

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
MR. MICHAEL BUFF**

**1513 CHURCH STREET, NW
ANC 2B**

STATEMENT OF THE APPLICANT

NATURE OF THE RELIEF SOUGHT

This statement is submitted by Mr. Michael Buff, (the “Applicant”), the owner of 1513 Church St, NW, (the “Property”), (Square 194, Lot 91). The Applicant seeks Special Exemptions pursuant to Section 223.1 to allow a 2nd story addition and roof deck to an existing non-conforming 2 unit/flat townhouse structure that does not comply with: 1) Section 403.2 by the existing structure exceeding lot coverage, 2) Section 406.1 for an existing Open Court that does not conform to the minimum required width, and 3) Section 2001.3 for changes to a non-conforming structure.

BACKGROUND

The property is a mid-block, R-5-B zoned lot of 1473 square feet improved by a two story brick row house as a 2 unit flat constructed c.1890. The structure contains 1630 sq. ft. of livable area covering 1035 sq. ft. of the lot (70%). The existing structure's lot coverage and west side yard/open court (3.4 ft.) became non-conforming with the adoption of the 1958 Zoning Regulations. The dwelling is flanked on both sides by identical row houses. The property is within the

boundaries of ANC 2B and the DuPont Circle Overlay Zone and the DuPont Historic District.

PROPOSED DEVELOPMENT

The Applicant proposes to extend the 2nd floor to the end of the existing 1st floor, replacing an existing deck with interior living space, and a roof deck at the rear portion of the existing structure. The addition will be replacing a deck which covers the existing first floor. Extending the 2nd floor will not enlarge the building footprint or change the existing lot coverage. The roof deck is situated at the far rear of the building and will not be visible from the front street.

The new owners are renovating this long-time investment property into a first floor rental unit and their residence in the upper unit. The addition is to provide addition interior living and outdoor space for the owner-occupied unit.

The proposed addition will result in a net increase of approximately 53 sq. ft of interior space but no change in the lot coverage of 1035 sq. ft. (70%). The proposed addition will be built to the existing zero-lot line on the east and therefore conform to Section 405.6 and built to the existing Open Court on the west. The rear yard dimension of 15'-0" meets the 15' setback required by Section 404.1. The total height of the building will remain unchanged at its existing height. One off-street parking space is currently provided at the rear of the lot, which is accessible via a

public alley. Zoning relief for lot occupancy and open court requirements is allowed from this Board under Section 223.1.

NATURE OF RELIEF SOUGHT AND STANDARD OF REVIEW

The Applicant requests Special Exceptions per Section 223.1 from Section 403.2 for lot coverage in excess of 60% in an R-5-B zone, Section 406.1 for Open Court width and for allowable changes to a non-conforming structure under Section 2001.3.

Under Title 11 DCMR §3104.1, the Board is authorized to grant a Special Exception where it finds that:

- The special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps; and, will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

THE APPLICANT MEETS THE BURDEN OF PROOF FOR SPECIAL EXCEPTIONS

The Property is affected by the exceptional situation and conditions as the Open Court and lot coverage existed prior to the adoption of the 1958 Zoning Regulations. The structure was made non-conforming with the adoption of these Regulations. There will be no change in the existing width or extent of the open court or the lot coverage with the proposed alterations.

The Special Exceptions will be in harmony with the general purpose and intent of the Zoning Regulation and Zoning Maps: The existing conditions will not

be substantially changed by this proposal. The open court and lot coverage exemptions are consistent with the majority of existing conditions of the similar surrounding lots and hence in harmony with the general purpose and intent of the Zoning Regulations.

The Proposed addition will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. The proposed alterations do not extend the open court nor increase the existing lot coverage. The neighboring properties have similar conditions to those this application is proposing so will not adversely affect those properties.

CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for Special Exception relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

Respectfully submitted

Michael Buff
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