

Update to BZA Application 19164

Contents

This document contains an update:

1. To accommodate the appropriate DC Code for the zoning relief requested, as the existing property sustains numerous nonconforming aspects, including height that was not fully addressed in an area variance and requires a special exception. [NOTE: All correspondence, including with neighborhood residents/civic associations/commission, has included accurate depictions of the need for zoning relief from height.]

Pursuant to 11 DCMR § 3103.2 and 11 DCMR § 3104.1 , Mr. Christopher Wright (APPLICANT) is requesting an area variance from the minimum lot dimensions under § 401.3, a variance from the lot occupancy requirements under § 403.2, a variance from the rear yard requirements under § 404.1, a variance from the open court requirements under § 406.1, a variance from the nonconforming structure under § 2001.3, and a special exception to height requirements under § 400 to allow an addition to an existing building serving as a flat in the R-4 District at premises 17 U Street NW, Square 3117, Lot 0003 (PROPERTY).

2. To provide refined measurements of the height and lot occupancy, which are included on an updated Form 135.
3. To readdress the entire Burden of Proof for the application
4. To call out revisions to the plans, done in coordination with DCRA.
5. To provide consolidated responses to questions from the Offices of Planning and Zoning.

DC Code

[NOTE: All correspondence, including with neighborhood residents/civic associations/commission, has included accurate depictions of the need for zoning relief from height.]

The original requested zoning relief was:

Pursuant to 11 DCMR § 3103.2, Mr. Christopher Wright (APPLICANT) is requesting an area variance from the minimum lot dimensions under § 401.3, a variance from the lot occupancy requirements under § 403.2, a variance from the rear yard requirements under § 404.1, a variance from the open court requirements under § 406.1, and a variance from the nonconforming structure under § 2001.3, to allow an addition to an existing building serving as a flat in the R-4 District at premises 17 U Street NW, Square 3117, Lot 0003 (PROPERTY).

In consultation with the Offices of Planning and Zoning, the area “variance from the nonconforming structure under § 2001.3” does not sufficiently address the need for zoning relief due to the height of the structure. The existing and proposed height is 3 floors above grade plane, with a basement, at a height of 37.2’ above grade plane. There is no proposed increase to the height of the structure. Due to recent changes from Z.C. Case No. 14-11, complementary to the requested zoning relief above, but with no material difference from the original proposal to DC or the neighborhood residents/civic associations/commission regarding height, a special exception is requested:

Pursuant to 11 DCMR § 3104.1, Mr. Christopher Wright (APPLICANT) is requesting a special exception under § 400 for height requirements for an expansion to an existing building serving as a flat in the R-4 District at premises 17 U Street NW, Square 3117, Lot 0003 (PROPERTY).

Consolidated variance and special exception request:

Pursuant to 11 DCMR § 3103.2 and 11 DCMR § 3104.1 , Mr. Christopher Wright (APPLICANT) is requesting an area variance from the minimum lot dimensions under § 401.3, a variance from the lot occupancy requirements under § 403.2, a variance from the rear yard requirements under § 404.1, a variance from the open court requirements under § 406.1, a variance from the nonconforming structure under § 2001.3, and a special exception to height requirements under § 400 to allow an addition to an existing building serving as a flat in the R-4 District at premises 17 U Street NW, Square 3117, Lot 0003 (PROPERTY).

Form 135 Refinements

In consultation with the Offices of Planning and Zoning, refinements and updates have been made to Form 135. These updates include changing the existing and proposed height of the building to 37.2' from 36.1'. Additionally, this includes changing the existing and proposed lot occupancy from 86.4% to 83.2%. Finally, the Floor Area Ratio has been updated but is not limited for this type of structure in the R-4 District. All of these changes have no effect on the need for zoning relief or the types of specific zoning relief originally requested, as the changes still reflect measurements in excess of those allowed by Zoning Regulations. The reasons, as well as the calculations themselves, can be found in the response to the Office of Planning contained in this document.

