Architectural Designer
Re: Explanation of meeting specific tests for Proposed rear yard addition to 5435
Sherrier Pl. NW D.C.
Lot 833 square 1444
Zone District R-1-B
ANC 3D

The plan is to build a modest (285 square feet) one story addition to the rear of the Piersons' home to provide a dining room and reading nook. Please refer to the accompanying drawings and photographs, labeled Pierson Residence, dated March 11, 2015.

Relief from two zoning non-conformances through the Special Exception process (chapter 3104.1 and section 223) is requested. Also requested is an Area Variance for relief from the requirement of a parking space (section 2101.1).

Special Exceptions:

1. Lot dimensions

The lot is 48 feet wide; the standard is 50 feet (section 401.3). The lot size is 4,212 square feet; the standard is 5,000 square feet (section 401.3).

The Special Exception request is based on section 401.1, which provides relief for lot width and size in the case of a residence built prior to May 12, 1958, which describes this property. (See attached D.C. Office of Tax and Revenue document, demonstrating the residence was constructed in 1950.)

2. Rear Yard Setback

The existing rear yard setback is 19 feet. The proposed setback is 13 feet. The standard is 25 feet (section 404.1).

The Special Exception request is based on section 404.4, which provides relief for rear yards in the case of a residence built prior to May 12, 1958, which describes this property. (See attached D.C. Office of Tax and Revenue document, demonstrating the residence was constructed in 1950.)

The subject lot is exceptionally shallow, measuring a little more than 87 feet in length. If it were the more typical 100 feet in depth, that added 12 to 13 feet would provide the 25 foot standard rear yard setback after building the proposed addition. The existence of the 15 foot public alley behind this property provides additional buffer.

Relating to section 3104.1 -- Special Exceptions -- the result of granting both of these relief requests (1. and 2. above) is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The R-1 District is designed to protect quiet residential areas -- in this case, one-family detached dwellings -- from adverse intrusions. The proposed project maintains the existing single family structure and single dwelling unit, maintaining the general character of the district. This physical improvement to the home supports the stability of the district, and its land values. It does not change usage nor increase the density. In fact, as a result of removing the existing enclosed porch and the carport, lot coverage is actually decreased from 39 % to 35.6% (standard is 40%), including the proposed addition. The proposed addition is, in size and use, typical of many others in the neighborhood.

For all these reasons, the proposed addition is compatible with the residential uses of the district and is therefore consistent and in harmony with the general intent and purpose of the Zoning Regulations.

Relating to section 223.2 -- potential adverse effects on the use or enjoyment of any abutting or adjacent dwelling or property -- the proposed project will actually *improve* the conditions. We are taking down the existing carport that sits on an elevated piece of the property, on the north and west property lines. Thereby, we are removing a structure that is currently at the edge of a neighbor's property and the public alley.

The proposed addition, situated on a portion of the property that is almost two feet lower in grade and attached to the rear wall of the home, will be hardly visible to neighbors. With a six foot fence on the property line, only the very top of this proposed one-story addition falls within the sight lines of neighbors. Nor is it visible to passersby in the rear alley. Thus, light and air also is in not affected.

Neighbors' privacy of use and enjoyment is not compromised, since the side yard setbacks meet the standard of 8 feet. The proposed addition is not in any way a detriment to others' use and enjoyment.

The proposed addition, clad in stucco, and the existing brick residence are of simple design and diminutive size. As viewed from the street or public alley, or from adjacent and nearby properties, there is no visual intrusion. The scale, character and impact of the existing residence and the proposed addition are entirely in keeping with that of the neighborhood and the district.

The accompanying drawings and photos illustrate these points.

Area Variance to deviate from the requirement of one parking space:

Physical Characteristics of the Property

Because of exceptional narrowness (48 feet), exceptional shallowness (87.75 feet), exceptionally small size and exceptional topographical conditions (explained below), the strict application of the parking requirement (section 2101.1) would result in undue and exceptional hardship upon the owners. There is simply no practical place to put a 9 foot by 19 foot parking space, in this small yard, without severely and unduly restricting the owners' use and enjoyment of it. Here's why that is so:

The lot, at some 4200 square feet, is essentially missing 800 square feet. That's a chunk of land roughly 50 feet by 16 feet. With such a handicap, it is indeed a hardship to be obliged to make a parking space in such a small area. Use and enjoyment of the back yard is severely compromised.

Another way to view the situation is that the proposed rear yard is about 725 square feet in size. A parking space (9 feet by 19 feet) is 171 square feet. That is 24% of the back yard.

Physical Traits of the Property Make it Difficult to Comply

The exceptional topography of the yard further aggravates the situation. The alley (access to the rear yard and the only access to a parking space) is almost two feet higher than the grade of the house. The parking cannot be placed in the northeast corner of the yard because at about five feet into the yard from the alley, the grade drops at a retaining wall, and at eleven feet from the alley, a magnificent and beloved magnolia tree grows, some 25 feet tall, at the lower grade. The parking pad would replace this tree, which now provides beauty and shade to both the owners and the neighbors. Such a loss would clearly be an exceptional and undue hardship.

Using the north side of the rear yard, where the current carport is, and where the grade is at the level of the alley (some 20 inches higher than the patio grade, the grade on which the house sits) is also an undue hardship. Because the rear yard is so small, the parking space extends to within four feet of the house. A car parked here would loom over the rear yard and the home, as it does now. It is an eyesore, creating a crowded condition. The car in the yard dominates the space and ruins the scale. Please refer to photos.

No Detriment to the Public Good

Almost uniquely in Washington, parking in this neighborhood is not an issue because Sherrier Place is a boulevard. The roadway on the subject property side of the median is 31 feet wide, and accommodates parking on both sides of the street. A separate roadway accommodates homes on the other side of the median (see Parking Schematic and photos). Abundant parking convenient to each home -- for residents and visitors --

is thereby ever-present. Thus, eliminating a parking space on the subject property would not be detrimental to the public good.

Consistent With Intent of Zoning Regulations and Map

Granting this Variance would not impair the intent, purpose or integrity of the Zoning Regulations and Map. These Regulations are in force to ensure the protection of the quiet use and enjoyment of residents. The proposed project maintains the single family dwelling unit. There is no change in usage or density. Lot coverage is actually reduced. The property remains consistent with the character and scale of the neighboring properties. Neither land values nor neighborhood stability are affected. In no way do we compromise the goals of Zoning Regulations for this district.

We submit that the strict application of the parking requirement would result in peculiar and exceptional practical difficulties to the owners of this property. This situation epitomizes why, in its wisdom, the writers of our Zoning Regulations included the Variance procedure: To ensure that common sense prevails in the application of the Regulations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Grisar', with a stylized flourish at the end.

Mark Grisar