

**BURDEN OF PROOF**

451 TENNESSEE AVE NE WASHINGTON, DC 2000

4/1/15

Dear Board,

I am requesting a Special Exception for the construction of a two level deck at my house on 451 Tennessee Ave NE. I have owned the house since October of 2012 and since that time have been engaged in property improvements – all permitted and inspected by the DCRA – to include to date: window replacement, HVAC replacement, plumbing improvements and securing the foundation with total underpinning of the house.

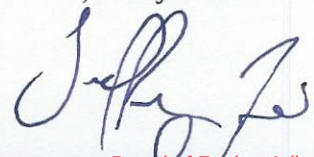
I now wish to construct a two-level wood deck at the rear of the property with stairs that go from lower deck to ground level. The idea for the improvement originates with my next-door neighbor who has a deck system - more extensive – but similar to the one I am proposing. A deck such as this will provide outdoor space for living and enjoying the community in which I have chosen to live.

My house is located in the R-4 zone, intended for residential use. The rear of my property adjoins an alley upon which all other homeowners on my block and square have access; this alley forms the rear of their properties as well and creates a fair amount of open space for all properties on the square. Other homeowners on my block and square have decks for their enjoyment too in the rear portions of their properties.

I ask for a Special Exception (Per Section 223) to build the deck because my house has used the allowable percentage of the lot (403.2). In addition, the proposed deck stair to ground will, at one corner of lot, be slightly over the required setback from the rear lot line (404.1/4). My lot is cut at an angle in the rear from the Tennessee Ave St. and alleyway configuration and thus creates this issue. However, the neighbor adjacent on one side has a multi-level deck installed and he has written a letter of support for my deck proposal. The other adjacent neighbor's house attaches only at the front and then is **unattached** for the most part because that house is at the corner of Tennessee and E Street separating from mine as it aligns along the side with E Street. That detachment creates a larger open backyard space for his property and nice distance from mine - a very nice open space at rear.

I believe the exterior appearance of the proposed deck will improve the appearance of my house and thus be an overall improvement for the houses adjoining and within view of mine. In addition, the deck is not visible from the front of the house and thus remains quite private from street activity and line of sight.

Sincerely,  
Jeffrey Fine



Board of Zoning Adjustment  
District of Columbia  
CASE NO.19012  
EXHIBIT NO.12

# GRAPHIC of House/Street/Alley positions for Tennessee



Street Angle creates angled lot.

- Neighbor to Right (from rear view) fronts E St. creating open space between 451 Tennessee and their house.
- Neighbor to Left has dock system in place at rear. (449 Tennessee)