Revised 1/1/11

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on this form. All certification forms must be completely filled out (front and back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Complete one self-certification form for each application filed. Present this form with the Form 120 - Application for Variance/Special - Exception to the Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001. (All applications must be submitted before 3:00 p.m.)

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)	1700	1800	-	1700	-100
Lot Width (ft. to the tenth)	17	18	-	17	-1
Lot Occupancy (building area/lot area)	83.2	-	60	83.2	23.2
Floor Area Ratio (FAR) (floor area/lot area)	2.0	-	-	2.2	-
Parking Spaces (number)	0	-	-	0	-
Loading Berths (number and size in ft.)	0	-	-	0	-
Front Yard (ft. to the tenth)	0	-	-	0	-
Rear Yard (ft. to the tenth)	0	20	-	0	20
Side Yard (ft. to the tenth)	n/a	n/a	n/a	n/a	n/a
Court, Open (width by depth in ft.)	4.5	6 min (12 calculated)	-	4.5	7.5
Court, Closed (width by depth in ft.)	17	5	-	17	-
Height (ft. to the tenth)	37.2'	-	35	37.2'	2.2'



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning - 441 4th Street, N.W. Ste. 200-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov * dcoz@dc.gov

Burden of Proof

In addition to the burden of proof statement originally provided, which is included at the end of this section as well, the following has been submitted to address more specifically meeting the conditions for a special exception from the 35' height limitation under § 400.23¹. The initial burden of proof also noted the specific standards also required for granting a special exception, as it is "consistent with consistent with general intent and purpose of related § 223.2², § 400.23³, and Z.C. Case No. 14-11,

¹ In an R-4 Zone District, a building or other structure may be erected to a height not exceeding forty feet (40 ft.) if approved by the Board of Zoning Adjustment as a special exception, under § 3104, subject to the following conditions, except that if the building is being converted to an apartment house, special exception relief from the thirty-five foot (35 ft.) height limitation is only available pursuant to §§ 336 or 337 as applicable:

- (a) The applicant shall demonstrate that the overall building or structure height or upper addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
 - (1) The light and air available to neighboring properties shall not be unduly affected;
 - (2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
 - (3) An addition shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;
 - (4) An addition shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator; and
 - (5) The resulting building or structure height, 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;
- (b) The applicant shall demonstrate that overall building or structure height or an upper addition resulting from the additional five feet (5 ft.) will not have a substantially adverse effect on the defining architectural features of the building or result in the removal of such features;
- (c) In demonstrating compliance with §§ 400.23(a) and (b), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the new or extended building or structure to adjacent buildings and views from public ways.

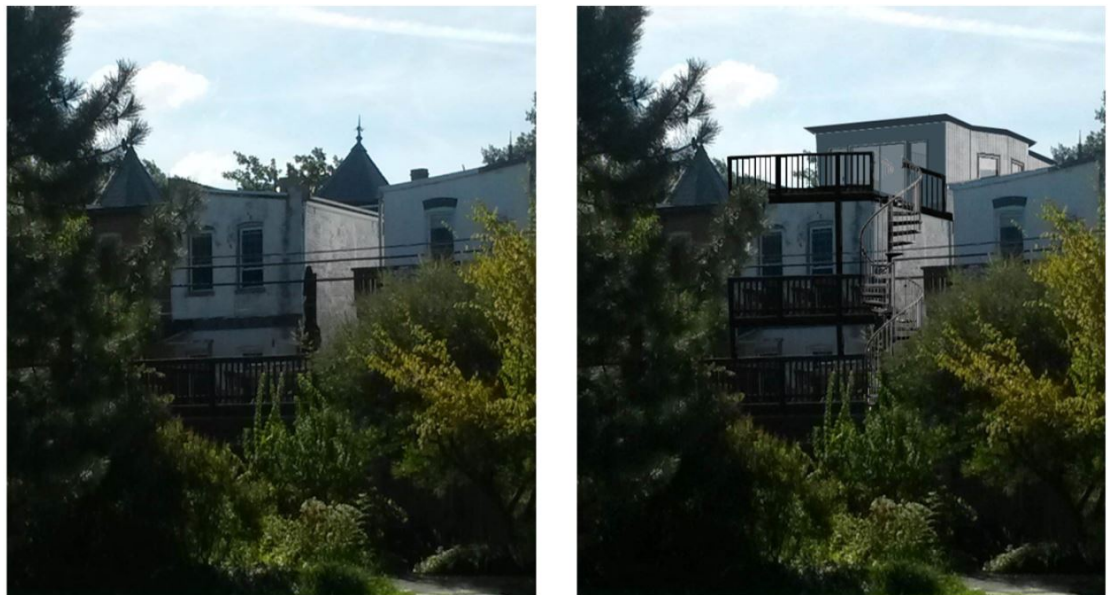
² 11 DCMR § 223.2, ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES, "The addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular: (a) The light and air available to neighboring properties shall not be unduly affected; (b) The privacy of use and enjoyment of neighboring properties shall 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 (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".

