17139

Application of Linda E. and Thomas W. Waltz for a special exception to allow for an addition to a single-family detached dwelling under section 223, not meeting side yard requirements (section 405) in the R-1-B District at premises 4529 Lowell Street, N.W. (Square 1605, Lot 67)

Form 120

Existing and Intended Use of Property:

Linda and Tom Waltz (property owners) have lived for over seventeen years at 4529 Lowell Street, N.W., an existing single-family detached dwelling, built in 1927, in an R-1-B District, and intend to use the property with addition as a single-family detached dwelling for many more years. The enlargement of a small room with no closets into full bedroom, and provision of a second bathroom on the same floor, would make it possible to accommodate the owners' elderly parents to reside with them for extended periods of time.

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Background

The project plans and plat were approved on February 26, 2003, and the contractor was granted a building permit (B448996) for the proposed project from the BLRA on February 28, 2003. Construction commenced in May 2003. The footings were inspected and approved by BLRA on May 29, 2003. A registered land surveyor was then recruited to undertake the wall check, which was completed July 18, 2003, and submitted to the DC Office of the Surveyor, BLRA. *[However, the results of the wall check were not released to the owners or contractor until December 12, 2003, more than 5 months later.]*

In the meantime, permits required for associated plumbing and electrical work were duly obtained. Upon completion, that work was inspected and approved by BLRA plumbing and electrical inspectors, respectively, by December 2, 2003, and the addition was ready for the close-in inspection. However, ten days later, on December 12, 2003, the inspector unexpectedly denied the anticipated close-in inspection and approval. The contractor and owners were then informed, for the first time, that the wall check undertaken in July found that the side yard was only 3.1 feet wide. The wall check was disapproved and the close in denied, because the side yard setback did not meet requirements under section 405.

Details Supporting the Requirements in the Zoning Regulation Under Section 223 for a Special Exception:

The owners of the dwelling respectfully request the Board of Zoning Adjustment to grant a special exception ruling under section 223 to permit a side yard not meeting the requirements under section 405. The building project meets all the specific test requirements under section 223 to support the Special Exception rule.

BZA
Case No. 17139
Exhibit No. 19

Board of Zoning Adjustment
District of Columbia
CASE NO. 17139
EXHIBIT NO. 19

The addition does not have a substantially adverse affect on the use or enjoyment of any abutting dwelling (there are none) or adjacent dwelling or property, in particular:

a. The light and air available to neighboring properties is not unduly affected. A large silver maple, approximately 60 ft in height, previously shaded our house and the adjacent property. Enclosed is a photo of the silver maple showing its height and broad canopy. Also submitted is a photo of the remaining stump of the silver maple, showing where it stood in relation to the new addition and the adjacent property. A large holly tree on the adjacent property (about 30 ft in height) remains in the background. A copy of the invoice from JL Tree Service, Inc., confirms that the silver maple was removed on April 14, 2003, one month before construction began. Together, the photos and invoice support our view that the adjacent property receives even more light today than it did prior to removal of the maple tree.

