

BOARD OF ZONING ADJUSTMENT
SPECIAL EXCEPTION APPLICATION

APPLICANT'S STATEMENT

Symi Rom-Rymer
3097 Ordway Street NW; Square 2067, Lot 0121

I. INTRODUCTION.

Symi Rom-Rymer (the "Applicant") is the owner of the property located at 3097 Ordway Street NW, Square 2067, Lot 0121 (the "Property"), which is zoned R-2. The improvements on the Property consist of a three-story row structure without a basement (the "Building"). The Applicant proposes to construct a one-story rear addition to the Building (the "Addition"). The Addition amounts to an increase in the existing lot occupancy from thirty-three percent (33%) to forty-four percent (44%). This new rear addition increases the proposed lot occupancy over the required maximum of forty percent (40%). Accordingly, the Applicant requests special exception approval pursuant to §223 for relief from maximum lot occupancy (§403.2).

II. DESCRIPTION OF THE PROPERTY AND THE ADDITION.

The Property is located at 3097 Ordway Street NW and is in the R-2 zone district (see the Zoning Map attached as Exhibit A), and is a semi-detached structure. Abutting the Property to the east are other brick, semi-detached structures, to the north across the rear yard is a single-detached dwelling, adjacent to the west are single-detached dwellings, and adjacent to the Building to the south across Ordway Street, are other single-detached structures, all zoned R-2. Photographs of the Property are included separately with this Application.

The Addition will consist of a one-story rear addition to the Building to be used as additional habitable space, specifically a new guest room.

III. THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS OF §3104.1 & 223.

A. Overview. Pursuant to §3104.1 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under §223 of the Zoning Regulations.

In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000).

B. Requirements of §3104.1.

The granting of a special exception in this case “will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property...” (11 DCMR § 3104.1). Given the nature of the Addition, the Building's mass and height will be in harmony with the purpose and intent of the Zoning Regulations and Zoning Maps and will neither adversely affect the semi-detached houses to the east, the single-detached houses to the west of the Property nor the properties to the north and south of the Property, as they are separated from the Building by a sloping rear yard and Ordway Street, respectively. The proposed Addition has received approval from the Historic Preservation Review Board. See copies of approved drawings approved HPRB during initial permit application review, attached as Exhibit B.

C. Requirements of §223.

The proposal in this Application satisfies the requirements of Sections 223, as follows.

Section 223.2 *“The addition or accessory structure shall not have a substantially adverse affect on the use of 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;

As the properties adjacent to the Building to the north is separated by a rear yard that slopes away from the Building, and those to the south are separated from the Building by either a street, the light and air available to these neighboring properties will not be unduly affected by the Addition. Nor will the Addition affect the light and air of the adjacent properties to the west, 3501 34th St NW Caroline Street NW as these are separated by ample side yard space. Light and

air available to the abutting property to the west, 3095 Ordway St NW is not affected as there is an existing partition screen which the Building is replacing.

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

As the neighboring properties to the north and south of the Building are separated from the Building by either a street or rear yards and alleys, the privacy of use and enjoyment of these properties will not be unduly compromised. As the properties to the east and west of the Building, 3501 34th St NW and 3095 Ordway St NW, respectively, are separated from the Building by existing fences, screens and party walls, the privacy of use and enjoyment of these properties will not be unduly compromised.

(c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and

The entire structure of the new Addition is to the rear of the Property. As such, the Addition will not visually intrude upon the character, scale, and pattern of houses along Ordway Street. On July 29, 2015, the Historic Preservation Review Board, upon reviewing the proposed plans for compatibility with the character of the surrounding structures and Cleveland Park Historic District, approved the proposed Addition, attached as Exhibit C.

(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.”

The Applicant has submitted photographs of the Property and architectural plans along with its Application.

Section 223.3 *“The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.”*

The existing and proposed lot occupancy is forty-four percent (44%).

III. CONCLUSION.

For the reasons stated above, this application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,



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Agent
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Date: 9/21/2015