³ 11 DCMR § 400.23 "In an R-4 Zone District, a building or other structure may be erected to a height not exceeding forty feet (40 ft.) if approved by the Board of Zoning Adjustment as a special exception, under § 3104, subject to the following conditions, except that if the building is being converted to an apartment house, special exception relief from the thirty-five foot (35 ft.) height limitation is only available pursuant to §§ 336 or 337 as applicable: (a) The applicant shall demonstrate that the overall building or structure height or upper addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular: (1) The light and air available to neighboring properties shall not be unduly affected; (2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; (3) An addition shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code; (4) An addition shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator; and (5) The resulting building or structure height, 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; (b) The applicant shall demonstrate that overall building or structure height or an upper addition resulting from the additional five feet (5 ft.) will not have a substantially adverse effect on the defining architectural features of the building or result in the removal of such

protecting the character and architectural features of the original row house in height, scale, and materials used.”

Specifically, In conducting outreach to the community, during the zoning variance process, the following overlays have been generated to demonstrate the proposed alterations and the commitment to maintaining the architectural character of the home, true to the intent of recent changes to regulations. Additionally, during the permit review process, all functional rooftop elements from my home and the two adjacent neighbors have been surveyed and will be brought into compliance with code upon proposed alterations.

- No substantial changes to the architecture on the street side
- Similar materials as the original materials used to maintain the character on the street side
- All proposed additions and alterations are made within the same footprint as existing structure



Images: Existing Rear of Home and Overlay of Proposed Alteration

- No undue impact on the privacy, light and air of neighboring properties. Explicit support by two adjacent homeowners (15 and 19 U St NW).
- The expansion, as well as the rest of the rear will be uniform in finish with a textured stucco
- Deck material will also be the same as the existing material – wood – with a metal staircase
- Expanded fourth level will match the layout of the existing floor below with a rear balcony

ORIGINAL BURDEN OF PROOF: The request meets the standard for granting a variance to provide relief from strict application of zoning regulations that would result in peculiar and exceptional practical

features; and (c) In demonstrating compliance with §§ 400.23(a) and (b), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the new or extended building or structure to adjacent buildings and views from public ways.”

difficulties, pursuant to 11 DCMR § 3103.2 and 11 DCMR § 3103.7⁴, due to the existing and unchangeable attributes of the PROPERTY. The requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. Further, the proposal is also consistent with general intent and purpose of related § 223.2⁵, § 400.23⁶, and Z.C. Case No. 14-11, protecting the character and architectural features of the original row house in height, scale, and materials used.

- Physical Characteristics of the Property Difficult to Comply with Zoning Regulations - Strict compliance with the regulations is practically difficult because the adoption of the Zoning Regulations immediately resulted in the nonconformities that are subsumed in the requested variance relief as well as nonconformities with respect to lot size and lot width.
 - o Both the subject property and the existing structures were in developed in 1906 prior to the adoption of the Zoning Regulations and became nonconforming with respect to lot occupancy, open court, and rear yard upon the adoption of the regulations.

