

DC Office of Zoning
441 4th St. NW
Suite 200 South
Washington, DC 20001
Aug. 26, 2015

Burden of Proof

RE. Request for Modification to Special Exception for relief regarding rear setback
Application #:19052

Project Address
2905 28th St NW
Washington, DC 20008

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Please accept this document as the Burden of Proof for a request to modify the previously-granted Special Exception for Application 19052. This project was presented at the BZA hearing on July 21st and was granted a Special Exception related to lot occupancy. Unfortunately, during consultation at DCRA on August 18th to obtain the permit we were informed that our calculation of the rear setback was incorrect. We had used a formula provided by the zoning reviewer at DCRA during a meeting in November, 2014, but apparently we were furnished with incorrect information. At the meeting on August 18th, David Vollin at DCRA gave us the correct formula for calculating the rear setback and told us that we would need to modify the Special Exception to include the rear setback relief. We are therefore resubmitting this project, with the **exact same plan** as previously submitted and approved by both ANC 3C and the BZA, to request relief regarding the rear setback of the angled rear yard.

In R-3, zoning requires a 20' rear setback. The proposed project is to replace an existing rear porch and stair with a new deck with an open, usable parking space underneath. The new, correct angled rear yard calculations are below and are also illustrated on the attached Site Plan.

Rear Yard Square Footage with proposed deck = 504 SF
20' rear setback is required
 $504 \text{ SF} / 32.09 \text{ (lot width)} = 15.71 < 20' \text{ required}$

The house is located in the Woodley Park / National Zoo area and on-street parking is extremely difficult, especially during peak hours and weekends. The current in-house garage doesn't accommodate a normal car and is therefore unusable. In order to have a usable covered parking space we are required to extend into the rear yard setback. The width of the deck is 11'-0" with an interior clear dimension of 10'-6" - a minimum width for the parking spot, opening a car door and staying protected from the elements. The open design of the deck, the railings and open area underneath help to maintain the feeling of a larger rear yard. In addition, the existing perimeter masonry wall along the Alley and the fence along the rear and side property lines screen the rear yard so it is visually difficult to see the proposed addition from eye level. The only neighbors directly impacted by the project, who live on either side of the house, have both submitted emails supporting the project with the proposed design and these emails were furnished to the BZA during the hearing on July 21st.

Thank you for your attention to this matter. Please don't hesitate to contact me or the homeowner (Joshua Green, 202 251.9400, joshgreen93@gmail.com) directly with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bertin L. Radifera', with a long horizontal flourish extending to the right.

Bertin L. Radifera