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Booth Residence
914-½ 25th Street, NW
Washington, DC 20006
3-26-04

District of Columbia Office of Zoning
Board of Zoning Adjustment of the District of Columbia
441 4th Street, NW
Washington, DC 20001

Statement of Burden of Proof
Subsection 3104.1 from form 121

Dear Chair Person Geoffrey H. Griffis,

1) The proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map; the original intent of the design was to build an sunroom on the existing brick foundation at the rear of the home, within the two existing party walls, and use the existing party wall as the east side of the proposed sunroom and build a solid wall for the west wall, therefore leaving the south wall of the proposed sunroom to be all stationary glass panels, as well as the roof to be all stationary glass panels. The intent of the proposed sunroom is to mainly use it as a "cover" to the existing opening at the rear of the house as to protect any persons from injury due to a fall into the opening.

2) Allowing the use will not adversely affect the use of the neighboring property via noise. The new proposed sunroom calls for the use of the existing masonry party wall to become the side of the sunroom, which will definitely minimize any sound. There are no openings to be built on any of the sides of the proposed sunroom. Light into the neighboring homes is not adversely affected since there are no openings being built in either the solid masonry party wall or the solid wall that would opening up to either property lines. The openings that exist on both neighboring homes occur beyond the proposed sunroom and each have their own light source.

BZA
Case No. 17181
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO. 17181
EXHIBIT NO. 4

223 ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS

223.1 An addition to a one-family dwelling or flat, in those districts where a flat is permitted, that does not comply with all the requirements of 401, 403, 404, 405, and 406 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under 3104, subject to the provisions of this section.

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

a) The light and air available to neighboring properties shall not be unduly affected; this is mainly due to the fact that the proposed sunroom is to be built within the two existing masonry party walls, using the existing party wall as the east sidewall of the proposed sunroom and building a solid wall as the west sidewall, since the proposed sunroom does not span the entire length between the two existing party walls. Also, there are no openings being built on either neighbor's side closest to the property lines to interfere with either neighbor's light or air.

b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; because there is only one wall with stationary glass panels and no openings in the masonry wall at the east side or the solid wall at the west side of the proposed sunroom that would directly affect the neighboring properties, thus the enjoyment of the other properties will remain unaffected. This is because the proposed sunroom is due to be built within the existing party walls and actually cannot be seen by either neighbor.

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; and it is impossible to see the proposed sunroom from the front street. The front of the house, which faces 25th Street, is not being altered so the character and patterns of the house and street remains untouched and intact. It is also impossible to see the proposed sunroom from either side of the row of homes due to the existing masonry party walls on either side of the property. It is possible to see the glass back wall and glass roof only from the back of the property.

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 sunroom to adjacent buildings and views from the public ways.

223.3 The lot occupancy of the dwelling or flat, together with the addition shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts. The lot occupancy ratio of 63.3% with the addition is under the maximum 70% allowed, so there is green space left untouched on the site.

223.4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials or other features for the protection of adjacent and nearby properties.

Sincerely,

William A. Reames
Vice President/Agent