⁴ 11 DCMR § 3103.7, “The standard for granting a variance, as stated in § 3103.2 differs with respect to use and area variances as follows: (a) An applicant for an area variance must prove that as a result of the attributes of a specific piece of property described in § 3103.2, the strict application of a zoning regulation would result in peculiar and exceptional practical difficulties to the owner of property; and (b) An applicant for a use variance must prove that as a result of the attributes of a specific piece of property described in § 3103.2, the strict application of a zoning regulation would result in exceptional and undue hardship upon the owner of the property.

⁵ 11 DCMR § 223.2, ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES, “The addition or accessory structure 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; (b) The privacy of use and enjoyment of neighboring properties shall 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 (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”.

⁶ 11 DCMR § 400.23 “In an R-4 Zone District, a building or other structure may be erected to a height not exceeding forty feet (40 ft.) if approved by the Board of Zoning Adjustment as a special exception, under § 3104, subject to the following conditions, except that if the building is being converted to an apartment house, special exception relief from the thirty-five foot (35 ft.) height limitation is only available pursuant to §§ 336 or 337 as applicable: (a) The applicant shall demonstrate that the overall building or structure height or upper addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular: (1) The light and air available to neighboring properties shall not be unduly affected; (2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; (3) An addition shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code; (4) An addition shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator; and (5) The resulting building or structure height, 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; (b) The applicant shall demonstrate that overall building or structure height or an upper addition resulting from the additional five feet (5 ft.) will not have a substantially adverse effect on the defining architectural features of the building or result in the removal of such features; and (c) In demonstrating compliance with §§ 400.23(a) and (b), the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the new or extended building or structure to adjacent buildings and views from public ways.”

- o The lot area and lot width are nonconforming and unchangeable, creating an exceptional condition
 - o With any other proposed expansion to the structure, additional lot occupancy would be generated, even one as modest an increase in square footage as proposed
 - o No expansion would be possible in conformance with the zoning regulations without demolition of a portion of the existing building.
 - o While the variance relief is sought, recognizing existing nonconformance with lot occupancy, the lot occupancy percentage includes an open court that is nonconforming as to width and thus counted toward that coverage (11 DCMR § 406).
- No Substantial Detriment to Public Good. Consistent with the General Purpose of the Zoning Regulations and Map - The proposed addition will not cause substantial detriment to the public good or impair the intent, purpose, and integrity of the Zoning Regulations and Map. The project is a modest extension that will not increase any existing nonconformity, nor create any new nonconformity.
- o The proposed extension will maintain the same building height of 36.16 ft
 - o The proposed project has little change in appearance from the front
 - o The proposal does not increase a nonconforming height condition (stories, feet)
 - o The proposal does not create any new nonconforming condition
 - o The property will continue to be used as a residential flat
 - o There is no significant alteration to the architectural elements of the PROPERTY or effect on neighboring roofs, including chimney or external vent functioning, in accordance with 11 DCMR § 400.24⁷
 - o The extension will not have an undue impact on the light and air of neighboring properties because of the vertical nature of the addition, the absence of any increase in lot occupancy, the substantial setback from the rear of the property for the extension, and the open air nature of the balcony. To further elucidate the lack of any issues, letters acknowledging and supporting the propose alterations have been signed by the two adjacent homeowners (15 and 19 U Street NW).

