

11.02.2015

BURDEN OF PROOF – AREA VARIANCE

Owner: Rob Carter
Agent: Kelly Davies Grace, Travis Price Architects
Property: 1512 6th Street N.W.
 Washington D.C., 20001
 Square: 445 Lot: 43
Current Use: 4-Unit Apartment Building
Proposed Use: 4-Unit Condo Building

We request zoning relief from the Board of Zoning Adjustment pursuant to 11DCMR 3103.2 for a variance from the prohibition against enlargements on nonconforming structures devoted to conforming uses under subsection **2001.3.(b)(2)**, and a variance from the side yard requirements under subsection **405.8**.

2001.3 Enlargements or additions may be made to the structure; provided:
 (b) The addition or enlargement itself shall:
 (2) Neither increase or extend any existing, nonconforming aspect of the structure; nor create any new nonconformity of structure and addition combined.

405.8 Side Yards. In the case of a building existing on or before May 12, 1958, with a side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.).

BURDEN OF PROOF

CONS:

- Unusable Side Alley @ 2' 3-1/2" wide – Unsafe, Rodent Gathering Place
- Non-Conforming Side Alley @ 6' 8-1/2" wide – Windows on side of building are a fire hazard and no longer allowed by new building codes
- The physical characteristics of building an addition based on the existing setbacks are not workable. The third floor would be stepped back 8' from the property line allowing the width of the building to only be 13' wide. Once circulation is added and interior walls, the usable space is approx. 9' wide.



- Not ADA Accessible - [7] steps on exterior to front door, [3] steps on interior
- No parking
- Scale of building is small compared to 6th Street NW surrounding buildings
- No eyes on the street, or front balcony to interact with neighbors

PROS:

- Keep existing brick wall on the north side
- Shorten depth of building on rear by 13'+, providing more light and view to surrounding neighbors, proposed 40' rear yard (existing 26'-10")
- Build from property line to property line and eliminate the non-conforming, un-safe side yard
- Provide an ADA accessible unit by aligning the entrance of the building with the sidewalk
- Provide 2 parking spaces in rear yard alley
- Provide clean pad for garbage cans in rear
- Provide larger, more usable floor space per unit enabling family tenants
- Provide eyes on the street and neighborhood comradery with front facing balconies
- Enable the neighbor on the north to keep their gate attached to our existing brick wall

Our proposed design seeks to renovate our existing building to conform to current DCRA Zoning Codes. The granting of the application will not be of substantial detriment to the public good. This application is not inconsistent with the general intent and purpose of the Zoning Regulations and Map.