Dornburg Residence
3312 Cathedral Avenue, NW
Washington, D.C. 20008
Special Exception Application

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Application Answers, Form 121:
Form 121-Side 2, Item #1. How proposed special exception will be consistent with the general intent and purpose of the Zoning regulations and Map:

The existing property's *use* as a single family residence is conforming but its *structure* (as originally built c. 1920) is non-conforming because it is an attached row dwelling (a one family dwelling having no side yards) in area zoned (R1-B) for one family detached dwellings (a one family dwelling completely separated from all other buildings and having 2 side yards). The specific non-conformity is at the side property lines, where the row house attaches to its adjoining neighbors. In this zone side yards are required by article 405.9. The structure conforms to all other zoning requirements. The owner is requesting a Special Exception under Section 223 for relief from articles 405.9 and 2001.3 (regarding extension of a non-conformity), to build an addition at the rear of the house along the east property line as shown in the attached drawings.

This request is consistent with the general intent and purpose of the Zoning regulations and Map because:

- The property meets the requirements for a special exception set forth in section 223.
- There is existing precedent at the adjoining neighbor's property to the east. This neighbor has an existing addition approximately the same depth and height as the applicants proposed addition, with no side yard at the applicant's property line. The neighbor's addition was approved as a variance in 19___ (Special Exception approval was not available at the time).
- The proposed addition will not affect the use, enjoyment, light or air of the adjoining properties because; at the East side the neighbor's property has no side yard where the new addition is proposed, and the West side yard at the proposed addition will be 9'-11", exceeding the minimum required 8'-0". The rear yard set back of the proposed

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Exhibit No. 7

Board of Zoning Adjustment
District of Columbia
CASE NO. 16997
EXHIBIT NO. 7

addition will be 25'-0" as allowed, similar to both the East and West neighbors.

- The proposed addition will not be visible from Cathedral Ave; it faces the private alley at the rear of the house. It will be visually compatible with the adjoining properties in character, scale and pattern.
- The general intent of Section 223 is to allow property owners constrained by non-conforming or undersize lots or structures to modernize their properties. This addition will allow the applicant a dining room at the addition and a much needed expansion of the kitchen into the existing dining area.

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Form 121 Side 2. Specific Special Exceptions Cited:

3104 Special Exceptions
3104.1 The Board is authorized… to grant special exceptions, as provided in this title, where, in the judgment of the Board, the special exceptions will be 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 and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Map subject in each case the special conditions specified in this title, as follows: (cites Section 223, applying to addition to one family dwelling in any R District.)
223 Additions to One-Family Dwellings or Flats
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 requirements of 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the board of Zoning Adjustment under 3104, subject to the provisions of this section.

401 – Minimum Lot dimensions.
Does not apply since existing lot is non-conforming.

403 – Percentage of Lot Occupancy – Maximum 40% occupancy for zone R1-B.
With proposed addition, the lot coverage will be 34%, where 40% is the maximum allowed.

404 – Rear Yards – Requires 25 feet rear yard.
Addition maintains minimum 25 foot rear yard setback.

405 – Side Yards

405.9 - Minimum width of side yards for R-1-B is 8'-0" both sides.
The Owner requests a special exception to this rule, under section 223, to construct the proposed addition face-on-line at the East side property line. The west side yard at the proposed addition will be 9'-11" (8'-0 required).

406 – Courts – Does not apply

2001-Nonconforming Structures Devoted to Conforming Uses.

2001.3 – Enlargements or Additions may be made to the structure provided:

A) The structure shall conform to percentage of lot occupancy requirements for zone R1-B (Maximum 40% coverage);
With the proposed addition, the lot coverage will be 34%, where 40% is the maximum allowed.

B) The addition or enlargement itself shall;

(1) Conform to use and structure requirements; **The property conforms to single family use requirement and is structurally sound.**

(2) Neither increase or extend any existing, nonconforming aspect of the structure;
The existing structure is non-conforming because it lack a side yards.
The Owner requests a special exception to this rule, under section 223, to extend this existing non-conformity (no side yard) at the east property line with the proposed addition.

Nor create any new nonconformity of structure and addition combined.
The proposed addition does not create a new non conformity

223.2 The addition shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent property, in particular:

(a) The light and air to neighboring properties shall not be unduly affected.
The only abutting property affected by the proposed addition is to the east side. (The rear yard setback will be 25' as required, and the west side yard set back will be 9'-11" where 8'-0" is required.) This abutting property to the East already has an existing 1 story addition (with full basement) built without a side yard at the applicants' east property line. (This addition was allowed as a variance in 1982 Application No. 13518 Aug 31, 1982). The proposed addition will be similar in height and will match the projection from the rear of the house of this neighbor's existing addition. As such the proposed addition will have

no affect on the light and air available to the neighboring properties.

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

(c) The addition, 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.
The abutting properties to the East and West both have similar additions to the one being proposed. The proposed addition will butt, face on line, against the existing addition at the property to the east, and will be a near match to the height and depth of this neighbor's addition. The fenestration and architectural detailing will be appropriate for the site.

(d) See attached drawings.

223.3 Lot Occupancy:
The structure shall conform to percentage of lot occupancy requirements for zone R1-B (Maximum 40% coverage);
With the proposed addition, the lot coverage will be 34%, where 40% is the maximum allowed.

223.4 Special treatment in the way of design to protect adjacent and nearby properties should not be necessary.

223.5 This section may not be used to permit the introduction or expansion of a non-conforming use.
The residential use is conforming and will not be changed.