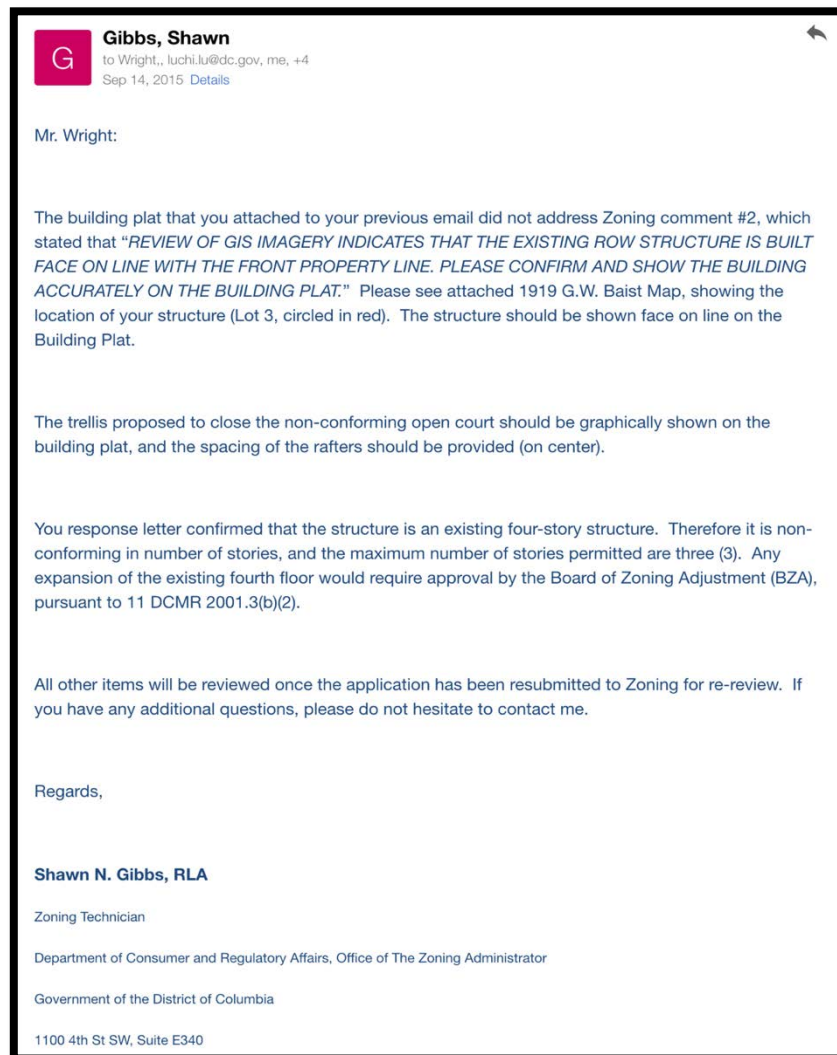
⁷ 400.24 "In an R-4 Zone District, the following provisions shall apply: (a) A roof top architectural element original to the building such as a turret, tower or dormers, shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size; (b) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code; and (c) Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator.

Revised Plans

Updated plans, which have been revised due to consultation largely with DCRA, have been provided and included call-outs for all changes. These revisions may be particularly helpful in noting the height of the structure – from the ground and grade plane – as well as the efforts made to maintain the architectural character of the row house.

Office of Planning Response

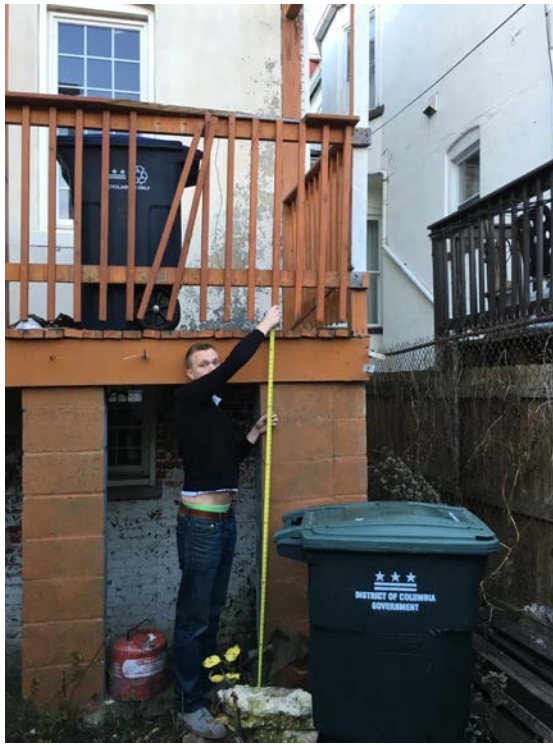
- **General Note:** Need to conduct renovations due to dilapidated home – roof is leaking and a structural beam requires critical near-term shoring up. These are in addition to other exceptional circumstances about the structure and lot that help meet the burden for relief from the most restrictive implementation of regulations.
- **Planning Comment #1:** First question – a 4th story is not allowed in the R-4 unless you have more than 6'6" existing internal space. Do you have that internal height now? If there isn't that height you cannot expand that floor.
 - **Response to Planning Comment #1:** Please see below for more full description of height and stories, which confirms the height of the top level is over 7'. In terms of DCRA's position, they have made clear that it is considered four stories (see screenshot below from DCRA in September) and that is why a zoning variance is required. NOTE: Some confusion may be caused by the important distinction that only three stories are above grade plane.



