

Burden Of Proof

Special Exception Application

1329 Holbrook St. NE

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

From: **Alexander Hastings**
Homeowner
1329 Holbrook St. NE
Washington, DC 20002

Date: June 30, 2015

Subject: BZA Application, Hastings Addition
1329 Holbrook St. NE (Square 4073, Lot 0082)

I, Alexander Hastings, owner of 1329 Holbrook Street NE, hereby apply for zoning relief to build a garage structure with an apartment on the upper floor, and connect it to the main house with a covered walkway. The covered walkway connection will allow the carriage house to be converted from an accessory structure to an addition to the main house in order to convert it into a legal dwelling unit. The aspects of the proposed project that fall outside the current zoning regulations are as follows:

The proposed covered walkway converts the carriage house from an accessory structure to an addition to the main house. Therefore, the proposed rear setback will no longer meet the required 20'-0" minimum and will instead be 2'-0" (11 DCMR 404.1).

I. Summary:

- A. This special exception qualifies under 11 DCMR Section 223 because the proposed addition and covered walkway 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 proposed covered walkway connection will allow the proposed carriage house to be built as a part of the main house and to be designated a legal dwelling unit. This conversion reduces the existing rear yard setback to 2'-0".

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 and covered walkway will be on the rear (Southeast) end of the existing property. The proposed garage abuts a 20' wide public alley. The existing house has a lot occupancy of 24% which will be increased to 42.2% with the proposed covered walkway. The footprint of the rear structure will not change. This is within the matter-of-right lot occupancy (60%) for a row dwelling allowed in the R-4 district. Additionally, the proposed covered walkway will connect the new carriage house to the main house. The walkway connection to the proposed carriage house will reduce the existing rear yard setback from 51'-0" to 2'-0".

223.2 The addition shall not have a substantially adverse effect 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.*

1327 Holbrook Street NE

1327 Holbrook Street NE lies to the southwest of 1329 Holbrook Street NE. The existing two-story house at 1327 Holbrook Street NE is approximately 4'-0" shallower than the house at 1329 Holbrook Street. Additionally 1327 Holbrook Street NE has a one-story garage structure 10'-0" wide and 22'-0" deep starting 2'-0" from the rear property line. The proposed covered walkway at 1329 Holbrook Street NE will run along the property line shared with 1327 Holbrook Street NE to connect the proposed garage to the main house. The proposed covered walkway will be approximately the height of the existing shared fence along the property line. Therefore, the covered walkway and carriage house at 1329 Holbrook Street will not substantially impact the light and air available to the house at 1327 Holbrook Street NE.

Neighbors to the Southeast

Neighbors to the Southeast of the proposed project will be minimally affected. These neighbors are separated from the property at 1329 Holbrook Street NE by a 20' wide public alley. The proposed covered walkway and addition at 1329 Holbrook Street NE will not impact the light and air available to the neighbors to the southeast. There will be some impact on the privacy enjoyed by the neighbors at 1513 Oates Street caused by the new alley-facing windows; however the impact will be minimal.

Neighbors to the Northeast

Neighbors to the northeast of the proposed project will be minimally affected. These neighbors are separated from the property at 1329 Holbrook Street NE by a public street (Oates Street

NE). The proposed covered walkway and addition at 1329 Holbrook Street NE will not impact the light and air available to the neighbors to the northeast.

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

1327 Holbrook Street NE

The proposed covered walkway and carriage house at 1329 Holbrook Street will not unduly compromise the privacy or enjoyment of the neighbors at 1327 Holbrook Street. The existing fence will remain along the shared property line, thus prohibiting views between the two yards. The proposed covered walkway will also help to separate the two rear yards, and there will not be any views from the covered walkway into the rear yard at 1327 Holbrook Street. There will be new windows on the west, north and east side of the second floor of the carriage house, as well as new windows on the third floor. The windows may allow some obstructed views into the adjacent properties; however the impact is not extreme.

Neighbors to the Southeast

The proposed covered walkway and renovated carriage house will not unduly compromise the privacy or enjoyment of neighbors to the southeast. The proposed carriage house is separated from the neighbors to the southeast by a 20' wide public alley. While the proposed carriage house will be converted to a legal rental unit, the use of it as such will not affect the neighbors to the southeast given the alley separation.

Neighbors to the Northeast

The proposed covered walkway and renovated carriage house will not unduly compromise the privacy or enjoyment of neighbors to the northeast. The proposed carriage house is separated from the neighbors to the northeast by a public street (Oates Street NE). While the proposed carriage house will be converted to a legal rental unit, the use of it as such will not affect the neighbors to the northeast given the street separation.

(c) *The addition, 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 several garages at the rear of the properties. Additionally there is a large, three story apartment building across the alley. The carriage house construction will be compatible with the neighborhood and will be similar in style and scale to nearby buildings. Additionally, the covered walkway 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 expanded carriage house, including a site plan showing the relationship of the covered walkway to adjacent buildings.
- c) Official Plat from the DC Office of the Surveyor, showing proposed construction.

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, appearing to read 'Alexander Hastings', written on a light-colored background.

Alexander Hastings
Homeowner