

Burden of Proof Special Exception Application

602 A Street NE

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

From: **Andrew Weinschenk and Rebecca Cononi**
Owner/Applicant
602 A Street NE
Washington, DC 20002

Date: July 15, 2015

Subject: **BZA Application, Weinschenk-Cononi Addition**
602 A St NE (Square 867, Lot 124)

Andrew Weinschenk and Rebecca Cononi, owners and residents of 602 A Street NE, hereby apply for a special exception to build a second story addition on the rear of their existing row house above the existing first floor addition. The aspect of the proposed project that falls outside the current zoning regulation is as follows:

The existing house is currently non-conforming for lot occupancy as it is over the 60% allowed by-right. The proposed construction does not increase the existing lot occupancy as the proposed addition is above an existing one-story rear addition.

An existing awning on the rear of the property creates a non-conforming open court on both sides (11 DCMR 406.1). A new awning above the proposed second floor window will also create a non-conforming court on both sides. The proposed second floor awning will be 1'-11" deep and 9'-0" wide, creating a 3'-10" court on the east side and a 4'-4" court on the west side.

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).

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 one-story addition is to a permitted single-family residence on the rear (north facing side) of the existing house. The existing structure has a lot coverage of 66.4%, however the proposed lot coverage will remain the same as the proposed addition is above an existing one-story addition. The existing open court created by the existing awning above the first floor will be made wider with the proposed awning above the second floor windows. The proposed awning will be the same depth as the existing awning.

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.*

604 A Street NE

604 A Street NE lies to the east of the proposed addition at 602 A Street NE. The addition will not extend beyond the existing one-story addition at 602 A Street. Additionally, the addition will not extend beyond the existing house at 604 A Street. Given that the proposed second story addition at 602 A Street will not extend beyond the neighboring house at 604 A Street, there will be no impact on the light and air available to 604 A Street NE.

Neighbors to the West

Neighbors to the west of 602 A Street NE are separated from the proposed second story addition by existing rear yards. The proposed addition at 602 A Street NE may have a minimal impact on the light and air available to the neighbors to the west, but that impact will be limited to specific times during the day. Overall, the impact on the light and air available to the neighbors to the west will be minimal since the addition will not extend past the existing one-story addition at 602 A Street.

Neighbors to the North

Neighbors to the north of 602 A Street NE are separated from the property by the existing rear yard at 602 A Street. The existing rear yard and the fact that the proposed addition will not extend beyond the existing first floor addition means the proposed addition at 602 A Street will have no impact on the air or light for the neighbors to the north.

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

604 A Street NE

The proposed addition at 602 A Street will be modest in size. It will extend 13'-4" beyond the existing second floor and will fill in the dogleg on the east side. However, the proposed addition will not extend beyond the existing first floor addition. The proposed addition will utilize the existing party wall that is shared between 602 A Street and 604 A Street. Therefore, there will no windows along the shared property line. Overall, the proposed addition at 602 A Street will not unduly compromise the privacy of use and enjoyment of 604 A Street.

Neighbors to the West

The proposed addition at 602 A Street will be modest in size. It will extend 13'-4" beyond the existing second floor and will fill in the dogleg on the east side. The new wall of the proposed addition will be along the shared property line between 602 A Street and the neighbors to the west. However, the proposed new wall will be brick and will have no windows, thus protecting the privacy of all neighbors to the west. Overall, the proposed addition at 602 A Street will not unduly compromise the privacy of use and enjoyment of neighbors to the west.

Neighbors to the North

An existing garage is located directly north of the property line at 602 A Street. The proposed addition at 602 A Street will extend the existing second floor 13'-4" towards the back of the property. There will be two new windows along the north wall that overlook the existing back yard at 602 A Street NE. The existing garage to the north has a solid brick wall along the shared property line, thus prohibiting any views into the garage from 602 A Street. Given the separation provided by the existing rear yard and the privacy already provided by the solid brick wall, the proposed addition at 602 A Street will not unduly compromise the privacy or use and enjoyment of neighbors to the north.

(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

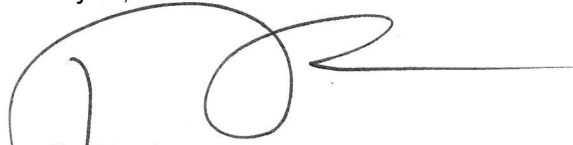
The existing square is extremely dense. The proposed addition will not be visible from any street. The proposed addition will be constructed with high quality, historically appropriate materials and will be appropriate in scale for the existing houses. Additionally, it will not extend beyond the existing one-story addition.

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 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,



Jennifer Fowler
Agent/Architect