- o **Height/Stories:** Calculation of the official height of the home has changed slightly from the original submission, in consultation with DCRA and the Office of Planning, to address grade plane. The existing structure has 3 stories above grade plane, plus a basement. This is a total of 4 existing stories. The proposed structure also has 3 stories above grade plane, plus a basement. This is an unchanged total of 4 proposed stories. Both existing and proposed structures maintain the same overall height.
 - Grade Plane Calculation (5'6.5") – Existing and Proposed
 - o Front measure of distance from ground level to the floor of the finished first floor (4'9") (picture below)



- o Rear measure of distance from ground level to the floor of the finished first floor (6'4")



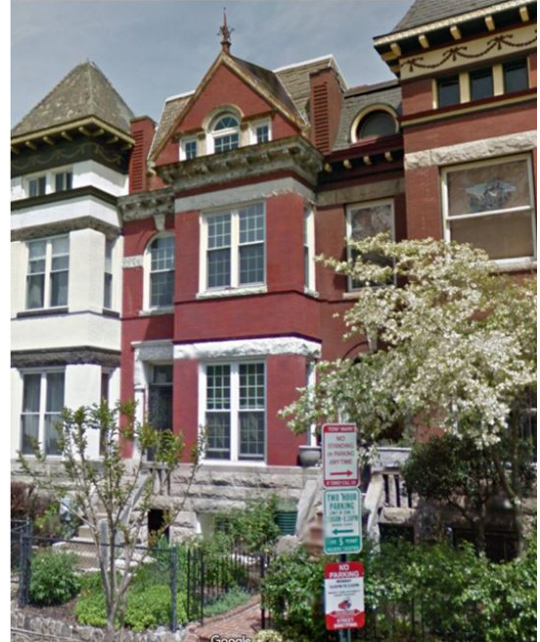
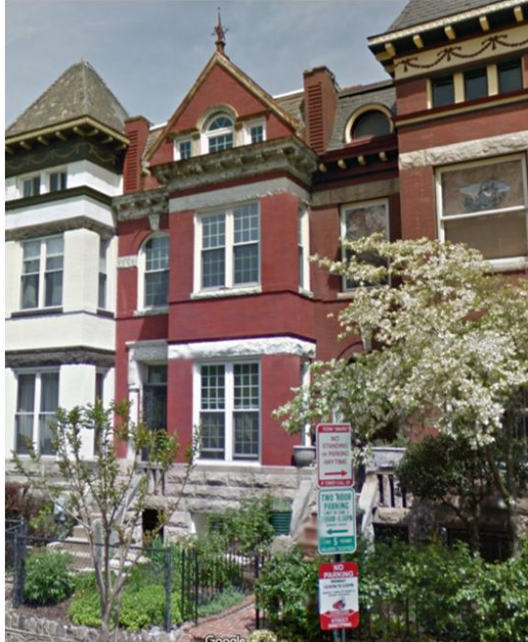
- o Average of front and rear measure/grade plane is therefore 5'6.5"
- o Since the grade plane is less than 6', basement is not a story above grade plane
- Height Calculation from Grade Plane for Existing Home (37'2.5")
 - o Grade plane to finished first floor above grade plane (5'6.5")
 - o Finished first floor to finished second floor above grade plane (10'8")
 - o Finished second floor to finished third floor above grade plane (9'8")
 - o Finished third floor above grade plane to roof (9')
 - o Roof to peak of gable (2'4")
- Height Calculation from Grade Plane for Proposed Home (37'2.5")
 - o Grade plane to finished first floor above grade plane (5'6.5")
 - o Finished first floor to finished second floor above grade plane (10'8")
 - o Finished second floor to finished third floor above grade plane (9'8")
 - o Finished third floor above grade plane to peak of gable (11'4")

