

Burden of Proof

Special Exception Application

629 L Street NE

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

From: **Amanda Stevenson**
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Date: **November 24, 2015**

Subject: **BZA Application, Johnston Addition**
629 L Street NE (Square 856, Lot 166)

Kathryn Johnston, owner and resident of 629 L Street NE, hereby applies for a special exception to build a two story addition on the rear of her existing three story row house. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

The existing lot coverage is 790.14 SF (52.7%), which is 7.3% under the allowed lot occupancy for a row house in the R-4 zoning district (11 DCMR 403.2). The proposed construction increases the lot coverage to 970.14 SF (64.7%), which is 4.7% over the allowed lot occupancy.

The existing open court is 4.0', which is less than the required minimum for a row house in the R-4 zoning district (11 DCMR 406.1). The proposed addition extends the open court and does not increase nor decrease the existing 4.0' open court.

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 effect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).
- B. The proposed two story addition adheres to the existing 4.0' open court.
- C. The proposed two story addition extends 12.0' past the existing rear of the house, but does not increase the structure's height.

II. Basis for Grant of Special Exception Section

223 provides relief based on satisfying specific criteria under which additions to a one-family dwelling or flat may be permitted within 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 sections 401, 403, 404, 405, 406 and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under section 3104, subject to the provisions of this section.

The two story addition is a proposed modification to a permitted single-family residence that is currently in conformance with Section 403.2 (60 percent lot occupancy), and not in conformance with Section 406.1 (minimum width of open court).

The proposed addition will be on the rear (south facing side) of the existing structure. The existing lot coverage of 52.7 percent will increase to 64.7 percent not meeting the requirements of section 403.2. The existing structure has an open court of 4.0' which does not meet the requirements of section 406.1, but the proposed addition will not increase nor decrease this existing open court.

223.2 The addition 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.

631 L Street NE

631 L Street NE lies immediately to the east of the property, 629 L Street NE. The proposed two story addition at 629 L Street NE will not extend past the one story addition at 631 L Street NE, but it will exceed the height. The size of the addition results in only a small change to the structure's southern exposure. Therefore, the addition will have minimal impact on the light or air.

627 L Street NE

627 L Street NE lies immediately to the west of the property, 629 L Street NE. These properties are separated by the open court. The addition at 629 L Street NE will not extend past the existing two story addition at 627 L Street NE nor will it exceed the height of the neighbor's addition. Neither addition has windows/openings adjacent to one another. Therefore, the proposed addition will have minimal impact on the light or air.

Neighbors to the South

To the south of 629 L Street NE is a public alley. Directly after this is a public elementary school. The majority of the rear yard will remain unobstructed and the proposed addition will not affect the public alley. Because of the distance between 629 L Street NE and the actual public school building, there will be no impact on light and air.

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

631 L Street NE

The proposed addition at 629 L Street NE will extend 12.0', but will not extend past the rear of 631 L Street NE. There are no windows facing 631 L Street NE and there is a privacy fence between the properties. Therefore, the privacy of use and enjoyment of 631 L Street NE will not be compromised.

627 L Street NE

The proposed addition at 629 L Street NE will extend 12.0', but will not extend past the rear of 627 L Street NE. There are no windows facing 627 L Street NE and there is a privacy fence between the properties. Therefore, the privacy of use and enjoyment of 627 L Street NE will not be compromised.

Neighbors to the South

To the south of 629 L Street NE is a public alley. Directly after this is a public elementary school. The majority of the rear yard will remain unobstructed and the proposed addition will not affect the public alley. Because of the distance between 629 L Street NE and the actual public school building, the privacy of use and enjoyment of public school 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.

There is alley access to the rear of the property, but the proposed addition at 629 L Street NE will not dramatically change the existing view from the alley because the existing square is extremely dense. The addition is modest in size and maintains the existing scale in the public alley. The proposed addition will not be visible from any street. The proposed addition will be constructed with high quality, appropriate materials.

(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 to adjacent buildings and views from public ways.

Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings;
- b) Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed 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 this application, please feel free to contact me.

Thank you,



Amanda Stevenson
Agent/Applicant