

**Burden of Proof
Special Exception Application**

To: **D.C. Board of Zoning Adjustment**
441 4th St NW, Suite 210S
Washington, DC 20001

For: **Jennifer and Lyle Vold**
Owner/Applicant
134 11th St NE
Washington, DC 20002

By:
Ryan Moody
1318 H St. NE
Washington, DC 20002

Date: August 7, 2015

Subject: **BZA Application, Vold Residence rear garage**
134 11th St. NE (Square 0965, Lot 0035)

Jennifer and Lyle Vold, owners of 134 11th St. NE, hereby apply for zoning relief to build a garage with a rooftop deck, which is subject to 11 DCMR 223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES. The aspects of the proposed project that fall outside the current zoning regulations are as follows:

The proposed construction increases the lot occupancy from 833 sf (55%) to 1050 sf (69%) which is 9% over the allowed lot occupancy for a row house in the R-4 zoning district (11DCMR 403.2) and 14% above the existing lot occupancy.

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 rear garage will not unduly affect the light and air available to neighboring properties nor will it have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).

B. The proposed garage will be similar in size to the existing garages and style of existing row houses and carriage houses in the neighborhood.

II. Basis for Grant of Special Exception

Section 223 provides relief based on satisfying specific criteria under which additions to single family dwellings may be permitted within a residential district as follows:

a) The light and air available to neighboring properties shall not be unduly affected.

There is a 30' alleyway to the west behind the proposed garage, providing enough distance from rear yards on the 10th St. half of the block to retain sufficient light and air. The home directly across the alley (115 10th ST NE) has an existing garage at the rear of their property. The adjacent property to the north has an existing garage with a depth of 22'. The proposed garage will match the depth of the neighbor's existing garage, and therefore will not impede upon the available light and air to this or other adjacent properties.

The south edge of the property is abutted by a 15' public alleyway, and the property across this alley has a 2 story carriage house (22' tall) along the 15' alley. The proposed garage and roof deck will be of lower height (13') than this existing carriage house. Due to the lower height of the proposed garage, and the distance between the properties provided by the alley, available light and air to this property will not be affected.

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

The proposed garage will not unduly compromise the privacy or enjoyment of neighbors. A rear two-story deck will be removed in order to reduce existing lot coverage. These decks provided higher views into neighbors at a further distance, and the proposed rooftop deck is lower. The proposed deck features a 7' deep (from the back alley side of the garage) green roof that prevents access and views to any neighboring properties along the alley. The garage and roof deck is supported by two neighbors on the north side who could be most affected by the proposed changes, but who also will gain additional privacy by the removal of the existing 2 story decks attached to the house.

c) The garage, 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 or alley.

Six of the other homes on the block have an accessory structure (garage) on the public alley. The brick façade of the garage will be in keeping with the historic character and continues around the entire structure on all visible sides, including the view from 11th Street. The proposed garage at 134 11th St NE will be historically compatible with the neighborhood and will be similar in scale to neighboring garages and the existing structure on the property. The design is being reviewed by the Historic Preservation Review Board and has been revised to reflect staff comments.

Please refer to the drawings for the size and scale of the garage and roof deck. Please contact me with any questions or comments.

Respectfully submitted,
Ryan Moody, Agent
ryan@moodyarchitecture.com
202.543.1286