- **Planning Comment #2:** You will need to calculate lot occupancy for each floor. The new balcony and spiral staircase count towards lot occupancy.
 - o **Response to Planning Comment #2:** Floor by floor calculation of structure lot occupancy is below. Both existent and proposed lot occupancy calculation is 83.2% at a maximum, which includes the nonconforming dogleg (77.2% without the dogleg both existing and proposed).
 - o **Proposed:**
 - Basement (1033.5 sq ft) – 60.7%
 - Home: 1033.5 sq ft (includes nonconforming dogleg)
 - o Without Dogleg: 932.6 sq ft
 - First Floor + Porch + Garage (1413.6 sq ft) – 83.2%
 - Home: 1033.5 sq ft (includes nonconforming dogleg)
 - o Without Dogleg: 932.6 sq ft
 - Porch/Stair: 78.4 sq ft
 - Garage: 301.7 sq ft
 - Second Floor + Balcony (1111.9 sq ft) – 65.4%
 - Home: 1033.5 sq ft (includes nonconforming dogleg)
 - o Without Dogleg: 894.2 sq ft
 - Balcony/Stair: 78.4 sq ft
 - Third Floor + Deck (1084.2 sq ft) – 63.7%
 - Home: 1005.8 sq ft (includes nonconforming dogleg)
 - o Without Dogleg: 752.0 sq ft
 - Deck/Stair: 192.9 sq ft
 - o **Existent *Note stairwell from existent porch replaced with spiral (updated plans-A101):**
 - Basement (1033.5 sq ft) – 60.7%
 - Home: 1033.5 sq ft (includes nonconforming dogleg)
 - o Without Dogleg: 932.6 sq ft
 - First Floor + Porch + Garage (1415 sq ft) – 83.2%
 - Home: 1033.5 sq ft (includes nonconforming dogleg)
 - o Without Dogleg: 932.6 sq ft
 - Porch/Stair: 79.75 sq ft
 - Garage: 301.7 sq ft

- Second Floor (1033.5 sq ft) – 60.8%
 - Home: 1033.5 sq ft (includes nonconforming dogleg)
 - Without Dogleg: 894.2 sq ft
 - Third Floor (477.4 sq ft) – 28.1%
 - Home: 477.4 sq ft (includes nonconforming dogleg)
- **Planning Comment #3:** You will need variance relief from § 2001.3(a) as well as § 2001.3(b)2.
 - **Response to Planning Comment #3:** The request for variance relief includes that from section 2001.3. The existing lot occupancy is 83.2%. The proposed changes occur within the same footprint as the existing structures on the property, thus not effecting lot occupancy calculations. The property was developed prior to Zoning Regulations and any expansion is not possible within regulations without demolition of a significant portion of the existing structure. The expansion proposed does NOT expand any existing nonconformity.
- **Planning Comment #4:** Rear yard has not been calculated correctly so that should be changed on Form 135.
 - **Response to Planning Comment #4:** Form 135, with regard to the Rear Yard, calls for a measure of the setback distance of structures from the rear property line, which abuts the alleyway. There is an existent garage on the rear property line, making that setback 0 ft. There is no planned razing of the existent garage. Relief has been requested from the Zoning Regulations, which call for a minimum of 20 feet of setback.
- **Planning Comment #5:** Please have sheet A-111 corrected for the height error and re-submit.
 - **Response to Planning Comment #5:** Multiple sheets required updates as a result of coordination with DCRA and the Office of Planning. Those sheets are attached and include A-111, which had a misleading elevation cross-section height.
- **Planning Comment #6:** The building height is non-conforming in the R-4 and will need Special Exception relief.
 - **Response to Planning Comment #6:** Correct, the existent structure is nonconforming with regard to height, which is already approached through my request for an area variance under Section 2001.3 regarding enlargements to a nonconforming structure that has a conforming use. My property, and the proposed changes, are nonconforming regarding the structure but with a conforming use.