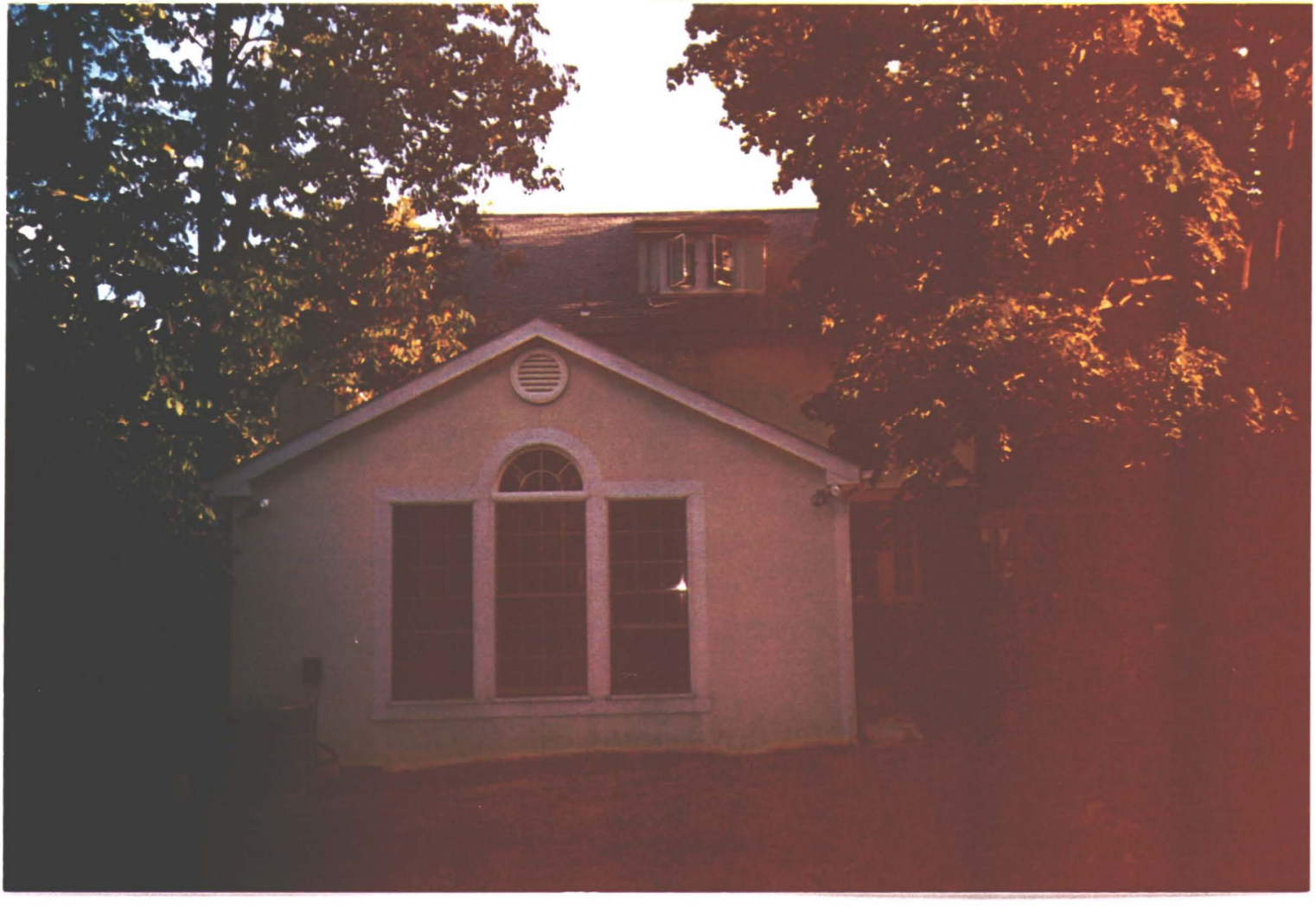
b. The privacy and use and enjoyment of neighboring properties are not unduly compromised. The location of a window was specifically placed out of alignment with that of adjacent property owner's window to enhance privacy. Thicker wall construction and heavier insulation than building specifications require prevents possibility of any noise to surrounding area.

c. The addition, together with the original building, as viewed from the street, alley, and other public way, does not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage. The addition is finished in stucco to blend attractively with that of the existing house, as well as others in the area. The addition is compatible with the surrounding neighborhood and does not create any neighborhood traffic risks or obstruction.

d. Photographs, plans and drawings are attached showing front, rear and sides of the property in support of (a), (b), and (c) above.

The lot occupancy of the dwelling including addition is only 24.25 percent, substantially less than the allowed 50 percent.

The owners would like to thank the Board of Zoning Adjustment for its time and consideration in this matter.



Taken 11AM February 22 2024



JL TREE SERVICE, INC.
Quality Work • Quick Response
Reasonable Rates
24 HOUR EMERGENCY SERVICE

INVOICE

P.O. Box 2366
Fairfax, Virginia 22031
703 • 359 • 4444

DATE 4/14/03

BILL TO: Mr. Waltz

JOB LOCATION: 4529 Lowell St NW
Washington DC. 20016

SALESMAN	TERMS	PURCHASE ORDER NUMBER
Lowe		

DATE COMPLETED	DESCRIPTION	AMOUNT
4/14/03	Take Down maple B/L	$1100.00
	split and stack wood	$ 275.00
	Remove spruce left off	
	house	$ 175.00
		$1550.00
	all Done 4/14/03	
	Pd by Cash Mastercard 4/16/03	