

Burden of Proof

Special Exception Application

650 F Street NE

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

From: **Edward and Jessica Long**
Owner/Applicant
650 F Street NE
Washington, DC 20002

Date: July 27, 2015

Subject: **BZA Application, Long Addition**
650 F Street NE (Square 860, Lot 7)

Trey and Jessica Long, owners and residents of 650 F Street NE, hereby apply for a special exception to build a third floor addition with roof deck over their existing row house. 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 existing house has a lot occupancy of 1328.2 SF (73.8%), which will be reduced to 1260.4 SF (70%) by removing an existing two-story covered porch on the rear of the house. The proposed lot occupancy of 1260.4 SF (70%) is the maximum allowed by a special exception for a row house in the R-4 zoning district (11 DCMR 403.2).

The proposed construction extends the existing 5'-0" wide non-conforming open court (11 DCMR 406.1) at the rear of the property. Additionally, the proposed third floor creates a 3'-6" open court at the front of the property.

The proposed third floor addition will increase the overall height of the existing structure from 29'-5" to 37'-6". This is 2'-6" above the allowed height for a row house in the R-4 zoning district but is within the 40' height limit allowed by a special exception (11 DCMR 400.23).

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). The existing two-story covered porch will be removed to reduce the lot occupancy from 13282 SF (73.8%) to 1260.4 SF (70%).
- B.** The proposed third floor addition will follow the footprint of the existing house, thus extending the existing 5'-0" wide open court at the rear. Additionally, the front of the proposed third floor will be set back 3'-6" from the western property line.
- C.** The proposed third floor will extend 8'-1" above the height of the existing house for a total of 37'-6", but will remain below the allowed 40'-0" by a special exception (11 DCMR 400.23).

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 §§ 400, 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 third floor addition is to a permitted single-family residence that is not currently in conformance with Section 403.2 (lot occupancy) or Section 406.1 (open court). The existing structure has a lot coverage of 73.8%, which will be reduced to 70% by removing the existing two-story rear covered porch. The proposed third floor addition will be over the existing house. The existing 5'-0" wide open court at the rear will remain to maintain the existing layout on the lower floors and maximize the light in the third floor addition. Additionally, a proposed 3'-6" wide open court will be created at the front of the proposed addition to minimize the impact on the view from the street. The overall height will increase from 29'-5" to 37'-6", but will remain below the 40'-0" allowed by special exception and will retain the original architectural details on the front of the house.

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.

648 F Street NE

648 F Street NE lies to the west of the proposed addition at 650 F Street. The proposed addition will be over the existing house at 650 F Street and will be separated from the neighbors at 648 F Street by the existing 5'-0" rear open court and the proposed 3'-6" open court at the front. The proposed addition will run along the shared property line for approximately 19'-11". The proposed height will be only 2'-6" above the 35' allowed by-right and will not have a major impact on 648 F Street due to the separation created by the open courts. Therefore, due to existing and proposed open courts, the proposed addition at 650 F Street will not have a substantial impact on the light or air available to 648 F Street.

652 F Street NE

652 F Street NE lies to the east of the proposed addition at 650 F Street NE. The proposed addition will be over the existing house at 650 F Street, which is 7'-6" shorter than the existing house at 652 F Street. Additionally, the proposed addition will be set back 5'-3" from the front of the house to minimize the impact on the front yards and street. The overall proposed footprint of the addition will be smaller than the existing house at 652 F Street. Since the proposed addition will be above the existing house and will not extend any further back than the existing house or beyond the existing house at 652 F Street, it will not have a substantial impact on the light and air available to 652 F Street. The proposed height will be only 2'-6" above the 35' allowed by-right and will not have a substantial impact on 652 F Street.

Neighbors to the North

Neighbors to the north of 650 F Street NE are separated from the property by large rear yards, garages and a public alley. Due to large separation between the structures to the north and the proposed addition

at 650 F Street, the proposed third floor addition 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

648 F Street NE

The proposed addition at 650 F Street will not extend the existing footprint of the house. The western wall of the addition will have windows along the proposed open court at the front, but these windows will not allow any views into the house at 648 F Street. The proposed windows along the open court at the rear will be high windows and will limit any views into the rear yard at 648 F Street. There will no windows on the portion of the addition along the shared property line. The proposed roof deck above the existing third floor may have a minor impact on the privacy of use for 648 F Street as it will allow some views into the rear yard at 648 F Street. The proposed increase in height above the allowable 35'-0" will be minor and will not affect the privacy of use or enjoyment for the neighbors at 648 F Street. Overall, the proposed addition at 650 F Street will not unduly compromise the privacy of use and enjoyment of 648 F Street.

652 F Street NE

The proposed addition at 650 F Street will not extend the existing footprint of the house. The eastern wall of the addition will have no windows along the shared property line, thus prohibiting any views into the house at 652 F Street. The proposed roof deck above the existing third floor may have a minor impact on the privacy of use for 652 F Street as it will allow some views into the rear yard at 652 F Street. However, a 3'-0" high parapet wall along the shared property line will help mitigate these views. The proposed increase in height above the allowable 35'-0" will be minor and will not affect the privacy of use or enjoyment for the neighbors at 652 F Street. Overall, the proposed addition at 650 F Street will not unduly compromise the privacy of use and enjoyment of 652 F Street.

Neighbors to the North

The proposed addition at 650 F Street will not affect the existing rear yards that separate the structure from the neighbors to the north. The proposed addition will be proportional in scale, thus the privacy of use and enjoyment of the neighbors to the north will not be compromised.

(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 be set back from the front of the house to minimize the impact on the street view. While the proposed height is higher than the 35'-0" allowed by-right, the proposed 37'-6" is minimally higher and will not have a major impact on the overall height of the structure. The proposed addition will be constructed with high quality materials and will be appropriate in scale for the existing houses.

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,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a long horizontal stroke extending to the right.

Jennifer Fowler
Agent/Architect