- o The entire requested area variance includes requests for relief from requirements that, as Section 3103.5(a) states, “affect the size, location, and placement of buildings and other structures such as height, floor area ratio, lot occupancy, yard width and depth, and minimum court size.” Additionally, Section 3101.5(e) states that area variances are used to request permission to deviate from “the prohibition against certain enlargements and additions to nonconforming structures as stated at § 2001.3”
 - o In Section 2001.3, one of the sections I’ve explicitly requested relief from, it allows for enlargements to a structure provided that the enlargement conforms to use – which this does – and that it does not “increase or extend any existing, nonconforming aspect of the structure.” Since my proposal expands the existing 3rd floor above grade, at the same exact height, I have requested relief from this Section of the code. Notably, my request for relief from Zoning Regulations includes no proposed increase in any nonconforming aspect.
 - o See link for a very similar request that received a positive assessment from the Office of Planning and approval from the BZA: www.dcoz.dc.gov/orders/17637_794-13.pdf
- **Planning Comment #7:** This application does not qualify for a § 223 expedited application which you have requested.
 - o **Response to Planning Comment #7:** Please provide further justification for why it is not eligible to be expedited.
- **Planning Comment #8:** The R-4 regulations include the following language and the BZA has been closely evaluating proposed changes to roof forms.

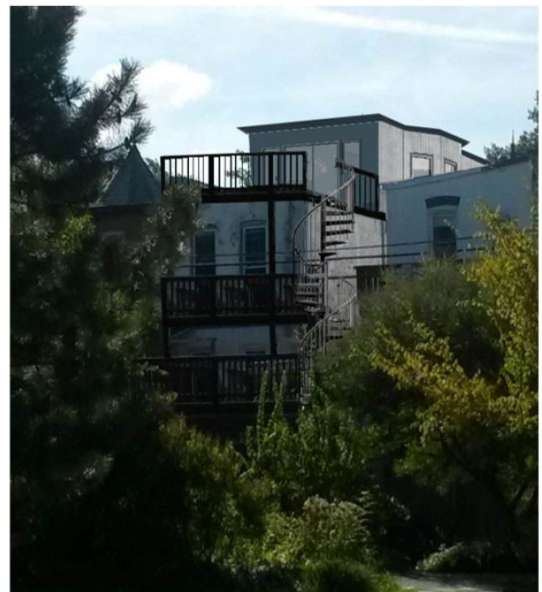
- o **Response to Planning Comment #8:** In conducting outreach to the community, during the zoning variance process, the following overlays have been generated to demonstrate the proposed alterations and the commitment to maintaining the architectural character of the home, true to the intent of recent changes to regulations.



Images: Existing Front of Home and Overlay of Proposed Alteration

Additionally, during the permit review process, all functional rooftop elements from my home and the two adjacent neighbors have been surveyed and will be brought into compliance with code upon proposed alterations.

- No substantial changes to the architecture on the street side
- Similar materials as the original materials used to maintain the character on the street side
- All proposed additions and alterations are made within the same footprint as existing structure



Images: Existing Rear of Home and Overlay of Proposed Alteration

- No undue impact on the light and air of neighboring properties. Explicit support by two adjacent homeowners (15 and 19 U St NW).
 - The expansion, as well as the rest of the rear will be uniform in finish with a textured stucco
 - Deck material will also be the same as the existing material – wood – with a metal staircase
 - Expanded fourth level will match the layout of the existing floor below with a rear balcony
- **Planning Comment #9:** I don't see the ANC letter online yet.
 - **Response to Planning Comment #8:** The letter has been uploaded to the system.