

BURDEN OF PROOF:

Regarding *special exception from 223 to permit an addition to an existing nonconforming one-family dwelling that exceeds the maximum lot occupancy of 403 in the r-4 zone*: the original row house and existing one story addition have a footprint of 782.9 sq ft, which yields a lot occupancy of 70%. The proposed 2-story addition has a smaller footprint than the existing addition (165 sq. ft. Vs. 178 sq. ft.) and therefore yields a smaller lot occupancy, 68% (within the allowable 70% for zoning relief).

Regarding *special exception from 223 to permit an addition to an existing nonconforming one-family dwelling that does not meet the minimum rear yard setback requirement of 404 in the r-4 residence zone*: the average existing rear-yard setback is 16'-10." the proposed 2-story addition projects 10.5" less into the rear yard and creates an average rear-yard setback of 17'-9" feet. For 84% of the width of the property, the proposed rear-yard setback is 19'-2," only 10" less than the allowable 20 feet. The average rear-yard setback is reduced due to a jog in the property line which allows the neighbors rear-access to their property.

Not only is the proposed addition smaller in footprint than the current addition, but several other properties abutting the alley have similar two story additions (as are common throughout Washington DC). Because so many other homes in the area have similar rear additions, the proposed addition will not be out of character for the neighborhood.

The proposed addition will be consistent with the general intent and purpose of the zoning regulations as described in the document "Zoning in the District of Columbia." The proposed addition will not affect the occupancy of the property (in type, or number of occupants), and therefore will have no affect on concentration of population or street congestion. The proposed addition, which is north-facing, will not affect the neighbor's access to light or air. There will be no windows on the sides of the addition, so the privacy of the neighbors will not be affected.

We will contact the local ANC (anc-6a) and the Office of Planning to discuss the application prior to the hearing. We will submit a statement of the efforts made to contact these groups no less than fourteen days before the scheduled hearing. We have already discussed the proposed addition with our immediate neighbors on either side.

Thank you for considering our application.